

Attendance Sheets

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

Date: 6/16/11

Regular Meeting
of the
Dutchess County Legislature

Thursday, June 16, 2011

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

Roll Call by the Clerk of the Legislature

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

ABSENT: 0

PRESENT, LATE: 0

Quorum Present.

National Anthem performed by The Newyorkers Chorus; invocation given by Pastor Keith Tamlyn of New Hackensack Reformed Church in Wappingers Falls; and a moment of silent meditation.

Presentation

Carolyn Klocker, Cornell Cooperative Extension –Watershed Awareness Month

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

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

Chairman Rolison entertained a motion to approve the May 9 minutes.

The May 9, 2011 minutes were adopted.

COMMUNICATIONS RECEIVED FOR THE JUNE 16 BOARD MEETING

RECEIVED: from Bill Conn e-mail regarding update on a housing issue.

RECEIVED: from Director of Real Property Tax, Ownership Transfers and Subdivisions Monthly Count for April and May 2011.

RECEIVED: from Commissioner of Finance list of refunds processed from 4/15/2011-5/25/2011.

RECEIVED: from Brad Gill, Executive Director, Independent Oil & Gas Association of New York, regarding prospects of natural gas development in New York State.

RECEIVED: from Jennifer MacPhee, Bank of America, regarding Resolution No. 2011091.

RECEIVED: Memo from Budget Director Sommerville, Contingency Account Status as of June 14 reflecting balance of \$1,305,206.

RECEIVED: Memo from Budget Director Sommerville, Contingency Account Status as of February 10 reflecting balance of \$1,463,431.

RECEIVED: Independent Review of Solid Waste Management System and LSWMP from MSWCONSULTANTS.

RECEIVED audits from Comptroller Coughlan:

Dutchess County Arts Council, Inc.
January 2009 – December 2010,

RESOLUTION NO. 2011131

RE: AUTHORIZING A GRANT AGREEMENT WITH THE PORT AUTHORITY OF NY & NJ AND AMENDING THE 2011 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE SHERIFF (A.3110.70)

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

WHEREAS, the Sheriff has advised that an award has been granted through the Port Authority of NY & NJ of a Fiscal Year 2010 Port Security Grant Program sub-grant, Operation River Watch, Award No. 2010-PU-T0-K006, in the sum of \$65,000, and

WHEREAS, funds are to be used for the purchase of assorted marine equipment in addition to a 24' Pontoon Boat, and

WHEREAS, it is necessary for this Legislature to authorize the execution of the grant agreement and to amend the 2011 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 Port Authority of NY & NJ 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 2011 Adopted County Budget as follows:

APPROPRIATIONS

Increase

A.3110.70.4412 Grant Project Costs \$ 65,000

REVENUES

Increase

A.3110.70.43200.05 Crime Control - Homeland Security \$ 65,000

CA-72-11
ca/C-8352
5/12/11
Fiscal Impact: See attached statement

APPROVED
[Signature]
WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date June 27, 2011

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 16th day of June 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have herunto set my hand and seal of said Legislature this 16th day of June 2011

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

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 65,000

Total Current Year Revenue \$ 65,000
and Source

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

Identify Line Items(s):

A.3110.70.4412
A.3110.70.43200.05

Related Expenses: Amount \$ _____

Nature/Reason:

Grant

Anticipated Savings to County: _____

Net County Cost (this year): _____

Over Five Years: _____

Additional Comments/Explanation:

The Sheriff's Office is a Subgrantee through the Port Authority of NY and NJ and awarded \$65,000 from the US Dept of Homeland Security for the purchase of assorted marine equipment in addition to a 24' Pontoon Boat. Resolution Request is for approval and acceptance of the Grant Award by signature of the County Executive and appropriation of \$65,000 to the Sheriff's 2011 Budget.

Prepared by: Maureen Sarigianis

Roll call vote on the foregoing Resolution No. 2011131 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

Roll Call Sheets

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

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

2011131 Authorizing a Grant Agreement with the Port Authority of NY and NJ and Amending the 2011 Adopted County Budget as it pertains to the Sheriff (A.3110.70)

Date: 6/16/11

RESOLUTION NO. 2011132

RE: AUTHORIZING GRANT AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES AND AMENDING THE 2011 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DISTRICT ATTORNEY (A.1165)

LEGISLATORS ROMAN and SADOWSKI offer the following and move its adoption:

WHEREAS, the District Attorney has applied to the New York State Division of Criminal Justice Services (NYSDCJS) for a grant to permit the County's participation in the Video Recording of Statement Program, a part of NYSDCJS's comprehensive strategy to reduce crime in New York State, and

WHEREAS, the grant funding is to be used for the purchase and installation of video recording equipment at the Town of Hyde Park Police Department for video recording of statements and police/prosecution interviews and interrogations, and

WHEREAS, the funding for this program will come from the Byrne Jag Federal Grant Opportunity 2011 Video Recording of Statements Equipment Grants in the amount of \$5,000 and an additional \$2,000 will be provided from asset forfeiture to fully implement the program, and

WHEREAS, pursuant to Article 13-A of the CPLR, asset forfeiture funds must be used for law enforcement training, equipment and operations and not to supplement ordinary budgetary expenses, and

WHEREAS, it is necessary for this Legislature to authorize the acceptance and execution of the grant agreement and to amend the 2011 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 offer made by the New York State Division of Criminal Justice Services 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 authorized, empowered and directed to amend the 2011 Adopted County Budget as follows:

APPROPRIATIONS

Increase

| | | |
|---------------------|-------------------------------|-----------------|
| A1165.05.4765.312 | Asset Forfeiture Reimbursed | |
| | Expenses - Municipalities | \$ 2,000 |
| A.1165.06.4442.3200 | Municipal - Town of Hyde Park | <u>5,000</u> |
| | | <u>\$ 7,000</u> |

REVENUES

Increase

| | | |
|--------------------|--|-----------------|
| A.1165.06.43200.04 | Crime Control, E. Byrne Memorial Grant | \$ 5,000 |
| A.9998.95110.01 | State - Reserve | <u>2,000</u> |
| | | <u>\$ 7,000</u> |

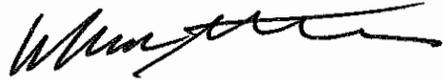
CA-78-11

ca/C-8359

5/17/11

Fiscal Impact: See attached statement

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date June 27, 2011

STATE OF NEW YORK

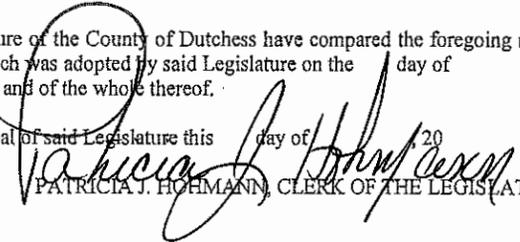
ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the _____ day of _____, 20____ 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 _____ day of _____, 20____

BR-3


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 7,000

Total Current Year Revenue \$ 7,000
and Source

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

Identify Line Items(s):

See Attached

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): _____

Over Five Years: _____

Additional Comments/Explanation:

The Video recording of statements program is part of DCJS's comprehensive strategy to reduce crime in New York State. \$5,000 has been awarded for video recording equipment and installation in the Town of Hyde Park Police Department to capture statements to police and prosecutors. Our office has allocated an additional \$2,000 from asset forfeiture funds to fully implement the program.

Prepared by: Gina Barry / Deb Patora

Roll call vote on the foregoing Resolution No. 2011132 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

Public Safety Roll Call

| District | Name | Yes | No |
|--|------------|---------------------|-------------------|
| District 8 - City and Town of Poughkeepsie | Rolison* | ✓ | |
| District 19 - Towns of North East, Stanford, Pine Plains, Milan | Cooper* | Absent | |
| District 6 - Town of Poughkeepsie | Flesland* | ✓ | |
| District 14 - Town of Wappinger | Goldberg* | ✓ | |
| District 7 - Town of Hyde Park | Kuffner* | ✓ | |
| District 1 - Town of Poughkeepsie | Doxsey | ✓ | |
| District 4 - Town of Hyde Park | Sadowski | Absent | |
| District 5 - Town of Poughkeepsie | Roman (C) | ✓ | |
| District 9 - City of Poughkeepsie | White (VC) | ✓ | |
| District 20 - Town of Red Hook | Traudt | ✓ | |
| District 21 - Town of East Fishkill | Horton | ✓ | |
| District 23 - Town/Village of Pawling, Beekman and East Fishkill | Thomes | Absent | |
| Present: | <u>9</u> | Resolution: | <u>X</u> |
| Absent: | <u>3</u> | Motion: | ___ |
| Vacant: | <u>0</u> | Total : | <u>9</u> <u>0</u> |
| | | Abstentions: | <u>0</u> <u>0</u> |

2011132 Authorizing Grant Agreement with the New York State Division of Criminal Justice Services and Amending the 2011 Adopted County Budget as it Pertains to the District Attorney (A.1165)

Date: 6/14/11

Roll Call Sheets

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

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

2011132 Authorizing Grant Agreement with the New York State
 Division of Criminal Justice Services and Amending the 2011
 Adopted County Budget as it Pertains to the District
 Attorney (A.1165)

Date: 6/16/11

PUBLIC WORKS

RESOLUTION NO. 2011133, 2011

BOND RESOLUTION DATED JULY 11, 2011.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,503,292 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY PART OF THE COST OF HIGHWAY AND BRIDGE IMPROVEMENTS IN AND FOR SAID COUNTY.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act as a Type II Action, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW,
THEREFORE

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

Section 1. Highway and bridge improvements in and for the County of Dutchess, New York, including incidental improvements and expenses in connection therewith, are hereby authorized at a maximum estimated cost of \$4,091,050.

Section 2. It is hereby determined that the plan for the financing thereof is as follows:

- (a) by the issuance of the \$1,503,292 serial bonds hereby authorized to be issued pursuant to the provisions of the Local Finance Law; and
- (b) by the expenditure of \$2,587,758 CHIP monies to be received from the State of New York, which monies are hereby appropriated therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is 15 years, pursuant to subdivision 91 of paragraph a of Section 11.00 of the Local Finance Law, based upon subdivisions 10 and 20(c) thereof.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said County of Dutchess, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County of Dutchess, New York, by the manual or facsimile signature of the Commissioner of Finance and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as she shall deem best for the interests of the County; provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner

of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

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

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

1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

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

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

2011 HIGHWAY AND BRIDGE IMPROVEMENTS

\$1,503,292 15 years at 3.75%

| Year | PRIN O/S | PRIN PAYMENT | INTEREST | TOTAL |
|---------------|----------------|--------------------|------------------|--------------------|
| 1 | \$1,503,292 | \$100,226 | \$56,373 | \$156,600 |
| 2 | 1,403,066 | \$100,219 | 52,615 | 152,834 |
| 3 | 1,302,847 | \$100,219 | 48,857 | 149,076 |
| 4 | 1,202,628 | \$100,219 | 45,099 | 145,318 |
| 5 | 1,102,409 | \$100,219 | 41,340 | 141,559 |
| 6 | 1,002,190 | \$100,219 | 37,582 | 137,801 |
| 7 | 901,971 | \$100,219 | 33,824 | 134,043 |
| 8 | 801,752 | \$100,219 | 30,066 | 130,285 |
| 9 | 701,533 | \$100,219 | 26,307 | 126,526 |
| 10 | 601,314 | \$100,219 | 22,549 | 122,768 |
| 11 | 501,095 | \$100,219 | 18,791 | 119,010 |
| 12 | 400,876 | \$100,219 | 15,033 | 115,252 |
| 13 | 300,657 | \$100,219 | 11,275 | 111,494 |
| 14 | 200,438 | \$100,219 | 7,516 | 107,735 |
| 15 | <u>100,219</u> | <u>\$100,219</u> | <u>3,758</u> | <u>103,977</u> |
| TOTAL | | <u>\$1,503,292</u> | <u>\$450,986</u> | <u>\$1,954,278</u> |
| AVG. PER YEAR | | \$100,219 | \$30,066 | \$130,285 |

FISCAL IMPACT STATEMENT

| | |
|---------------------------------------|-------------|
| TOTAL PRINCIPAL | \$1,503,292 |
| ANTICIPATED INTEREST RATE | 3.75% |
| TERM 15 YEARS. TOTAL ANTICIPATED FEES | \$14,885 |
| ANTICIPATED ANNUAL COST (PRIN + INT): | \$130,285 |
| TOTAL PAYBACK (ANNUAL COST x TERMS): | \$1,954,278 |

PREPARED BY PAMELA BARRACK

CERTIFICATION FORM

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

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

That I have compared the annexed extract of the minutes of the meeting of the County Legislature of said County, including the resolution contained therein, held on July 11, 2011, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

I FURTHER CERTIFY that the foregoing resolution as adopted by said County Legislature was duly approved by the County Executive of said County on July 14, 2011, in accordance with the provisions of Section 3.02 of the Dutchess County Charter.

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

Newspaper and/or other news media

Date given

Southern Dutchess News

July 7, 2011

Poughkeepsie Journal

July 7, 2011

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

Designated Location(s)
of posted notice

Date of Posting

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

July 7, 2011

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 12 day of July, 2011.



Patricia J. Holmann
Clerk, County Legislature

APPROVED

William R. Steinhaus
WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date July 14, 2011

**2011 H0431
DPW Highway and Bridge Capital Bond**

APPROPRIATIONS

Increase

| | | |
|---------------------|----------------------------|--------------------|
| H0431.5110.3250.212 | Roads-Reconstruction-CHIPS | 4,076,165 |
| H0431.5110.3900 | Bond Issuing Cost | 14,885 |
| | | <u>\$4,091,050</u> |

REVENUE

Increase

| | | |
|---------------------|--|--------------------|
| H0431.5110.35010.07 | Consolidated Highway Aid 2011 County Roads | 2,587,758 |
| H0431.5110.57100 | Serial Bond | 1,503,292 |
| | | <u>\$4,091,050</u> |

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

2011 Highway and Bridge Improvement Program

The Department of Public Works Engineering & HCM Divisions conduct a Capital Highway and Bridge Improvement Program each year. These funds are utilized to improve our County Highway System, which includes 312 bridges and drainage structures with spans over 5 feet. The County Highway System consists of 394 miles of roads and its associated storm water drainage and traffic control devices.

Planned programs for 2011 include: *Pavement Management Program, Bridge and Culvert Improvement Program, Miscellaneous Highway and Drainage Improvement Program, and funding for non-reimbursable portions of federally-funded bridge and highway projects.* The total cost for projects included in this request is estimated at \$4,850,000.

The County expects to receive approximately \$2,587,758 in *Consolidated Highway Improvement Programs Funds (CHIPS)* from New York State that will offset the total project costs. In addition to CHIPS funding, the Department intends to use \$ 773,835 of unspent balances from prior capital bonds to further offset the 2011 capital request.

Based on estimated project costs and anticipated offsets from CHIPS funding and prior capital bonds, the net 2011 request is \$1,488,407.

Summary Breakdown of Request:

| Estimated Program Amount | Program Description |
|---------------------------------|---|
| \$2,400,000 | Pavement Management Program. |
| \$1,500,000 | Bridge and Culvert Improvement Program. |
| \$450,000 | Miscellaneous Highway Improvement Projects. |
| \$500,000 | Local funding of non-reimbursable portions of federally-funded bridge and highway projects. |
| \$4,850,000 | Estimated Total 2011 Projects Cost |
| -\$2,587,758 | Anticipated CHIPS Funds (NYS) |
| -\$ 773,835 | Prior capital bond balances |
| \$ 1,488,407 | 2011 Net Request |

Pavement Management

The 2011 Pavement Management program involves resurfacing of County highways using both contractors and County forces. Special surface treatments will be performed by vendors and contractors with the necessary equipment and expertise. Replacement of pavement stripes is included within the scope of work on all highways improved under this program. The estimate for current year funding of this project is \$2,400,000.

Bridge & Culvert Improvement Program

Culvert N-32 Replacement, CR 5 (Smithfield Rd.) Town of North East. Remove and replace 8' span concrete culvert with new culvert using precast wall units and precast deck slab. Design by County forces and construction by County forces. Estimated cost: \$200,000.

Bridge H-28 Replacement, (Greentree Drive over Crum Elbow Creek), Town of Hyde Park. Remove 5 pipes and replace with clear-span bridge on new abutments. Project includes temporary bridge for access to residential neighborhood. Design by County forces and construction by contracted services. Estimated cost: \$1,300,000.

Miscellaneous Bridge, Highway and Drainage Improvements

It is the Department's intent to design and construct repairs to bridges, culverts roads and embankments as necessary. Severe weather, unforeseen damage and unanticipated repair needs require the Department to maintain the ability to expend funds on capital projects to keep the transportation system safe and operational. Estimated cost: \$450,000.

Funding of Non-Reimbursable Portions of Federally-Funded Bridge and Highway Projects

Funding for certain project costs has been obligated by Federal Highway Administration (FHWA), New York State Dept. of Transportation (NYSDOT) and Dutchess County. Due to escalation in professional consulting and construction costs, the obligated funding will not cover all of the design, construction and construction inspection costs incurred during the 2010/2011 construction seasons. Although the Department will continue to pursue reimbursement of all project costs through FHWA and NYSDOT, the County has incurred expenses that are not currently eligible for reimbursement, and there is no guarantee that reimbursement will be received for these costs. For this reason, funding of non-reimbursable expenses is being requested under this bond. Estimated cost: \$500,000

Note: Estimates for individual projects are approximate based on current information. Some projects may actually come in lower or higher than estimated; however, the cost for all projects combined will be within the total \$4.85 million.

***DUTCHESS COUNTY PUBLIC WORKS
HIGHWAY DIVISION***

MEMORANDUM

**To: Charles E. Traver, Commissioner
Dept. of Public Works**

**From: Robert Balkind, P.E.
Director of Highway Construction & Maintenance**

Date: May 10, 2011

Re: Proposed 2011 Bridge & Highway Capital Bond

The 2011 Highway and Bridge Capital Bond request is being submitted via this memo. The request includes \$4.85 million of project funding, which will be partially offset by the County's anticipated 2011 Consolidated Highway Improvement Program (CHIPS) apportionment (\$2.58M) and prior capital funding balances (\$0.773M). The net cost to Dutchess County is \$1,488,407. Funding has been requested for DPW's annual pavement management program, culvert & bridge projects, miscellaneous transportation projects, and local offsets for federally-funded highway and bridge projects.

A detailed breakdown of the specific projects and their estimated costs are attached for your reference. Please let me know if you have any questions.

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| -\$2,587,758 | Anticipated CHIPS Funds (NYS) |
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Note: Estimates for individual projects are approximate based on current information. Some projects may actually come in lower or higher than estimated; however, the cost for all projects combined will be within the total \$4.85 million.

The foregoing Resolution No. 2011133 was introduced during the Public Works and Capital Projects Committee for discussion only and considered at the Regular Board Meeting on July 11, 2011.

Roll call vote at that time resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

Public Works and Capital Projects Roll Call

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

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

2011133 A Resolution Authorizing the Issuance of \$1,503,292 Serial Bonds of the County of Dutchess, New York, to Pay Part of the Cost of Highway and Bridge Improvements in and for Said County

Date: 7/7/11

Roll Call Sheets

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

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

2011133 A Resolution Authorizing the Issuance of \$1,503,292 Serial Bonds of the County of Dutchess, New York, to Pay Part of the Cost of Highway and Bridge Improvements in and for Said County

Date: 7/11/11

PUBLIC WORKS

RESOLUTION NO. 2011134, 2011

BOND RESOLUTION DATED JULY 11, 2011.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,277,550 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY PART OF THE COST OF IMPROVEMENTS AT COUNTY PARKS, IN AND FOR SAID COUNTY.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE

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

Section 1. Improvements to various County parks , including incidental improvements and expenses in connection therewith, in and for said County, are hereby authorized at a maximum estimated cost of \$2,377,550.

Section 2. It is hereby determined that the plan for the financing thereof is as follows:

- (a) by the issuance of the \$2,277,550 serial bonds hereby authorized to be issued pursuant to the provisions of the Local Finance Law; and
- (b) by the expenditure of \$100,000 monies received or to be received from State grants-in-aid, which monies are hereby appropriated therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is 15 years, pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said County of Dutchess, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County of Dutchess, New York, by the manual or facsimile signature of the Commissioner of Finance and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as she shall deem best for the interests of the County; provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner

of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

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

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

1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

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

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

* * * * *

2011 PARK IMPROVEMENTS

\$2,277,550 15 years at

3.75%

| Year | PRIN O/S | PRIN PAYMENT | INTEREST | TOTAL |
|----------------------|-----------------|---------------------------|-------------------------|---------------------------|
| 1 | \$2,277,550 | \$151,837 | \$85,408 | \$237,245 |
| 2 | 2,125,713 | \$151,837 | 79,714 | 231,551 |
| 3 | 1,973,876 | \$151,837 | 74,020 | 225,857 |
| 4 | 1,822,039 | \$151,837 | 68,326 | 220,163 |
| 5 | 1,670,202 | \$151,837 | 62,633 | 214,470 |
| 6 | 1,518,365 | \$151,837 | 56,939 | 208,776 |
| 7 | 1,366,528 | \$151,837 | 51,245 | 203,082 |
| 8 | 1,214,691 | \$151,837 | 45,551 | 197,388 |
| 9 | 1,062,854 | \$151,837 | 39,857 | 191,694 |
| 10 | 911,017 | \$151,837 | 34,163 | 186,000 |
| 11 | 759,180 | \$151,837 | 28,469 | 180,306 |
| 12 | 607,343 | \$151,837 | 22,775 | 174,612 |
| 13 | 455,506 | \$151,837 | 17,081 | 168,918 |
| 14 | 303,669 | \$151,837 | 11,388 | 163,225 |
| 15 | <u>151,832</u> | \$151,832 | <u>5,694</u> | <u>157,526</u> |
| TOTAL | | <u>\$2,277,550</u> | <u>\$683,264</u> | <u>\$2,960,814</u> |
| AVG. PER YEAR | | \$151,837 | \$45,551 | \$197,388 |

FISCAL IMPACT STATEMENT

| | | |
|---------------------------------------|-------------|------------------------|
| TOTAL PRINCIPAL | \$2,277,550 | |
| ANTICIPATED INTEREST RATE | | 3.75% |
| TERM | 15 YEARS. | TOTAL ANTICIPATED FEES |
| ANTICIPATED ANNUAL COST (PRIN + INT): | | \$22,550 |
| TOTAL PAYBACK (ANNUAL COST x TERMS): | | \$197,388 |
| | | \$2,960,814 |

PREPARED BY PAMELA BARRACK

CERTIFICATION FORM

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

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

That I have compared the annexed extract of the minutes of the meeting of the County Legislature of said County, including the resolution contained therein, held on July 11, 2011, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that said County Legislature consists of 25 members; that the vote on the foregoing resolution was 23 ayes and 2 noes, with 0 members being absent or abstaining from voting.

I FURTHER CERTIFY that the foregoing resolution as adopted by said County Legislature was duly approved by the County Executive of said County on July 14, 2011, in accordance with the provisions of Section 3.02 of the Dutchess County Charter.

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

Newspaper and/or other news media

Date given

Southern Dutchess News

July 7, 2011

Poughkeepsie Journal

July 7, 2011

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

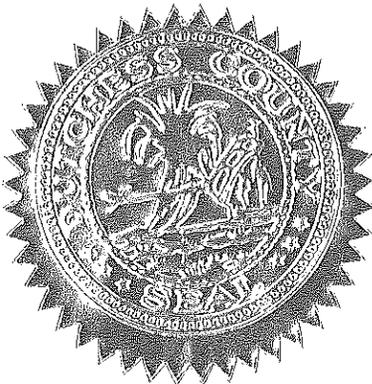
Designated Location(s)
of posted notice

Date of Posting

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

July 7, 2011

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 12th day of July, 2011.



Patricia J. Hermann
Clerk, County Legislature

APPROVED

William R. Steinhaus

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date July 14 2011

H0434 2011 DPW Parks Capital Projects Bond

APPROPRIATIONS

Increase

| | | |
|-----------------|-------------------------|-------------|
| H0434.7110.3150 | Building Reconstruction | \$2,355,000 |
| H0434.7110.3900 | Bond Issuing Costs | \$22,550 |
| | | <hr/> |
| | | \$2,377,550 |
| | | <hr/> <hr/> |

REVENUE

Increase

| | | |
|---------------------|-------------------------------------|-------------|
| H0434.7110.37970.03 | Other Economic Assistance DEC Grant | \$100,000 |
| H0434.7110.57100 | Serial Bonds | \$2,277,550 |
| | | <hr/> |
| | | \$2,377,550 |
| | | <hr/> <hr/> |

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Dutchess
County
Public
Works

Dutchess

William R. Steinhaus
County Executive

Parks Division

Charles E. Traver
Commissioner of
Public Works

Steve Olsen
Parks Director

Bowdoin Park
85 Sheafe Road
Wappingers Falls
New York
12590
(845) 298-4600

Wilcox Park
Rt. 199
Stanfordville
New York
12581
(845) 758-6100

MEMORANDUM

TO: Charles Traver, Commissioner DPW

FROM: Steve Olsen, Director of Parks

RE: 2011 Capital Request for Parks

DATE: May 11, 2011

I am requesting \$2,355,000 in appropriations for a Parks Bond to perform much needed repairs and upgrades at three County Parks: Bowdoin, Wilcox and Quiet Cove Parks.

The breakdown of the expenses and projects for each park:

Bowdoin Park- \$635,000

- Replace 5 deteriorated roofs including Infirmary, an existing building which will be used for Park Naturalist Programming, Lower Garage, which house the gasoline computers and modem, Milk House, which Parks uses for storage, Haunted Mansion, which generates revenue from the Halloween and Christmas Festivals and Pavilion 3, which is the most requested pavilion in Bowdoin Park- **\$120,000**
- Install Kitchen facility at Community Center Auditorium, which will increase revenue for Community Center Auditorium from increased rentals by making the room much more attractive to residents. We plan to install a full kitchen including stove, refrigerator, microwave and sink into existing 12 X 8 storeroom.- **\$15,000**
- Retrofit & Adapt existing Playground Equipment to meet new ADA regulations- This is necessary to comply with the new ADA regulations which **must** be in place by March of 2012 -**\$10,000**
- Replace aging and disassembled Playground equipment- Three more pieces of playground equipment have been removed because of safety concerns in addition to the two sections that have been removed in the past three years-**\$150,000**

- Repair and Expand Water Feature at Playground- The spray turtles are one of the most popular sites in the parks for young children. They are over 20 years old and we have been putting band aid repairs on them over the past 4 years. The safety surface must be replaced as it is cracking and leaking profusely and this is logically the best time to replace the entire structure as it must be disassembled completely to effect replacement of the safety surface and replace the drains. **\$180,000**
- Finish New Pavilion which includes installation of bathrooms, purchase and install heating and cooling system, creation of 2 Handicap Parking spaces, asphalt path for handicap access, addition of regular parking area, purchase and install gutters and downspouts for building, purchase and install kitchen appliances, tables and chairs for interior, paint for doors and windows, landscaping- **\$70,000**
- Replace windows and add Ceiling Insulation at Maple Knoll Lodge and replace windows at Isolation Cottage- **\$50,000** –increased fuel costs for this most popular rental in the parks will be cut tremendously by installation of the insulation and replacement windows.
- Install Handball courts or Tennis Court on existing blacktop surface adjacent to athletic field- **\$40,000**

Wilcox Park - \$720,000

- Replace roof and repair leaks at Main House- Roof now has two holes which are actively leaking into interior of the building. This building will be used for Naturalist programming and storage at Wilcox as there is presently no indoor facility -**\$90,000**
- Replace aging playground equipment – The existing equipment is over 23 years old and in dire need of replacement to meet the ADA regulation standards-**\$120,000**
- Install Basketball and Volleyball Courts- **\$15,000**- This would add much needed active recreational opportunities for the older youth, teens and adults who use the park.
- Replace Maintenance Garage- **\$150,000** – Replace existing building which has structural issues and is inadequate for storing vehicles due to sagging framework which prevents vehicles from entering bays
- Replace Maintenance Shop- **\$345,000**- Replace existing building which is too small to allow vehicles inside for mechanical repairs, forcing staff to work on vehicles outside.

Quiet Cove Park -\$1,000,000

- Shoreline stabilization:
 1. Bulkhead construction- **\$700,000**
 2. Stone Armor for elimination of waterfront erosion- **\$300,000**
 These two elements would require NYSDEC and USACOE permits



Dutchess
County
Public
Works

William R. Steinhaus
County Executive

Charles E. Traver
Commissioner
of Public Works

22 Market Street
Poughkeepsie
New York
12601
(845) 486-2121
Fax (845) 486-2099

MEMORANDUM

TO: William O'Neil, Assistant to the County Executive

FROM: Charles E. Traver, Commissioner of Public Works ^{CET}

RE: DPW 2011 Parks Capital Request

DATE: May 11, 2011

The DPW Parks Division submits the attached Resolution to request a Capital Projects bond in the amount of \$2,355,000, for repairs and upgrades at Bowdoin, Wilcox, and Quiet Cove Parks.

Please refer to the attached memo from Steve Olsen, Director of Parks, for detailed information regarding this Capital Project bond request.

Thank you for your consideration.



Dutchess
County
Public
Works

William R. Steinhaus
County Executive

Parks Division

Charles E. Traver
Commissioner of
Public Works

Steve Olsen
Parks Director

Bowdoin Park
85 Sheafe Road
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12590
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Wilcox Park
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New York
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(845) 758-6100

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- Install Kitchen facility at Community Center Auditorium, which will increase revenue for Community Center Auditorium from increased rentals by making the room much more attractive to residents. We plan to install a full kitchen including stove, refrigerator, microwave and sink into existing 12 X 8 storeroom.- **\$15,000**
- Retrofit & Adapt existing Playground Equipment to meet new ADA regulations- This is necessary to comply with the new ADA regulations which **must** be in place by March of 2012 -**\$10,000**
- Replace aging and disassembled Playground equipment- Three more pieces of playground equipment have been removed because of safety concerns in addition to the two sections that have been removed in the past three years-**\$150,000**

- Repair and Expand Water Feature at Playground- The spray turtles are one of the most popular sites in the parks for young children. They are over 20 years old and we have been putting band aid repairs on them over the past 4 years. The safety surface must be replaced as it is cracking and leaking profusely and this is logically the best time to replace the entire structure as it must be disassembled completely to effect replacement of the safety surface and replace the drains. **\$180,000**
- Finish New Pavilion which includes installation of bathrooms, purchase and install heating and cooling system, creation of 2 Handicap Parking spaces, asphalt path for handicap access, addition of regular parking area, purchase and install gutters and downspouts for building, purchase and install kitchen appliances, tables and chairs for interior, paint for doors and windows, landscaping- **\$70,000**
- Replace windows and add Ceiling Insulation at Maple Knoll Lodge and replace windows at Isolation Cottage- **\$50,000** –increased fuel costs for this most popular rental in the parks will be cut tremendously by installation of the insulation and replacement windows.
- Install Handball courts or Tennis Court on existing blacktop surface adjacent to athletic field- **\$40,000**

Wilcox Park - \$720,000

- Replace roof and repair leaks at Main House- Roof now has two holes which are actively leaking into interior of the building. This building will be used for Naturalist programming and storage at Wilcox as there is presently no indoor facility -**\$90,000**
- Replace aging playground equipment – The existing equipment is over 23 years old and in dire need of replacement to meet the ADA regulation standards-**\$120,000**
- Install Basketball and Volleyball Courts- **\$15,000**- This would add much needed active recreational opportunities for the older youth, teens and adults who use the park.
- Replace Maintenance Garage- **\$150,000** – Replace existing building which has structural issues and is inadequate for storing vehicles due to sagging framework which prevents vehicles from entering bays
- Replace Maintenance Shop- **\$345,000**- Replace existing building which is too small to allow vehicles inside for mechanical repairs, forcing staff to work on vehicles outside.

Quiet Cove Park -\$1,000,000

- Shoreline stabilization:
 1. Bulkhead construction- **\$700,000**
 2. Stone Armor for elimination of waterfront erosion- **\$300,000**
 These two elements would require NYSDEC and USACOE permits

Public Works and Capital Projects Roll Call

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

Present: 11 Resolution: X Total: 3 8
 Absent: 1 Motion: — Yes No
 Vacant: 0 Abstentions: 0

Failed

Goldberg, Doxsey
Reduce to → 932,550

Sect. I 932,550
II A 932,550

Date: 7/7/11

Res. # 201134

Roll Call Sheets

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

Present: 25
 Absent: 0
 Vacant: 0

Resolution: X
 Motion: X

Total: 5 Yes 20 No

Abstentions: 0

Goldberg, Kuffner

201134

Amendment

Amend TO Title → \$ 932,550 also in Sec. I and II

7-11-11

Roll Call Sheets

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

Present: 25 Resolution: X Total: 23 2
 Absent: 0 Motion: — Yes No
 Vacant: 0 Abstentions: 0

2011134 A Resolution Authorizing the Issuance of \$2,277,550 Serial Bonds of the County of Dutchess, New York, to Pay Part of the Cost of Improvements at County Parks, in and For Said County

Date: 7/11/11

The foregoing Resolution No. 2011134 was introduced during the Public Works and Capital Projects Committee for discussion only and considered at the Regular Board Meeting on July 11, 2011.

Discussion on Resolution No. 2011134 at that time resulted as follows:

Legislator Goldberg moved to amend the foregoing Bond Resolution amount in the Title, in Section 1, and in Section 2 from \$2,377,550 to \$932,550 removing Quite Cove Park Shoreline stabilization and Wilcox Park maintenance garage.

Roll call vote on the foregoing amendment resulted as follows:

AYES: 5 Doxsey, Goldberg, Jeter-Jackson, Tyner, White.

NAYS: 20 Bolner, Borchert, Cooper, Flesland, Forman, Horn, Horton, Hutchings, Incoronato, Kelsey, Kuffner, MacAvery, Miccio, Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Weiss.

ABSENT: 0

Amendment defeated.

Roll call vote at that time resulted as follows:

AYES: 23 Bolner, Borchert, Cooper, Flesland, Forman, Goldberg, Horn, Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, Kuffner, MacAvery, Miccio, Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Weiss, White.

NAYS: 2 Doxsey, Tyner.

ABSENT: 0

Resolution adopted.

PUBLIC WORKS

RESOLUTION NO. 2011135, 2011

BOND RESOLUTION DATED JULY 11, 2011.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,446,320 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY THE COST OF THE PURCHASE OF EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS IN AND FOR SAID COUNTY.

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

Section 1. The purchase of equipment for construction and maintenance purposes for the Department of Public Works in and for the County of Dutchess, New York, each item of which is \$30,000 or more, including incidental equipment and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$1,446,320.

Section 2. It is hereby determined that the plan for the financing of the aforesaid class of objects or purposes is by the issuance of \$1,446,320 serial bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is 15 years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said County of Dutchess, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County of Dutchess, New York, by the manual or facsimile signature of the Commissioner of Finance and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

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

Section 8. All other matters, except as provided herein relating to such bonds including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if

said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

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

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

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

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

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

2011 DPW Capital Equipment

\$1,446,320 15 years at

3.75%

| Year | PRIN O/S | PRIN PAYMENT | INTEREST | TOTAL |
|---------------|---------------|--------------------|------------------|--------------------|
| 1 | \$1,446,320 | \$96,426 | \$54,237 | \$150,663 |
| 2 | 1,349,894 | \$96,421 | 50,621 | 147,042 |
| 3 | 1,253,473 | \$96,421 | 47,005 | 143,426 |
| 4 | 1,157,052 | \$96,421 | 43,389 | 139,810 |
| 5 | 1,060,631 | \$96,421 | 39,774 | 136,195 |
| 6 | 964,210 | \$96,421 | 36,158 | 132,579 |
| 7 | 867,789 | \$96,421 | 32,542 | 128,963 |
| 8 | 771,368 | \$96,421 | 28,926 | 125,347 |
| 9 | 674,947 | \$96,421 | 25,311 | 121,732 |
| 10 | 578,526 | \$96,421 | 21,695 | 118,116 |
| 11 | 482,105 | \$96,421 | 18,079 | 114,500 |
| 12 | 385,684 | \$96,421 | 14,463 | 110,884 |
| 13 | 289,263 | \$96,421 | 10,847 | 107,268 |
| 14 | 192,842 | \$96,421 | 7,232 | 103,653 |
| 15 | <u>96,421</u> | \$96,421 | <u>3,616</u> | <u>100,037</u> |
| TOTAL | | <u>\$1,446,320</u> | <u>\$433,895</u> | <u>\$1,880,215</u> |
| AVG. PER YEAR | | \$96,421 | \$28,926 | \$125,348 |

FISCAL IMPACT STATEMENT

| | | |
|---------------------------------------|-------------|---------------------------------|
| TOTAL PRINCIPAL | \$1,446,320 | |
| ANTICIPATED INTEREST RATE | | 3.75% |
| TERM | 15 YEARS. | TOTAL ANTICIPATED FEES \$14,320 |
| ANTICIPATED ANNUAL COST (PRIN + INT): | | \$125,348 |
| TOTAL PAYBACK (ANNUAL COST x TERMS): | | \$1,880,215 |

PREPARED BY PAMELA BARRACK

CERTIFICATION FORM

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

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

That I have compared the annexed extract of the minutes of the meeting of the County Legislature of said County, including the resolution contained therein, held on July 11, 2011, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that said County Legislature consists of 25 members; that the vote on the foregoing resolution was 24 ayes and 1 noes, with 0 members being absent or abstaining from voting.

I FURTHER CERTIFY that the foregoing resolution as adopted by said County Legislature was duly approved by the County Executive of said County on July 14, 2011, in accordance with the provisions of Section 3.02 of the Dutchess County Charter.

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

Newspaper and/or other news media

Date given

Southern Dutchess News

July 7, 2011

Poughkeepsie Journal

July 7, 2011

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

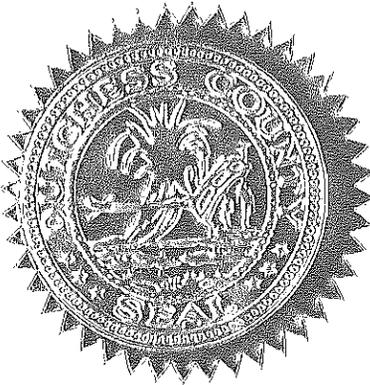
Designated Location(s)
of posted notice

Date of Posting

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

July 7, 2011

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 12th day of July, 2011.



Patricia J. Holman
Clerk, County Legislature

APPROVED

William R. Steinhaus

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date July 14, 2011

H0432 2011 DPW Capital Equipment

APPROPRIATIONS

Increase

| | | |
|--------------------|---------------------------------------|-----------------------|
| H0432.5010.2400.15 | Highway & Street Equipment - 15 Years | 1,432,000.00 |
| H0432.5010.3900 | Bond Issuing Costs | 14,320.00 |
| | | <u>\$1,446,320.00</u> |

REVENUE

Increase

| | | |
|------------------|--------------|-----------------------|
| H0432.5010.57100 | Serial Bonds | <u>\$1,446,320.00</u> |
|------------------|--------------|-----------------------|

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



MEMORANDUM

TO: Charles E. Traver,
Commissioner of Public Works

FROM: Robert H. Balkind,
Director, Highway Construction & Maintenance Division

DATE: May 09, 2011

RE: 2011 Capital Equipment Requests

2011 Highway Construction & Maintenance Division:

The differences between what was requested last year for 2011 and what has been approved to purchase is as follows:

Requested

| | |
|---|-----------|
| 1- One-ton Sector Patrol Truck | \$ 40,000 |
| 1- LeeBoy Maintenance Paver | \$112,000 |
| 1- Bucket Truck | \$290,000 |
| 2- 4x6 Dump/Spreader Snowplow truck (\$285,000 ea.) | \$570,000 |
| 1- Gang Truck | \$155,000 |

Eliminated

| | |
|-----------------------------------|-------------|
| 1- 35,000 GVW Hydraulic Excavator | (\$285,000) |
|-----------------------------------|-------------|

Added

| | |
|---|-----------|
| 2- Small Track Excavator (\$80,000 ea.) | \$160,000 |
|---|-----------|

New total request for HC&M: \$1,327,000.



2011 Parks Division:

The differences between what was requested last year for 2011 and what has been approved to purchase is as follows:

Requested

| | |
|----------------------------|----------|
| 1- Utility Tractor / Mower | \$35,000 |
| 1- 4 Wheel Drive Tractor | \$70,000 |

Eliminated

| | |
|---------------------------------------|-------------|
| 2- Two-ton Dump Trucks (\$82,500 ea.) | (\$165,000) |
| 1- 5-7 yard Dump Truck | (\$248,000) |
| 1-Track Loader | (\$140,000) |
| 1- Bucket Truck | (\$100,000) |

New total request for DPW PARKS: \$105,000

Grand total: \$1,432,000

The foregoing Resolution No. 2011135 was introduced during the Public Works and Capital Projects Committee for discussion only and was considered at the Regular Board Meeting on July 11, 2011.

Roll call vote at that time resulted as follows:

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

NAYS: 1 Cooper.

ABSENT: 0

Resolution adopted.

Public Works and Capital Projects Roll Call

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

Present: 11
 Absent: 1
 Vacant: 0

Resolution: X
 Motion: —

Total: 11 0
 Yes No
 Abstentions: 0

2011135 A Resolution Authorizing the Issuance of \$1,446,320 Serial Bonds of the County of Dutchess, New York, to Pay the Cost of the Purchase of Equipment for the Department of Public Works in and for Said County

Date: 7/7/11

Roll Call Sheets

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

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

2011135 A Resolution Authorizing the Issuance of \$1,446,320 Serial Bonds of the County of Dutchess, New York, to Pay the Cost of the Purchase of Equipment for the Department of Public Works in and for Said County

Date: 7/11/11

PUBLIC WORKS

RESOLUTION NO. 2011136, 2011

BOND RESOLUTION DATED July 11, 2011.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$465,020 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY PART OF THE COST OF ENERGY EFFICIENCY IMPROVEMENTS AT VARIOUS COUNTY FACILITIES IN AND FOR SAID COUNTY.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act as a Type II Action, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW,
THEREFORE

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

Section 1. The cost of energy efficiency improvements at various County facilities in and for the County of Dutchess, New York, including original equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$499,064.

Section 3. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$499,604, and that the plan for the financing thereof is as follows:

- (a) by the issuance of the \$465,020 serial bonds hereby authorized to be issued pursuant to the provisions of the Local Finance Law; and
- (b) by the expenditure of \$34,584 monies received or to be received from State grants-in-aid, which monies are hereby appropriated therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is ten years, pursuant to subdivision 13 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said County of Dutchess, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County of Dutchess, New York, by the manual or facsimile signature of the Commissioner of Finance and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as she shall deem best for the interests of the County; provided, however, that in the exercise of these delegated

powers, she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

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

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

1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

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

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

* * * * *

\$465,020.00

2011 Energy Efficiency Improvements
10 years at 3.00%

| Year | PRIN O/S | PRIN PAYMENT | INTEREST | TOTAL |
|----------------------|--------------|---------------------|--------------------|---------------------|
| 1 | \$465,020.00 | \$46,502.00 | \$13,950.60 | \$60,452.60 |
| 2 | 418,518.00 | 46,502.00 | 12,555.54 | 59,057.54 |
| 3 | 372,016.00 | 46,502.00 | 11,160.48 | 57,662.48 |
| 4 | 325,514.00 | 46,502.00 | 9,765.42 | 56,267.42 |
| 5 | 279,012.00 | 46,502.00 | 8,370.36 | 54,872.36 |
| 6 | 232,510.00 | 46,502.00 | 6,975.30 | 53,477.30 |
| 7 | 186,008.00 | 46,502.00 | 5,580.24 | 52,082.24 |
| 8 | 139,506.00 | 46,502.00 | 4,185.18 | 50,687.18 |
| 9 | 93,004.00 | 46,502.00 | 2,790.12 | 49,292.12 |
| 10 | 46,502.00 | <u>46,502.00</u> | <u>1,395.06</u> | <u>47,897.06</u> |
| TOTAL | | <u>\$465,020.00</u> | <u>\$76,728.30</u> | <u>\$541,748.30</u> |
| AVG. PER YEAR | | \$46,502.00 | \$7,672.83 | \$54,174.83 |

FISCAL IMPACT STATEMENT

| | |
|---------------------------------------|--------------|
| TOTAL PRINCIPAL | \$465,020.00 |
| ANTICIPATED INTEREST RATE | 3.00% |
| TERM 10 YEARS. TOTAL ANTICIPATED FEI | \$4,604.00 |
| ANTICIPATED ANNUAL COST (PRIN + INT): | \$54,174.83 |
| TOTAL PAYBACK (ANNUAL COST x TERMS): | \$541,748.30 |

PREPARED BY PAMELA BARRACK

CERTIFICATION FORM

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

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

That I have compared the annexed extract of the minutes of the meeting of the County Legislature of said County, including the resolution contained therein, held on July 11, 2011, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

I FURTHER CERTIFY that the foregoing resolution as adopted by said County Legislature was duly approved by the County Executive of said County on July 14, 2011, in accordance with the provisions of Section 3.02 of the Dutchess County Charter.

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

| <u>Newspaper and/or other news media</u> | <u>Date given</u> |
|--|-------------------|
| Southern Dutchess News | July 7, 2011 |
| Poughkeepsie Journal | July 7, 2011 |

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

| <u>Designated Location(s) of posted notice</u> | <u>Date of Posting</u> |
|--|------------------------|
| 22 Market Street, 6 th Floor, County Office Building, Poughkeepsie, New York | July 7, 2011 |

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 12th day of July, 2011.



Patricia J. Holman
Clerk, County Legislature

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date July 14, 2011

**H0433 2011 Energy Efficiency Improvement Bond
DPW Buildings**

APPROPRIATIONS

Increase

| | | |
|-----------------|-------------------------|-------------|
| H0433.1620.3150 | Building Reconstruction | \$495,000 |
| H0433.1620.3900 | Bond Issuing Costs | \$4,604 |
| | | <hr/> |
| | | \$499,604 |
| | | <hr/> <hr/> |

REVENUE

Increase

| | | |
|---------------------|-------------------------|-------------|
| H0433.1620.30890.11 | Other State Aid NYSERDA | \$34,584 |
| H0433.1620.57100 | Serial Bonds | \$465,020 |
| | | <hr/> |
| | | \$499,604 |
| | | <hr/> <hr/> |

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



Dutchess
County
Public
Works

William R. Steinhaus
County Executive

Charles E. Traver
Commissioner
of Public Works

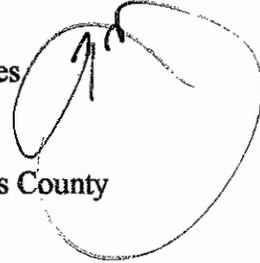
Roman Yasiejko, R.A.
Director of
Physical Facilities

22 Market Street
Poughkeepsie
New York
12601
(845) 486-2121
Fax (845) 486-2099

MEMORANDUM

To: Charles E. Traver, Commissioner of Public Works
 From: Roman Yasiejko, RA, Director of Physical Facilities
 Date: 10 May 11
 Re: **2011 DPW Buildings Bond Resolution Request**

- Energy Efficiency Improvements at Various County Facilities



The Department of Public Works believes that its pro-active approach to capital planning enables the County to balance present and future needs, reduce liabilities, upgrade its buildings with more energy efficient systems and environmentally appropriate components, decrease emergency repair projects, minimize costs and develop its facilities portfolio to maximize the County's financial assets.

It is not possible to accurately predict when building systems will fail. However, as part of our *Facilities Management Action Plan*, preventive maintenance programs conducted by our DPW Buildings staff have extended the operating capabilities of these systems to exceed their anticipated useful lives, saving taxpayer dollars in the process.

A county-wide energy audit entitled *Building System Assessment, Energy Efficiency & Conservation Study* was completed in September 2010 as part of the American Recovery and Reinvestment Act (ARRA) of 2009 and completely funded by the Energy Efficiency and Conservation Block Grant (EECBG) program. The study includes energy improvement measures and budget reports for twenty-three Dutchess County facilities comprising nearly 750,000 square feet. Priority recommendations are based on the most critical need, greatest potential energy savings, first-cost vs. life-cycle cost analysis, order of magnitude timelines and durations for implementation, available incentives to offset capital investments and lower net costs to Dutchess County (from NYSERDA, Central Hudson, etc.) and quickest return on investment. This study forms the basis for energy efficiency improvements and budgetary savings throughout county facilities for years to come.

This forward thinking and proactive planning process provides Public Works with the opportunity to arrange for the repair or replacement of these systems or components in an organized and fiscally responsible fashion. Building system failures invariably cause operational disruption and/or incidental physical damage to interior building finishes. The extent of disruption or damage is directly related to the length of time these failures go undiagnosed or unattended.

The Capital Improvement Program adopted by the Legislature last Fall scheduled the following DPW Buildings project for 2011:

Energy Efficiency Improvements at Various County Facilities

The county-wide energy audit noted above provided priority recommendations based on the most critical need, greatest potential energy savings, first-cost vs. life-cycle cost analysis, order of magnitude timelines and durations for implementation, available incentives to offset capital investments and lower net costs to Dutchess County (from NYSERDA, Central Hudson, etc.) and quickest return on investment. These projects are prioritized from the master summary of our county-wide energy audit entitled *Building System Assessment, Energy Efficiency & Conservation Study* and are assembled in conjunction with currently available NYSERDA incentives.

NYSERDA is offering incentives for small project, building-related improvements that increase energy efficiency. Pre-Qualified Incentives are provided to encourage applicants to purchase and install more energy-efficient equipment for small-sized energy projects and equipment replacement projects. Incentives are available on a dollars per unit basis for Pre-Qualified energy efficiency measures. Applicants can receive up to \$60,000 in Pre-Qualified Incentives (\$30,000 – Electric, \$30,000 – Natural Gas) per Facility per calendar year. These pre-qualified incentive measures include lighting, chillers, HVAC, motors, and variable frequency drives (VFD's).

Projects with simple payback periods between one year and eighteen years (excluding NYSERDA incentives) are eligible for this program. Funds for this program expire November 30, 2011, but may end sooner if funds are fully committed. As this is an ongoing program, NYSERDA has indicated that funds will be replenished in early 2012. All projects must be installed and commissioned in order to qualify for these incentives. DPW has been actively working with NYSERDA to ensure that these projects are all eligible for Pre-Qualified Incentives.

The scope of work for improvements is as follows:

- Remove and replace roof-top units & controls, chillers, pumps, motors, HVAC equipment (window & thru-wall A/C units), add variable frequency drives (VFD's) and occupancy sensors in various County facilities.

This project, as a replacement in kind, constitutes a Type II action and thus is exempt from review under the SEQRA process. The projected probable cost for this work is \$495,000, and includes cost savings for incorporating some energy efficiency measures utilizing in-house County staff. This estimated figure does not include bond issuance costs.

NYSERDA incentives in the amount of \$34,584 are available to offset a portion of the cost to the County. Annual energy cost savings are estimated to be \$66,187 yielding a simple payback of 6.9 years with NYSERDA incentives and 7.4 years without them.

The total bond request for these projects is \$495,000. This estimated figure does not include bond issuance costs. The net cost to the County after the NYSERDA incentives will be **\$460,416.**

It is critical to keep in mind that the estimated costs for each project or line item are approximate only. Actual costs may vary according to bid results and changes in the field during construction. Care must be taken in providing language by bond counsel to allow maximum flexibility within the law to facilitate movement of funds between line items during the course of the work.

The basis for these cost estimates is rooted in a 2011 design and bidding timeframe. In order to achieve this schedule and budget, please place this request on the legislative agenda for discussion and consideration in June, anticipating a vote for the June meeting. Thank you.

The foregoing Resolution No. 2011136 was introduced during the Public Works and Capital Projects Committee for discussion only and was considered at the Regular Board Meeting on July 11, 2011.

Roll call vote at that time resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

Public Works and Capital Projects Roll Call

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

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

2011136 A Resolution Authorizing the Issuance of \$465,020 Serial Bonds of the County of Dutchess, New York, to pay part of the cost of Energy Efficiency Improvements at Various County Facilities in and for said County

Date: 7/7/11

Roll Call Sheets

| District | Last Name | Yes | No |
|---|---------------|-------------------------------------|--------------------------|
| District 8 - City and Town of Poughkeepsie | Rolison | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| District 19 - Towns of North East, Stanford, Pine Plains, Milan | Cooper | <input type="checkbox"/> | <input type="checkbox"/> |
| District 6 - Town of Poughkeepsie | Flesland | <input type="checkbox"/> | <input type="checkbox"/> |
| District 14 - Town of Wappinger | Goldberg | <input type="checkbox"/> | <input type="checkbox"/> |
| District 7 - Town of Hyde Park | Kuffner | <input type="checkbox"/> | <input type="checkbox"/> |
| District 1 - Town of Poughkeepsie | Doxsey | <input type="checkbox"/> | <input type="checkbox"/> |
| District 2 - Towns of Pleasant Valley and Poughkeepsie | Horn | <input type="checkbox"/> | <input type="checkbox"/> |
| District 3 - Town of LaGrange | Borchert | <input type="checkbox"/> | <input type="checkbox"/> |
| District 4 - Town of Hyde Park | Sadowski, Jr. | <input type="checkbox"/> | <input type="checkbox"/> |
| District 5 - Town of Poughkeepsie | Roman | <input type="checkbox"/> | <input type="checkbox"/> |
| District 9 - City of Poughkeepsie | White | <input type="checkbox"/> | <input type="checkbox"/> |
| District 10 - City of Poughkeepsie | Jeter-Jackson | <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 15 - Towns of Poughkeepsie and Wappinger | Incoronato | <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 17 - Town and Village of Fishkill | Miccio | <input type="checkbox"/> | <input type="checkbox"/> |
| District 18 - City of Beacon | Forman | <input type="checkbox"/> | <input type="checkbox"/> |
| District 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: 25 Resolution: X Total : 25 0
 Absent: 0 Motion: Yes No
 Vacant: 0 Abstentions: 0

2011136 A Resolution Authorizing the Issuance of \$465,020 Serial Bonds of the County of Dutchess, New York, to pay part of the cost of Energy Efficiency Improvements at Various County Facilities in and for said County

Date: 7/11/11

At this time the foregoing Resolution No. 2011137 was introduced in the Public Works and Capital Projects Committee for discussion only.

RESOLUTION NO. 2011138

RE: AUTHORIZING ACQUISITION OF A PERMANENT EASEMENT OF REAL PROPERTY FOR REPAIR AND MAINTENANCE ON A SECTION OF SOUTH GREENHAVEN ROAD, C.R. 8, TOWN OF BEEKMAN FROM CONDON P. BENNETT

Legislators HUTCHINGS and THOMES offer the following and move its adoption:

WHEREAS, the Department of Public Works has proposed the improvement of a section of South Greenhaven Road, C.R. 8, in the Town of Beekman, which project includes the acquisition of a permanent easement on 0.05 +/- acre to facilitate the repair and maintenance of the embankment improvements thereon, and

WHEREAS, the Department of Public Works has determined that the improvement project (1) constitutes a Type II action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and (2) will not have a significant effect on the environment, and

WHEREAS, it is the purpose of this Legislature in adopting this resolution to adopt and confirm the findings of the Department of Public Works, and

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

WHEREAS, an Agreement to acquire a Permanent Easement was entered into between the County and the property owner on for the purpose of acquiring said permanent easement on said property, a copy of which is annexed hereto, and

WHEREAS, the property is described as 0.05 +/- acres more or less as shown on Map No. 1 dated May 4, 2011, on file in the office of the Commissioner of Public Works and in the office of the Clerk of this Legislature, and

WHEREAS, the Commissioner of Public Works has advised that Condon P. Bennett has agreed to donate the permanent easement on the subject property and that the terms and conditions of the Purchase Agreement/Option be carried forth, now, therefore, be it

RESOLVED, that this Legislature hereby adopts and confirms the determination of the Dutchess County Department of Public Works that the project, including the acquisition of portions of certain properties, in the Town of Beekman, will not have a significant effect on the environment, 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, and be it further

RESOLVED, that the terms and conditions of the aforementioned Agreement to Acquire a Permanent Easement be carried out by the Dutchess County Department of Public Works.

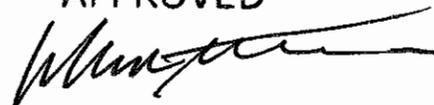
CA-69-11

CAB/ca/R-0892

5/6/11

Fiscal Impact: See attached statement

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date June 27, 2011

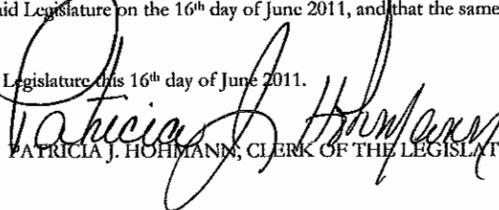
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 16th day of June 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 16th day of June 2011.



PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 300

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):

H0409.5110.3250

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): \$300

Over Five Years: _____

Additional Comments/Explanation:

This fiscal impact statement pertains to the resolution request for the approval to acquire 0.03± acre permanent easement on CR 8, South Greenhaven Road, in the Town of Beekman from Condon Bennett.

Prepared by: Matthew W. Davis

Roll call vote on the foregoing Resolution No. 2011138 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

Public Works and Capital Projects Roll Call

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

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

2011138 Authorizing Acquisition of a Permanent Easement of Real Property for Repair and Maintenance on a Section of South Greenhaven Road, C.R. 8, Town of Beekman From Condon P. Bennett

Date: 6/14/11

Roll Call Sheets

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

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

2011138 Authorizing Acquisition of a Permanent Easement of Real Property for Repair and Maintenance on a Section of South Greenhaven Road, C.R. 8, Town of Beekman From Condon P. Bennett

Date: 6/16/11

RESOLUTION NO. 2011139

RE: AUTHORIZING GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR ADDITIONAL FUNDING FOR REALIGNMENT OF TAXIWAY "D," INSTALL LIGHTING TAXIWAY "D," STORM WATER POLLUTION PREVENTION PLAN DEVELOPMENT (SWPPP), AND OBSTRUCTION STUDY PHASE II (GIS SURVEY) AND AMENDING THE 2011 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS-AVIATION (EA.0427)

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

WHEREAS, by Resolution No. 2011007 this Legislature authorized a grant agreement with the Federal Aviation Administration (FAA) for a grant of federal funds for the following projects: (1) rehabilitate taxiway "D" and install lighting taxiways "B", "C" and "D"; (2) storm water pollution preventions plan development (SWPPP); (3) obstruction study – Phase II (GIS Survey); and (4) extend taxiway "D" to runway 24 end (design), and

WHEREAS, the Commissioner of Public Works has advised that after alternates and bid results came in, the FAA has agreed to provide additional funding for Phase II of the Obstruction Study, Storm Water Pollution Prevention Plan Update and new realignment of taxiway "D" (design)/rebid install of lighting on taxiways "B", "C" and "D," and

WHEREAS, this grant is time-sensitive and must be signed and returned to the FAA no later than late June, 2011, and

WHEREAS, the FAA will provide 95% of project costs, the State will provide 2.5% and Dutchess County will provide 2.5%, and

WHEREAS, it is necessary for this Legislature to authorize the execution of the grant agreement and to amend the 2011 Adopted County Budget to accept funds and provide for their receipt and expenditure, now, therefore, be it

RESOLVED, that this Legislature hereby authorizes the County Executive to accept the grant offers made by the FAA in connection with the Airport Projects and further authorizes and empowers the County Executive to execute said grant agreements and any other agreements related to these projects on behalf of the County of Dutchess when received, and be it further

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

APPROPRIATIONS

Increase

EA.0427.5610.3550 Airport Improvements \$ 493,250

REVENUES

Increase

EA.0427.5610.45890.00 Federal Aid - Airport \$ 468,588
EA.0427.5610.35890.00 State Aid - Airport 12,331
EA.0427.5610.50310 Interfund Transfers 12,331
\$ 493,250

APPROPRIATIONS

Increase

A.9950.9801 Contribution to EA Capital \$ 12,331

Decrease

A.1990.4007 Contingency \$ 12,331

CA-79-11
CAB/ca/C-5194-N
5/25/11
Fiscal Impact: See attached statement

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date June 27, 2011

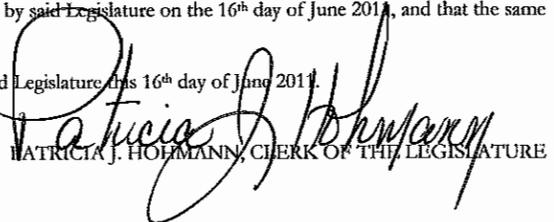
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 16th day of June 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 16th day of June 2011.



PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

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

Total Current Year Cost \$ 493,250

Total Current Year Revenue \$ 480,919
and Source

95% Federal, 2.5% State, 2.5% County

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

Identify Line Items(s):

Contingency

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): \$12,331
Over Five Years: _____

Additional Comments/Explanation:

Adjusted project amounts were changed to reflect actual bid amounts.

Prepared by: Brenda-Jean Fulling

Memo To: Mr. Charles Traver, Commissioner of Public Works

From: Edward A. Rose, Airport Director 

Date: 24 May 2011

Re: Resolution Request – FAA grant

In December 2010 the FAA indicated their intent to fund certain airport projects at \$1,462,750. The amount was based on Engineer's estimates and the FAA's request that the County be in position to accept a grant for that amount by early March. This was accomplished via resolution #2011007 on 24 January 2011.

Influencing the timing and amount of grants this year were the short term extensions to the federal budget, FAA's authorization to write grants, FAA's reprioritization of certain safety issues/conditions, and actual bid numbers received on the Delta taxiway rehab project.

The Base Bid on the Delta taxiway project came in at \$1,610,000., and includes construction inspection services, Independent Fee Estimate, and administrative expense. The attached spreadsheet defines the alternates and bid results. The FAA has indicated they will fund the Base Bid and alternates 1 & 3 for a total of \$1,831,000.

In addition, the FAA desires to fund Phase II of the Obstruction Study (\$20,000), the Stormwater Pollution Prevention Plan Update (\$5,000), and (NEW)Realign taxiway "delta" (design)/rebid install of lighting on taxiways "Bravo, Charlie, Delta".

The new total is \$1,956,000. The additional funding requested is \$493,250 an increase in County share of \$12,331. Making the total County share of these projects \$48,900.

A resolution request reflecting the increased funding opportunity will be forthcoming. Indications are the FAA would need the grant documents signed and returned by late June.

Should you have any questions regarding this effort, please contact me directly. Thank you for your support of the Division's activity.

Dutchess County Airport
Taxiway "D" Rehabilitation, Install Taxiway "B", "C", & "D" Lighting
Funding Summary

| Cost Classification | Base Bid | Base Bid plus Add-on No. 1 | Base Bid plus Add-on #3 | Base Bid Plus Add-on No. 1 & 2 | Base Bid Plus Add-on No. 1 & 3 | Base Bid Plus Add-on No. 1, 2 & 3 |
|--------------------------|-------------|----------------------------|-------------------------|--------------------------------|--------------------------------|-----------------------------------|
| Administrative Expense | \$4,807 | \$4,980 | \$5,043 | \$7,160 | \$5,716 | \$7,396 |
| Project Inspection Fees | \$177,990 | \$177,990 | \$177,990 | \$193,903 | \$177,990 | \$193,903 |
| Construction | \$1,424,203 | \$1,569,030 | \$1,498,967 | \$1,945,437 | \$1,643,794 | \$2,020,201 |
| Independent Fee Estimate | \$3,000 | \$3,000 | \$3,000 | \$3,500 | \$3,500 | \$3,500 |
| Total | \$1,610,000 | \$1,755,000 | \$1,685,000 | \$2,150,000 | \$1,831,000 | \$2,225,000 |
| Federal Share | \$1,529,500 | \$1,667,250 | \$1,600,750 | \$2,042,500 | \$1,739,450 | \$2,113,750 |
| NYS DOT Share | \$40,250 | \$43,875 | \$42,125 | \$53,750 | \$45,775 | \$55,625 |
| County Share | \$40,250 | \$43,875 | \$42,125 | \$53,750 | \$45,775 | \$55,625 |

Additional FY-2011 Project Funding:

| | | | | | | |
|--|-----------|--|--|--|--|--|
| Obstruction Study - Phase II (GIS Survey) | \$20,000 | | | | | |
| SWPPP | \$5,000 | | | | | |
| Realign T/W "D" (Design); Re-bid Install Lighting on Taxiway "B" and Stub Taxiways "C" & "D" | \$100,000 | | | | | |
| Total | \$125,000 | | | | | |
| Federal Share | \$118,750 | | | | | |
| NYS DOT Share | \$3,125 | | | | | |
| County Share | \$3,125 | | | | | |

Total FY-2011 Funding Needs:

| | | | | | | |
|---------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Total | \$1,735,000 | \$1,880,000 | \$1,810,000 | \$2,275,000 | \$1,956,000 | \$2,350,000 |
| Federal Share | \$1,648,250 | \$1,786,000 | \$1,719,500 | \$2,161,250 | \$1,858,200 | \$2,232,500 |
| NYS DOT Share | \$43,375 | \$47,000 | \$45,250 | \$56,875 | \$48,900 | \$58,750 |
| County Share | \$43,375 | \$47,000 | \$45,250 | \$56,875 | \$48,900 | \$58,750 |

Bid Explanation:

Base Bid - Rehabilitate Taxiway "D"

Add-on No. 1 - Install Lighting on Taxiway "D"

Add-on No. 2 - Install Lighting on Taxiways "B", "C" & "D"

Add-on No. 3 - Emergency Generator

Roll call vote on the foregoing Resolution No. 2011139 resulted as follows:

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

NAYS: 1 Incoronato.

ABSENT: 0

Resolution adopted.

Public Works and Capital Projects Roll Call

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

Present: 11 Resolution: X Total: 10 1
 Absent: 1 Motion: — Yes No
 Vacant: 0 Abstentions: 0

2011139 Authorizing Grant Agreement with the Federal Aviation Administration for Additional Funding for Realignment of Taxiway "D", install Lighting Taxiway "D", Storm Water Pollution Prevention Plan Development (SWPPP), and Obstruction Study Phase II (GIS Survey) and Amending the 2011 Adopted County Budget as it Pertains to the Department of Public Works-Aviation [EA.0427]

Roll Call Sheets

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

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

2011139 Authorizing Grant Agreement with the Federal Aviation Administration for Additional Funding for Realignment of Taxiway "D", install Lighting Taxiway "D", Storm Water Pollution Prevention Plan Development (SWPPP), and Obstruction Study Phase II (GIS Survey) and Amending the 2011 Adopted County Budget as it Pertains to the Department of Public Works-Aviation (EA.0427)

Date: 6/16/11

RESOLUTION NO. 2011140

RE: SETTING PUBLIC HEARING FOR DUTCHESS COMMUNITY COLLEGE BUDGET FOR JULY 11, 2011

Legislators BORCHERT and FORMAN the following and move its adoption:

WHEREAS, Dutchess Community College will file with the Dutchess County Legislature a Tentative Budget by July 1, 2011, for the academic year commencing September 1, 2011, now, therefore, be it

RESOLVED, that a Public Hearing on said Budget, as provided by statute, be held before the Dutchess County Legislature in the Legislative Chambers, County Office Building, New York, at 7:00 PM on the 11th day of July, 2011, and, be it further

RESOLVED, that the Clerk of the County Legislature shall cause notice of said Public Hearing in the following form to be published in the two official newspapers at least five days between the first publication of such notice and the date specified for the hearing:

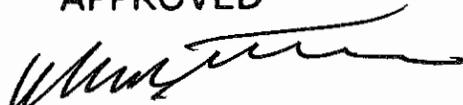
NOTICE OF PUBLIC HEARING ON TENTATIVE BUDGET

DUTCHESS COMMUNITY COLLEGE

NOTICE IS HEREBY GIVEN that the County Legislature of the County of Dutchess will meet in the Legislative Chambers, County Office Building, Poughkeepsie, New York, at 7:00 PM on the 11th day of July, 2011, for the purpose of holding a public hearing on the Tentative Budget of Dutchess Community College for the period of September 1, 2011, to August 31, 2012.

FURTHER NOTICE, is hereby given that copies of said Budget are available at the Office of the Clerk of the County Legislature, County Office Building, Poughkeepsie, New York, where they may be examined or procured by interested parties during regular business hours.

APPROVED


WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

STATE OF NEW YORK

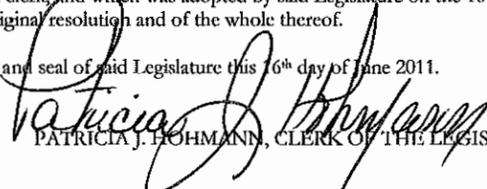
COUNTY OF DUTCHESS

ss:

Date June 27, 2011

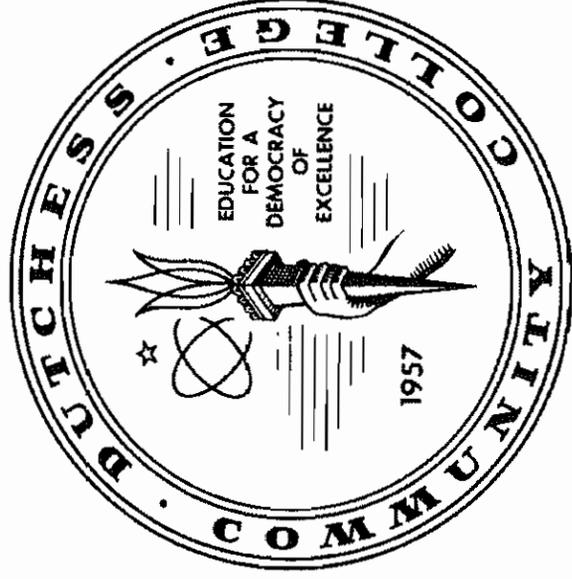
This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 16th day of June 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 16th day of June 2011.


PATRICIA J. BOHMANN, CLERK OF THE LEGISLATURE

DUTCHESS

COMMUNITY COLLEGE



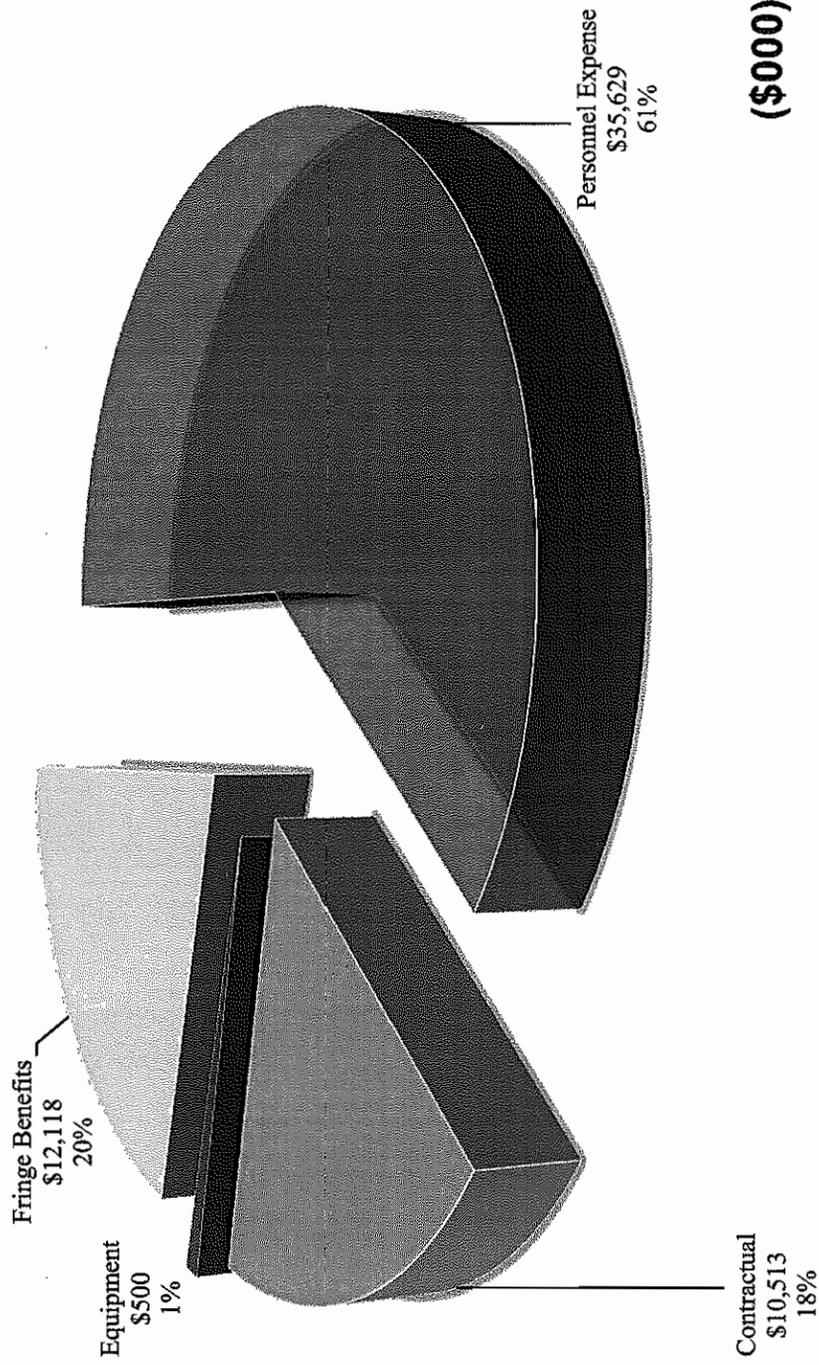
Budget Summary 2011 – 2012

DUTCHESS COMMUNITY COLLEGE

Budget Expense Summary 2011-2012

| | Actual 2009/2010 | Adopted Budget 2010/2011 | Request 2011-2012 | Increase (Decrease) | % |
|---|----------------------|--------------------------------|----------------------|------------------------|------------|
| | | | | | Change |
| DCC FUNDED: | | | | | |
| Salaries: | \$ 32,020,210 | \$ 35,067,609 | \$ 35,628,691 | \$ 561,082 | 1.6 |
| Fringe Benefits: | 11,298,785 | 11,822,354 | 12,117,913 | 295,559 | 2.5 |
| Equipment: | 756,874 | 500,000 | 500,000 | - | 0.0 |
| Contractual Expenses: | <u>10,148,181</u> | <u>10,256,674</u> | <u>10,513,091</u> | <u>256,417</u> | <u>2.5</u> |
| Subtotal, DCC Funded: | \$ 54,224,050 | \$ 57,646,637 | \$ 58,759,695 | \$ 1,113,058 | 1.9 |
| GRANTS AND CONTRACTS: | | | | | |
| Outside funding for specialized programs, mostly training programs for local industry. | 1,416,510 | 1,894,782 | 1,494,782 | (400,000) | (21.1) |
| GRAND TOTAL: | <u>\$ 55,640,560</u> | <u>\$ 59,541,419</u> | <u>\$ 60,254,477</u> | <u>\$ 713,058</u> | <u>1.2</u> |

DUTCHESS COMMUNITY COLLEGE Budget Appropriations 2011-2012 DCC Funded



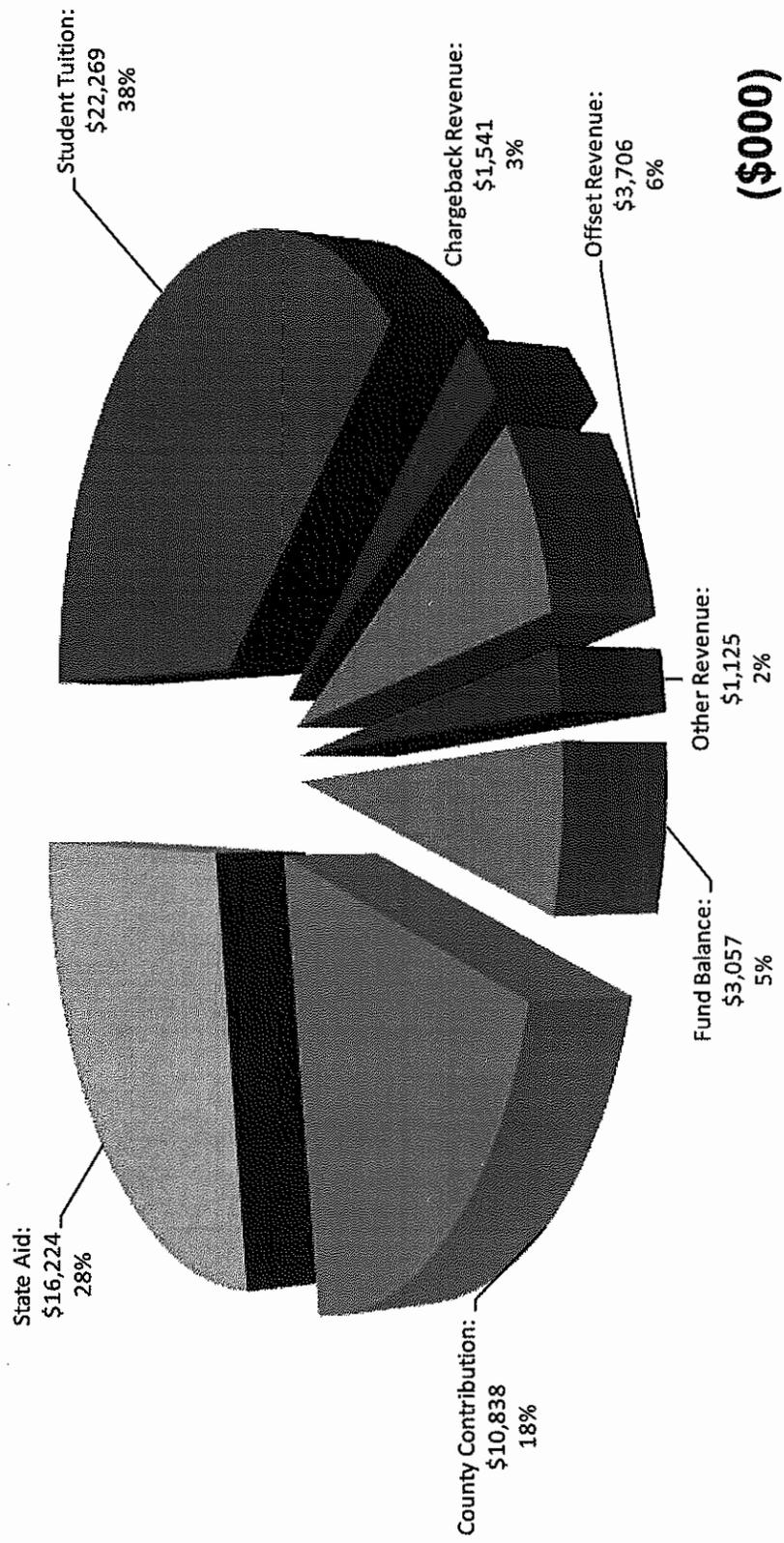
Total DCC Funded Budget \$58,760

DUTCHESS COMMUNITY COLLEGE

Budget Revenue Summary 2011-2012

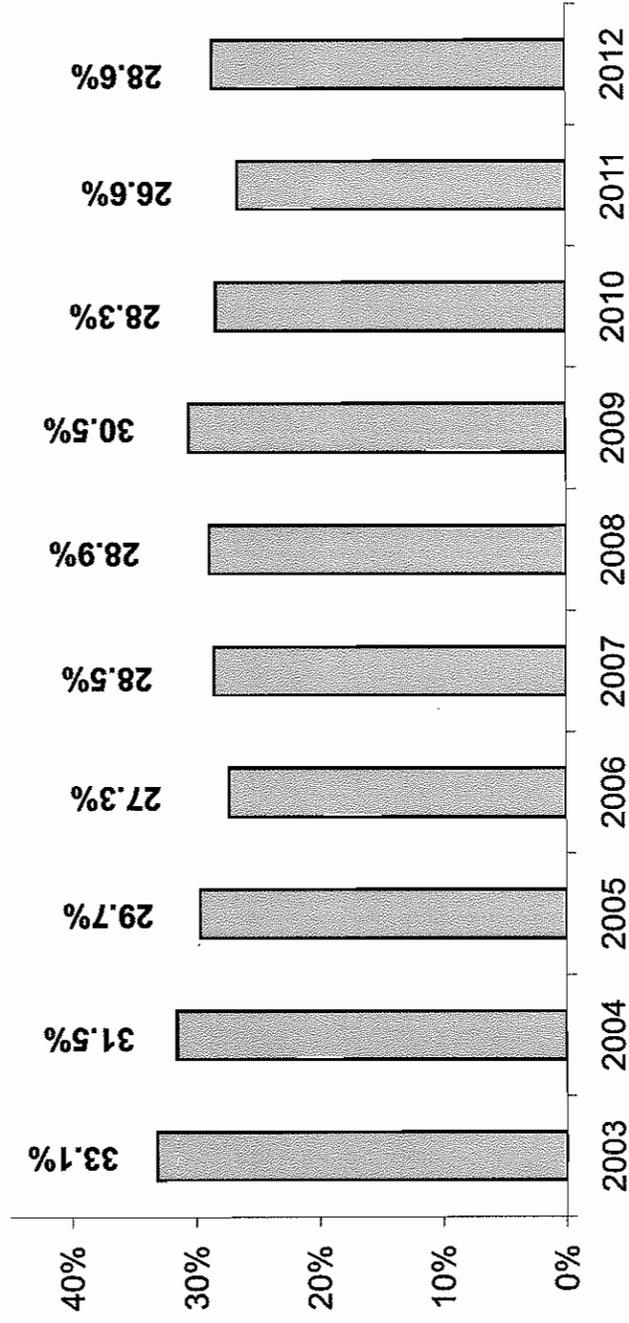
| | Actual 2009/2010 | Adopted Budget 2010/2011 | Request 2011/2012 | Increase (Decrease) | % |
|-----------------------------------|---------------------|--------------------------------|----------------------|------------------------|--------|
| | | | | | Change |
| Student Revenue: | \$ 22,323,818 | \$ 21,903,550 | \$ 22,269,300 | 365,750 | 1.7 |
| Sponsor's Contribution: | 10,837,898 | 10,837,898 | 10,837,898 | 0 | 0.0 |
| Chargeback Revenue: | 2,103,929 | 1,514,044 | 1,541,081 | 27,037 | 1.8 |
| State Aid - Basic & Supplemental: | 16,953,052 | 16,872,900 | 16,223,484 | -649,416 | (3.8) |
| Offset Revenue: | 3,983,049 | 3,605,620 | 3,605,620 | 0 | 0.0 |
| Other Revenue: | 1,251,243 | 1,225,000 | 1,225,000 | 0 | 0.0 |
| Appropriated Fund Balance: | | 1,687,625 | 3,057,312 | 1,369,687 | 81.2 |
| Total Operating Revenue: | \$ 57,452,989 | \$ 57,646,637 | \$ 58,759,695 | \$ 1,113,058 | 1.9 |
| Grant & Non DCC Funded: | 1,368,188 | 1,894,782 | 1,494,782 | (400,000) | (21.1) |
| Total Revenues: | \$ 58,821,177 | \$ 59,541,419 | \$ 60,254,477 | \$ 713,058 | 1.2 |

DUTCHESS COMMUNITY COLLEGE
Revenue Projection 2011-2012
DCC Funded

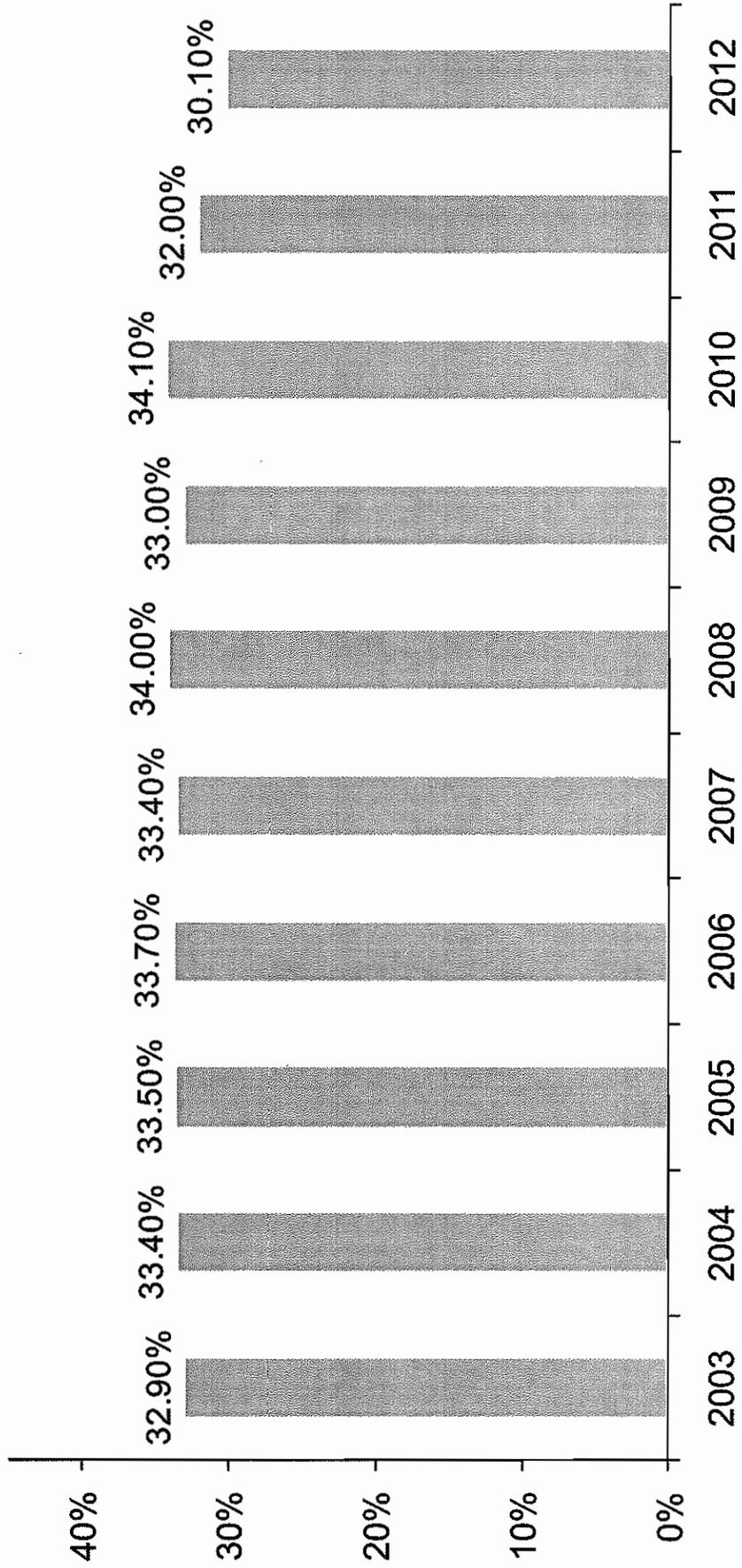


Total DCC Funded Budget 58,760

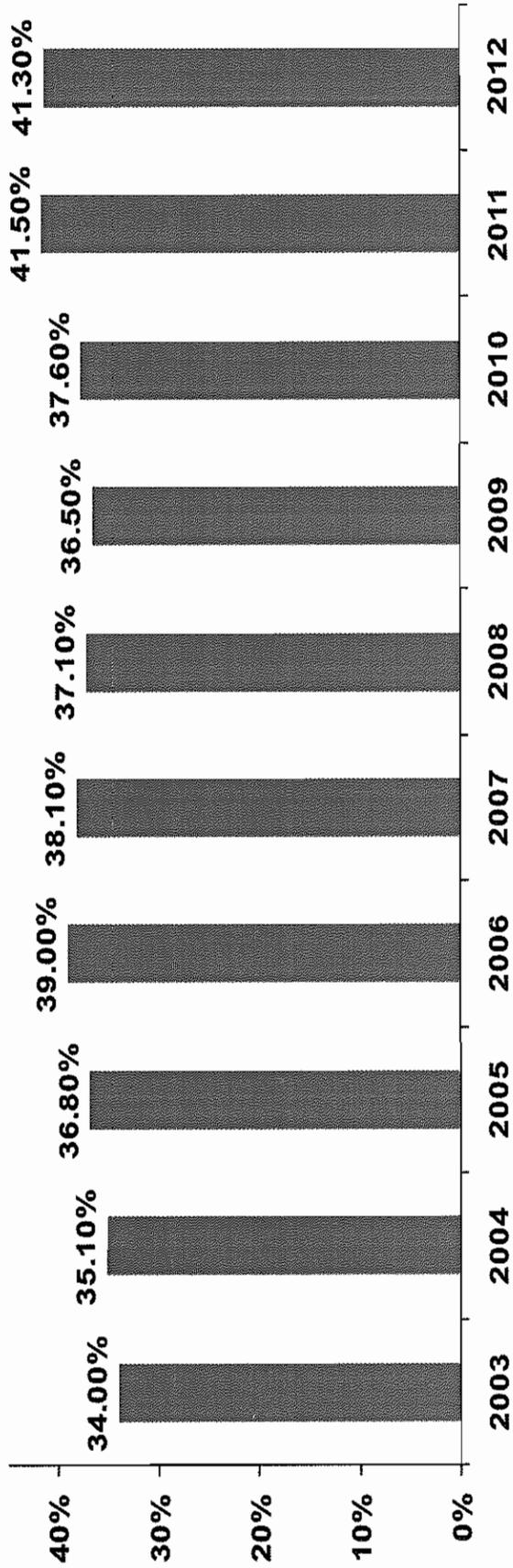
DUTCHESS COMMUNITY COLLEGE
Sponsor Share
As a Percentage of State/Sponsor/Tuition Revenue



DUTCHESS COMMUNITY COLLEGE
New York State Share
As a Percentage of State/Sponsor/Tuition Revenue



DUTCHESS COMMUNITY COLLEGE
Student Tuition
As a Percentage of State/Sponsor/Tuition Revenue



Dutchess Community College
2011-2012 Budget Summary

TUITION RATES

| | FULL-TIME | | PART-TIME | | % | |
|-----------|-----------|----------|-----------|----------|----------|----------|
| | \$ | INCREASE | \$ | INCREASE | INCREASE | INCREASE |
| 2011-2012 | 2,900 | 0.0 | 121 | - | - | - |
| 2010-2011 | 2,900 | 0.0 | 121 | - | - | - |
| 2009-2010 | 2,900 | 0.9 | 121 | 0.8 | 0.8 | 0.8 |
| 2008-2009 | 2,875 | 2.7 | 120 | 4.3 | 4.3 | 4.3 |
| 2007-2008 | 2,800 | 3.7 | 115 | 3.6 | 3.6 | 3.6 |
| 2006-2007 | 2,700 | 3.8 | 111 | 5.7 | 5.7 | 5.7 |
| 2005-2006 | 2,600 | 4.0 | 105 | 7.1 | 7.1 | 7.1 |
| 2004-2005 | 2,500 | 2.0 | 98 | 3.1 | 3.1 | 3.1 |
| 2003-2004 | 2,450 | 4.2 | 95 | 5.3 | 5.3 | 5.3 |
| 2002-2003 | 2,350 | 2.2 | 90 | 1.1 | 1.1 | 1.1 |
| 2001-2002 | 2,300 | 0.0 | 89 | - | - | - |
| 2000-2001 | 2,300 | 0.0 | 89 | - | - | - |
| 1999-2000 | 2,300 | 0.0 | 89 | - | - | - |
| 1998-99 | 2,300 | 0.0 | 89 | - | - | - |
| 1997-98 | 2,300 | 4.5 | 89 | 3.5 | 3.5 | 3.5 |
| 1996-97 | 2,200 | 10.0 | 86 | 10.3 | 10.3 | 10.3 |
| 1995-96 | 2,000 | 8.1 | 78 | 6.5 | 6.5 | 6.5 |
| 1994-95 | 1,850 | 5.7 | 73 | 5.8 | 5.8 | 5.8 |
| 1993-94 | 1,750 | 6.1 | 69 | - | - | - |
| 1992-93 | 1,650 | 6.5 | 69 | 6.2 | 6.2 | 6.2 |
| 1991-92 | 1,550 | 14.8 | 65 | 16.0 | 16.0 | 16.0 |
| 1990-91 | 1,350 | 0.0 | 56 | - | - | - |
| 1989-90 | 1,350 | 0.0 | 56 | - | - | - |
| 1988-89 | 1,350 | 0.0 | 56 | - | - | - |

* Lowest tuition in New York State of any college or university that charges tuition.

Dutchess Community College
2011-2012 Budget Summary

COUNTY CONTRIBUTION

| | Amount | Increase | % |
|-----------|---------------|-----------|------|
| 2011-2012 | \$ 10,837,898 | - | - |
| 2010-2011 | 10,837,898 | - | - |
| 2009-2010 | 10,837,898 | - | - |
| 2008-2009 | 10,837,898 | 1,218,869 | 12.7 |
| 2007-2008 | 9,619,029 | 487,768 | 5.3 |
| 2006-2007 | 9,131,261 | 547,583 | 6.5 |
| 2005-2006 | 8,583,678 | 200,000 | 2.4 |
| 2004-2005 | 8,383,678 | - | - |
| 2003-2004 | 8,383,678 | 204,480 | 2.5 |
| 2002-2003 | 8,179,198 | - | 0.0 |
| 2001-2002 | 8,179,198 | 378,763 | 4.9 |
| 2000-2001 | 7,800,435 | - | - |
| 1999-2000 | 7,800,435 | - | - |
| 1998-99 | 7,800,435 | - | - |
| 1997-98 | 7,800,435 | 292,797 | 3.9 |
| 1996-97 | 7,507,638 | 217,660 | 3.0 |
| 1995-96 | 7,289,978 | 212,329 | 3.0 |
| 1994-95 | 7,077,649 | - | - |
| 1993-94 | 7,077,649 | 11,970 | 0.2 |
| 1992-93 | 7,065,679 | - | - |
| 1991-92 | 7,065,679 | 69,957 | 1.0 |
| 1990-91 | 6,995,722 | 269,157 | 4.0 |
| 1989-90 | 6,726,565 | 195,831 | 3.0 |
| 1988-89 | 6,530,734 | 591,145 | 10.0 |
| 1987-88 | 5,939,589 | 532,048 | 10.0 |

Dutchess Community College
2011-2012 Budget Summary

STATE AID RATES

| | Base | % Increase/ Decrease | Disadvantaged | Technical/HN | Business |
|-----------|----------|----------------------------|---------------|--------------|----------|
| 2011-2012 | \$ 2,122 | (6.1) | - | \$ 100 | - |
| 2010-2011 | 2,260 | (11.2) | - | 100 | - |
| 2009-2010 | 2,545 | (4.9) | - | 100 | - |
| 2008-2009 | 2,675 | 0.0 | - | 100 | - |
| 2007-2008 | 2,675 | 5.9 | - | 100 | - |
| 2006-2007 | 2,525 | 7.4 | - | 100 | - |
| 2005-2006 | 2,350 | 5.1 | - | - | - |
| 2004-2005 | 2,235 | 0.0 | - | - | - |
| 2003-2004 | 2,300 | 0.0 | - | - | - |
| 2002-2003 | 2,300 | 2.2 | - | - | - |
| 2001-2002 | 2,250 | 0.0 | - | - | - |
| 2000-2001 | 2,250 | 6.0 | - | - | - |
| 1999-2000 | 2,125 | 3.6 | - | - | - |
| 1998-99 | 2,050 | 7.9 | - | - | - |
| 1997-98 | 1,900 | 2.7 | - | - | - |
| 1996-97 | 1,850 | 2.8 | - | - | - |
| 1995-96 | 1,800 | 0.0 | - | - | - |
| 1994-95 | 1,800 | 6.8 | 212 | 195 | 82 |
| 1993-94 | 1,685 | 3.0 | 212 | 195 | 82 |
| 1992-93 | 1,635 | (4.7) | 212 | 195 | 82 |
| 1991-92 | 1,715 | (2.6) | 212 | 195 | 82 |
| 1990-91 | 1,760 | 2.3 | 212 | 195 | 82 |
| 1989-90 | 1,710 | 10.0 | 212 | 195 | 82 |

DUTCHESS COMMUNITY COLLEGE

Information Packet

2011-2012

DUTCHESS COMMUNITY COLLEGE
REVENUE SOURCE BY CATEGORY
2011/2012

| | Actual 2009/2010 | Adopted Budget 2010/2011 | Budget Request 2011/2012 | Increase (Decrease) | % Change |
|---|---------------------|--------------------------------|--------------------------------|------------------------|---------------|
| Offset to Expenses: | | | | | |
| Technology Fees | \$2,012,394 | \$2,114,850 | \$2,140,250 | \$25,400 | 1.2 |
| Early Child Care Program | 283,842 | 42,000 | 42,000 | 0 | 0.0 |
| Course Fees | 568,980 | 587,500 | 580,000 | (7,500) | (1.3) |
| Interest | 24,916 | 65,000 | 25,000 | (40,000) | (61.5) |
| Unclassified Revenue * | 1,092,917 | 796,270 | 818,370 | 22,100 | 2.8 |
| Offset Revenue | 3,983,049 | 3,605,620 | 3,605,620 | 0 | 0.0 |
| Student Revenue: | | | | | |
| Full-time | 22,323,818 | 14,643,550 | 14,404,300 | (239,250) | (1.6) |
| Part-time: | | 7,260,000 | 7,865,000 | 605,000 | 8.3 |
| | 22,323,818 | 21,903,550 | 22,269,300 | 365,750 | 1.7 |
| In Lieu of Sponsor: | | | | | |
| Operating Charge-backs | 2,103,929 | 1,514,044 | 1,541,081 | 27,037 | 1.8 |
| | 2,103,929 | 1,514,044 | 1,541,081 | 27,037 | 1.8 |
| State Aid | 16,953,052 | 16,872,900 | 16,223,484 | (649,416) | (3.8) |
| Dutchess County: | | | | | |
| Use of Fund Balance | 0 | 1,687,625 | 3,057,312 | 1,369,687 | 81.2 |
| New Appropriations | 10,837,898 | 10,837,898 | 10,837,898 | 0 | 0.0 |
| | 10,837,898 | 12,525,523 | 13,895,210 | 1,369,687 | 10.9 |
| Other Revenue - Community Services | 1,251,243 | 1,225,000 | 1,225,000 | 0 | 0.0 |
| DCC Funding | 57,452,989 | 57,646,637 | 58,759,695 | 1,113,058 | 1.9 |
| Grants & Contract Funding | 1,368,188 | 1,894,782 | 1,494,782 | (400,000) | (21.1) |
| Total Funding | \$58,821,177 | \$59,541,419 | \$60,254,477 | \$713,058 | 1.2 |
| | | | | | |
| FTE State Aidable | 6,359 | 7,315 | 7,475 | 160 | 2.2 |
| FTE State Aided | 6,359 | 7,315 | 7,475 | 160 | 2.2 |
| Base State Aid | 2,675/2,545 | 2,260 | 2,122 | (138) | (6.1) |
| FT Tuition Rate | 2,900 | 2,900 | 2,900 | 0 | 0.0 |
| PT Tuition Rate | 121 | 121 | 121 | 0 | 0.0 |

* See next page for detail.

DUTCHESS COMMUNITY COLLEGE
ANALYSIS OF UNCLASSIFIED REVENUE
2011/2012

| | Actual 2009/2010 | Adopted Budget 2010/2011 | Budget Request 2011/2012 |
|-----------------------------------|---------------------|--------------------------------|--------------------------------|
| Other Unclassified Revenues: | | | |
| Library Fines | 5,427 | 8,000 | 8,000 |
| Microfilm and Photocopy Machine | 25 | 100 | 100 |
| Lost Books | 225 | 100 | 100 |
| Traffic Fines | 66,154 | 50,000 | 50,000 |
| Proficiency and Adult Counseling | 2,510 | 2,000 | 2,000 |
| Teleconferences | 2,467 | 1,000 | 1,000 |
| ID Card Replacement | 1,820 | 1,000 | 1,000 |
| Printing Expenses Reimbursement | 3,379 | 2,300 | 2,300 |
| Health Insurance Reimbursement | 282,468 | 280,000 | 280,000 |
| Surplus Property | 1,769 | 2,000 | 2,000 |
| Miscellaneous Revenue | 726,673 | 449,770 | 471,870 |
| Total Unclassified Revenue | 1,092,917 | 796,270 | 818,370 |

Roll call vote on the foregoing Resolution No. 2011140 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

Budget, Finance, and Personnel Committee Roll Call

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

| | | | | | | |
|----------|-----------|-------------|-------------|--------------|-----------|----------|
| Present: | <u>12</u> | Resolution: | <u>2</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> | |

2011140 Setting Public Hearing for Dutchess Community College
 Budget for July 11, 2011

Date: 6/14/11

Roll Call Sheets

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

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

2011140 Setting Public Hearing for Dutchess Community College
 Budget for July 11, 2011

Date: 6/16/11

Budget, Finance, and Personnel

RESOLUTION NO. 2011141

RE: APPOINTMENT TO THE BOARD OF TRUSTEES OF DUTCHESS
COMMUNITY COLLEGE

Legislators TRAUDT, BORCHERT, FORMAN, and Kuffner offer the following
and move its adoption:

WHEREAS, there exists a vacancy on the Board of Trustees of Dutchess
Community College by reason of the term expiration of Anne C. Forman, now, therefore,
be it

RESOLVED, that the Dutchess County Legislature does hereby appoint
Thomas LeGrand as a member of the Board of Trustees of Dutchess Community College
whose term will expire on the 30th day of June 2018.

Appointment

Term

Thomas LeGrand
5 Linden Avenue
Red Hook, NY 12571
(replacing Anne C. Forman)

7/1/11 – 6/30/18

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date June 27, 2011

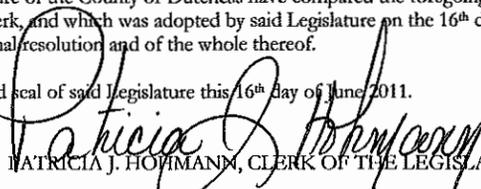
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing
resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 16th day of
June 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 16th day of June 2011.



PATRICIA J. HOFFMANN, CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2011141 resulted as follows:

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

NAYS: 1 MacAvery.

ABSENT: 0

Resolution adopted.

Budget, Finance, and Personnel Committee Roll Call

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

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

2011141 Appointment to the Board of Trustees of Dutchess Community College

Date: 6/14/11

Roll Call Sheets

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

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

2011141 Appointment to the Board of Trustees of Dutchess Community College

Date: 6/16/11

RESOLUTION NO. 2011142

RE: ERRONEOUS TAXES, TOWN OF EAST FISHKILL
ASSESSED TO: TOLL LAND VI LTD PARTNERSHIP
GRID NUMBER: 132800-6457-03-485067-0000

LEGISLATORS HORTON, MacAVERY, THOMES, and WEISS
offers the following and moves its adoption:

WHEREAS, the Receiver of Taxes of the Town of East Fishkill has returned and will return unpaid to this office County, Town, Special District and Re-levied School taxes based on the 2009 and 2010 tax rolls against grid number 132800-6457-03-485067-0000, and

WHEREAS, it has been determined that said property was acquired by the Town of East Fishkill on January 8, 2009, and

WHEREAS, the assessment is erroneous, as said parcel was acquired prior to taxable status date, and should have been exempt, and

WHEREAS, due to the erroneous assessment, the liens of said taxes are rendered unenforceable, now, therefore, be it

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

| | | <u>2009</u> | <u>2010</u> | <u>TOTAL</u> |
|-----------------|--------------------------------|--------------------|---|--------------------|
| A342 | Allowance for Uncollect. Taxes | \$7,736.06 | \$5,227.57 | \$12,963.63 |
| A430.05 | Town of East Fishkill | 3,089.72 | 3,255.32 | 6,345.04 |
| A440.05 (EF006) | East Fishkill Fire | 937.70 | 1,064.71 | 2,002.41 |
| A430.05 (EFPL1) | East Fishkill Public Library | 231.74 | 249.97 | 481.71 |
| A440 (1W) | Wappingers Central School | <u>15,100.42</u> | <u>16,463.07</u> | <u>31,563.49</u> |
| | Total: | <u>\$27,095.64</u> | <u>\$26,260.64</u> + Interest & Penalties | <u>\$53,356.28</u> |

and be it further,

RESOLVED, that the County Clerk is hereby authorized, empowered, and directed to make the necessary changes in his office to correct the filing of said liens.

PB/CM/djw CA-62-11 4/5/11

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 16th day of June 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 16th day of June 2011.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

The foregoing Resolution No. 2011142 was pulled per the Commissioner of Finance.

Pulled - Duplicate of 2011111

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

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

2011142 Erroneous Taxes, Town of East Fishkill Assessed to: Toll Land VI LTD Partnership

Date: 6/14/11

BUDGET, FINANCE, & PERSONNEL
TABLED IN BUDGET, FINANCE & PERSONNEL 6/14/11

RESOLUTION NO. 2011143

RE: DUTCHESS COUNTY LEGISLATURE STRONGLY URGES
STATE LEGISLATURE PASS AND GOVERNOR SIGN INTO
LAW LEGISLATION FOR EXPANDED PROPERTY TAX
CIRCUITBREAKER RELIEF

Legislators TYNER, KUFFNER, MACAVERY, DOXSEY offer the following and move its adoption:

WHEREAS, the Fiscal Policy Institute has found that a property tax cap won't make government services cost less, and claims that caps will produce large savings through "efficiencies" are overblown, and

WHEREAS, property tax caps can be particularly harmful if adopted during a weak economy, and state aid can't be relied upon to fill the gap, and

WHEREAS, changes in school enrollment can have a big impact, and without effectively targeted state aid, low-income communities will fall even further behind, and

WHEREAS, wealthier communities will override a property tax cap more frequently than poorer ones, and middle-income communities might end up bearing the brunt of a property tax cap, and

WHEREAS, after a property tax cap was recently implemented in Massachusetts, a number of communities have been forced to lay off teachers, police officers, firefighters, and other public employees; close fire stations; shut libraries, senior centers, and recreation centers or sharply reduce their hours; and scale back public school programs, and one town even turned off its street lights to save money, and

WHEREAS, Republican state Senator John Bonacic and Democratic Assemblywoman Ellen Jaffee are co-sponsoring bipartisan legislation (A.7673/S.41471) for an expanded property tax circuitbreaker to give real relief to homeowners across the state; Assemblymember Kevin Cahill is also co-sponsoring bipartisan legislation for this (A.5542A/S.912A) with many other legislators across the state, and therefore be it

RESOLVED, that the Dutchess County Legislature strongly urges that our state legislature pass and our governor sign into law bipartisan Bonacic/Jaffee or Cahill legislation for expanded property tax circuitbreaker relief for the middle class, and be it further

RESOLVED, that a copy of this resolution be sent to Governor Cuomo and Dutchess County's delegation of state legislators.

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 16th day of June 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 16th day of June 2011.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE



Wednesday, May 18, 2011

Bill No.: A05542

Summary Actions Votes Memo Text

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A05542 Summary:

BILL NO A05542A

SAME AS Same as S 912-A

SPONSOR Englebright (MS)

COSPNSR Cahill, Gunther, Galef, Gabryszak, Jaffee, Rosenthal, Schroeder, Colton, Cook, Schimel, Hooper, Latimer

MLTSPNSR Barclay, Burling, Calhoun, Castelli, Crouch, Destito, Duprey, Giglio, Jacobs, Jordan, Lupardo, Magee, McEneny, Miller J, Molinaro, Pheffer, Rabbitt, Raia, Sayward, Sweeney, Thiele, Weisenberg

Amd S606, Tax L

Creates the middle class circuit breaker tax credit and a tax reform study commission.

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A05542 Text:

STATE OF NEW YORK

5542--A

2011-2012 Regular Sessions

IN ASSEMBLY

February 23, 2011

Introduced by M. of A. ENGLEBRIGHT, CAHILL, GUNTHER, GALEF, GABRYSZAK, JAFFEE, ROSENTHAL, SCHROEDER, COLTON, COOK, SCHIMEL, HOOPER, LATIMER -- Multi-Sponsored by -- M. of A. BARCLAY, BURLING, CALHOUN, CROUCH, DESTITO, DUPREY, GIGLIO, JACOBS, JORDAN, LUPARDO, MAGEE, McENENY, J. MILLER, MOLINARO, PERRY, PHEFFER, RABBITT, RAIA, SAYWARD, SWEENEY, THIELE, WEISENBERG -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the tax law, in relation to creating the middle class circuit breaker tax credit and creating a tax reform study commission

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 Section 1. Section 606 of the tax law is amended by adding a new
- 2 subsection (ss) to read as follows:
- 3 (SS) MIDDLE CLASS CIRCUIT BREAKER CREDIT. (1) DEFINITIONS. FOR THE

4 PURPOSES OF THIS SUBSECTION:

5 (A) "QUALIFIED TAXPAYER" MEANS A RESIDENT INDIVIDUAL OF THE STATE WHO
6 OWNS OR RENTS THE RESIDENTIAL REAL PROPERTY IN WHICH HE OR SHE RESIDES,
7 AND HAS RESIDED IN SUCH RESIDENTIAL REAL PROPERTY FOR NOT LESS THAN FIVE
8 YEARS.

9 (B) "HOUSEHOLD" OR "MEMBERS OF THE HOUSEHOLD" MEANS A QUALIFIED
10 TAXPAYER OR QUALIFIED TAXPAYERS AND ALL OTHER PERSONS, NOT NECESSARILY
11 RELATED, WHO ALL RESIDE IN THE RESIDENTIAL REAL PROPERTY OWNED BY THE
12 TAXPAYER OR TAXPAYERS, AND SHARE ITS FURNISHINGS, FACILITIES AND ACCOM-
13 MODATIONS; PROVIDED THAT NO PERSON MAY BE A MEMBER OF MORE THAN ONE
14 HOUSEHOLD AT ONE TIME.

15 (C) "HOUSEHOLD GROSS INCOME" MEANS THE AGGREGATE ADJUSTED GROSS INCOME
16 OF ALL MEMBERS OF THE HOUSEHOLD FOR THE TAXABLE YEAR AS REPORTED FOR
17 FEDERAL INCOME TAX PURPOSES, OR WHICH WOULD BE REPORTED AS ADJUSTED
18 GROSS INCOME IF A FEDERAL INCOME TAX RETURN WERE REQUIRED TO BE FILED,
19 WITH THE MODIFICATIONS IN SUBSECTION (B) OF SECTION SIX HUNDRED TWELVE

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD03920-03-1

A. 5542--A

2

1 OF THIS ARTICLE BUT WITHOUT THE MODIFICATIONS IN SUBSECTION (C) OF SUCH
2 SECTION, PLUS ANY PORTION OF THE GAIN FROM THE SALE OR EXCHANGE OF PROP-
3 ERTY OTHERWISE EXCLUDED FROM SUCH AMOUNT; EARNED INCOME FROM SOURCES
4 WITHOUT THE UNITED STATES EXCLUDABLE FROM FEDERAL GROSS INCOME BY
5 SECTION NINE HUNDRED ELEVEN OF THE INTERNAL REVENUE CODE; SUPPORT MONEY
6 NOT INCLUDED IN ADJUSTED GROSS INCOME; NONTAXABLE STRIKE BENEFITS;
7 SUPPLEMENTAL SECURITY INCOME PAYMENTS; THE GROSS AMOUNT OF ANY PENSION
8 OR ANNUITY BENEFITS TO THE EXTENT NOT INCLUDED IN SUCH ADJUSTED GROSS
9 INCOME (INCLUDING, BUT NOT LIMITED TO, RAILROAD RETIREMENT BENEFITS AND
10 ALL PAYMENTS RECEIVED UNDER THE FEDERAL SOCIAL SECURITY ACT AND VETER-
11 ANS' DISABILITY PENSIONS); NONTAXABLE INTEREST RECEIVED FROM THE STATE
12 OF NEW YORK, ITS AGENCIES, INSTRUMENTALITIES, PUBLIC CORPORATIONS, OR
13 POLITICAL SUBDIVISIONS (INCLUDING A PUBLIC CORPORATION CREATED PURSUANT
14 TO AGREEMENT OR COMPACT WITH ANOTHER STATE OR CANADA); WORKERS' COMPEN-
15 SATION; THE GROSS AMOUNT OF "LOSS-OF-TIME" INSURANCE; AND THE AMOUNT OF
16 CASH PUBLIC ASSISTANCE AND RELIEF, OTHER THAN MEDICAL ASSISTANCE FOR THE
17 NEEDY, PAID TO OR FOR THE BENEFIT OF THE QUALIFIED TAXPAYER OR MEMBERS
18 OF HIS OR HER HOUSEHOLD. HOUSEHOLD GROSS INCOME SHALL NOT INCLUDE
19 SURPLUS FOODS OR OTHER RELIEF IN KIND OR PAYMENTS MADE TO INDIVIDUALS
20 BECAUSE OF THEIR STATUS AS VICTIMS OF NAZI PERSECUTION AS DEFINED IN
21 PUBLIC LAW 103-286 OR ANY DISABILITY COMPENSATION RECEIVED BY VETERANS
22 ON ACCOUNT OF INJURY OR ILLNESS INCURRED OR AGGRAVATED DURING MILITARY
23 SERVICE IN THE WARS IN AFGHANISTAN AND IRAQ SINCE SEPTEMBER ELEVENTH,
24 TWO THOUSAND ONE. PROVIDED, FURTHER, HOUSEHOLD GROSS INCOME SHALL ONLY
25 INCLUDE ALL SUCH INCOME RECEIVED BY ALL MEMBERS OF THE HOUSEHOLD WHILE
26 MEMBERS OF SUCH HOUSEHOLD.

27 (D) "ADJUSTED RENT" MEANS RENT PAID FOR THE RIGHT OF OCCUPANCY OF A
28 RESIDENCE.

29 (E) "REAL PROPERTY TAX EQUIVALENT" MEANS (1) FOR TAXABLE YEARS BEGIN-
30 NING IN TWO THOUSAND FOURTEEN, FIFTEEN PERCENT OF THE ADJUSTED RENT
31 ACTUALLY PAID IN THE TAXABLE YEAR BY A HOUSEHOLD SOLELY FOR THE RIGHT OF
32 OCCUPANCY OF ITS NEW YORK RESIDENCE FOR THE TAXABLE YEAR. IF (I) A RESI-
33 DENCE IS RENTED TO TWO OR MORE INDIVIDUALS AS COTENANTS, OR SUCH INDI-
34 VIDUALS SHARE IN THE PAYMENT OF A SINGLE RENT FOR THE RIGHT OF OCCUPANCY
35 OF SUCH RESIDENCE, AND (II) EACH OF SUCH INDIVIDUALS IS A MEMBER OF A
36 DIFFERENT HOUSEHOLD, ONE OR MORE OF WHICH INDIVIDUALS SHARES SUCH RESI-
37 DENCE, REAL PROPERTY TAX EQUIVALENT IS THAT PORTION OF FIFTEEN PERCENT
38 OF THE ADJUSTED RENT PAID IN THE TAXABLE YEAR WHICH REFLECTS THAT
39 PORTION OF THE RENT ATTRIBUTABLE TO THE QUALIFIED TAXPAYER AND THE
40 MEMBERS OF HIS OR HER HOUSEHOLD; AND (2) FOR TAXABLE YEARS BEGINNING IN
41 TWO THOUSAND FIFTEEN AND THEREAFTER, TWENTY PERCENT OF THE ADJUSTED RENT
42 ACTUALLY PAID IN THE TAXABLE YEAR BY A HOUSEHOLD SOLELY FOR THE RIGHT
43 OF OCCUPANCY OF ITS NEW YORK RESIDENCE FOR THE TAXABLE YEAR. IF (I) A
44 RESIDENCE IS RENTED TO TWO OR MORE INDIVIDUALS AS COTENANTS, OR SUCH

45 INDIVIDUALS SHARE IN THE PAYMENT OF A SINGLE RENT FOR THE RIGHT OF OCCU-
 46 PANCY OF SUCH RESIDENCE, AND (II) EACH OF SUCH INDIVIDUALS IS A MEMBER
 47 OF A DIFFERENT HOUSEHOLD, ONE OR MORE OF WHICH INDIVIDUALS SHARES SUCH
 48 RESIDENCE, REAL PROPERTY TAX EQUIVALENT IS THAT PORTION OF TWENTY
 49 PERCENT OF THE ADJUSTED RENT PAID IN THE TAXABLE YEAR WHICH REFLECTS
 50 THAT PORTION OF THE RENT ATTRIBUTABLE TO THE QUALIFIED TAXPAYER AND THE
 51 MEMBERS OF HIS OR HER HOUSEHOLD.

52 (F) "NET REAL PROPERTY TAX" MEANS THE REAL PROPERTY TAXES ASSESSED ON
 53 THE RESIDENTIAL REAL PROPERTY OWNED AND OCCUPIED BY THE TAXPAYER OR
 54 TAXPAYERS AFTER ANY EXEMPTION OR ABATEMENT RECEIVED PURSUANT TO THE REAL
 55 PROPERTY TAX LAW.

A. 5542--A

3

1 (2) CREDIT. A QUALIFIED TAXPAYER SHALL BE ALLOWED A CREDIT AGAINST THE
 2 TAXES IMPOSED BY THIS ARTICLE, EQUAL TO SEVENTY PERCENT OF THE AMOUNT BY
 3 WHICH THE TAXPAYER'S NET REAL PROPERTY TAX OR THE TAXPAYER'S REAL PROP-
 4 erty tax equivalent exceeds the taxpayer's maximum real property tax, as
 5 determined by paragraph three of this subsection. IF SUCH CREDIT EXCEEDS
 6 THE TAX FOR SUCH TAXABLE YEAR, AS REDUCED BY THE OTHER CREDITS PERMITTED
 7 BY THIS ARTICLE, THE QUALIFIED TAXPAYER MAY RECEIVE, AND THE COMP-
 8 TROLLER, SUBJECT TO A CERTIFICATE OF THE DEPARTMENT, SHALL PAY AS AN
 9 OVERPAYMENT, WITHOUT INTEREST, ANY EXCESS BETWEEN SUCH TAX AS SO REDUCED
 10 AND THE AMOUNT OF THE CREDIT. IF A QUALIFIED TAXPAYER IS NOT REQUIRED TO
 11 FILE A RETURN PURSUANT TO SECTION SIX HUNDRED FIFTY-ONE OF THIS ARTICLE,
 12 A QUALIFIED TAXPAYER MAY NEVERTHELESS RECEIVE AND THE COMPTROLLER,
 13 SUBJECT TO A CERTIFICATE OF THE DEPARTMENT, SHALL PAY AS AN OVERPAYMENT
 14 THE FULL AMOUNT OF THE CREDIT, WITHOUT INTEREST.

15 (3) MAXIMUM REAL PROPERTY TAX. (A) A QUALIFIED TAXPAYER'S MAXIMUM REAL
 16 PROPERTY TAX SHALL BE DETERMINED AS FOLLOWS:

17 (I) FOR TAX YEARS BEGINNING IN TWO THOUSAND THIRTEEN:
 18 HOUSEHOLD GROSS INCOME MAXIMUM REAL PROPERTY TAX
 19 ONE HUNDRED THOUSAND NINE PERCENT OF THE
 20 DOLLARS OR LESS HOUSEHOLD GROSS INCOME
 21 MORE THAN ONE HUNDRED NO LIMITATION.
 22 THOUSAND DOLLARS

23 (II) FOR TAX YEARS BEGINNING IN TWO THOUSAND FOURTEEN:
 24 HOUSEHOLD GROSS INCOME MAXIMUM REAL PROPERTY TAX
 25 ONE HUNDRED THOUSAND EIGHT AND ONE-HALF PERCENT OF THE
 26 DOLLARS OR LESS HOUSEHOLD GROSS INCOME
 27 MORE THAN ONE HUNDRED NO LIMITATION.
 28 THOUSAND DOLLARS

29 (III) FOR TAX YEARS BEGINNING IN TWO THOUSAND FIFTEEN:
 30 HOUSEHOLD GROSS INCOME MAXIMUM REAL PROPERTY TAX
 31 ONE HUNDRED THOUSAND DOLLARS SEVEN AND ONE-HALF PERCENT OF
 32 OR LESS HOUSEHOLD GROSS INCOME
 33 MORE THAN ONE HUNDRED THOUSAND SEVEN AND ONE-HALF PERCENT OF
 34 DOLLARS, BUT LESS THAN OR EQUAL TO ONE HUNDRED THOUSAND DOLLARS
 35 ONE HUNDRED FIFTY THOUSAND DOLLARS PLUS EIGHT AND ONE-HALF PERCENT OF
 36 HOUSEHOLD GROSS INCOME ABOVE
 37 ONE HUNDRED THOUSAND DOLLARS
 38 MORE THAN ONE HUNDRED FIFTY NO LIMITATION.
 39 THOUSAND DOLLARS

40 (IV) FOR TAX YEARS BEGINNING IN TWO THOUSAND SIXTEEN AND THEREAFTER:
 41 HOUSEHOLD GROSS INCOME MAXIMUM REAL PROPERTY TAX
 42 ONE HUNDRED THOUSAND SIX PERCENT OF HOUSEHOLD GROSS
 43 DOLLARS OR LESS INCOME
 44 MORE THAN ONE HUNDRED THOUSAND SIX PERCENT OF ONE HUNDRED
 45 DOLLARS, BUT LESS THAN OR EQUAL TO THOUSAND DOLLARS PLUS SEVEN
 46 ONE HUNDRED FIFTY THOUSAND DOLLARS PERCENT OF HOUSEHOLD GROSS INCOME
 47 ABOVE ONE HUNDRED THOUSAND DOLLARS
 48 MORE THAN ONE HUNDRED FIFTY SIX PERCENT OF ONE HUNDRED THOUSAND
 49 THOUSAND DOLLARS, BUT LESS THAN DOLLARS PLUS SEVEN
 50 OR EQUAL TO TWO HUNDRED FIFTY PERCENT OF FIFTY THOUSAND DOLLARS

51 THOUSAND DOLLARS PLUS EIGHT AND ONE-HALF PERCENT OF
52 HOUSEHOLD GROSS INCOME ABOVE ONE
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1 HUNDRED FIFTY THOUSAND DOLLARS
2 MORE THAN TWO HUNDRED FIFTY NO LIMITATION.
3 THOUSAND DOLLARS

4 (B) THE THRESHOLDS OF HOUSEHOLD GROSS INCOME ESTABLISHED BY CLAUSE
5 (IV) OF SUBPARAGRAPH (A) OF THIS PARAGRAPH SHALL BE INDEXED FOR
6 INFLATION FOR TAX YEARS BEGINNING IN TWO THOUSAND SEVENTEEN AND THERE-
7 AFTER.

8 (4) EXCLUSIONS FROM ELIGIBILITY. NO CREDIT SHALL BE GRANTED UNDER THIS
9 SUBSECTION IF THE QUALIFIED TAXPAYER CLAIMS THE REAL PROPERTY TAX
10 CIRCUIT BREAKER CREDIT, PURSUANT TO SUBSECTION (E) OF THIS SECTION,
11 DURING THE TAXABLE YEAR.

12 S 2. There is hereby established a tax reform study commission to
13 provide the governor and the legislature with a long run plan for
14 reforming the state and local tax systems. The tax reform study commis-
15 sion shall consist of five members appointed by the governor, four
16 members each appointed by the speaker of the assembly and the temporary
17 president of the senate, and one member each appointed by the minority
18 leader of the senate and the minority leader of the assembly. In addi-
19 tion, on or before January 1, 2015, the tax reform study commission
20 shall provide the governor and the legislature with recommendations on
21 any changes that should be made in the definitions of income used in the
22 various property tax relief programs authorized by the laws of the state
23 of New York. Such recommendations shall be based on an examination of
24 such laws and of such laws in other states. In preparing such recommen-
25 dations, the tax reform study commission shall review the distributional
26 impact of the items of income included in the definition of household
27 income for purposes of the circuit breaker and other property tax relief
28 programs established by state law and make recommendations to the gover-
29 nor and the legislature for any changes in any of these definitions that
30 the tax reform study commission deems appropriate. The commissioner of
31 taxation and finance and the director of the office of real property
32 services shall provide the tax reform study commission with such data
33 and analysis as it may require.

34 S 3. This act shall take effect immediately.

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A07673 Summary:

BILL NO A07673

SAME AS Same as S 4171

SPONSOR Jaffee

COSPNSR Jeffries

MLTSPNSR

Amd SS606 & 601, Tax L; add SS99-t & 99-u, St Fin L

Relates to creating the middle class circuit breaker tax credit; to amend the tax law, in relation to person income tax; to amend the state finance law, in relation to establishing the real property tax circuit breaker account and the education financing account; and directing the commissioner of taxation and finance to adjust certain withholding tables and methods.

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A07673 Text:

S T A T E O F N E W Y O R K

7673

2011-2012 Regular Sessions

I N A S S E M B L Y

May 12, 2011

Introduced by M. of A. JAFFEE, JEFFRIES -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to personal income tax; to amend the state finance law, in relation to establishing the real property tax circuit breaker account and the education financing account; and directing the commissioner of taxation and finance to adjust certain withholding tables and methods

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 Section 1. Section 606 of the tax law is amended by adding a new
- 2 subsection (ss) to read as follows:
- 3 (SS) MIDDLE CLASS CIRCUIT BREAKER CREDIT. (1) DEFINITIONS. FOR THE
- 4 PURPOSES OF THIS SUBSECTION:
- 5 (A) "QUALIFIED TAXPAYER" MEANS A RESIDENT INDIVIDUAL OF THE STATE WHO
- 6 OWNS OR RENTS THE RESIDENTIAL REAL PROPERTY IN WHICH HE OR SHE RESIDES,

7 AND HAS RESIDED IN SUCH RESIDENTIAL REAL PROPERTY FOR NOT LESS THAN FIVE
 8 YEARS. THE DEPARTMENT MAY REQUIRE SUCH PROOF AS IT DEEMS NECESSARY TO
 9 ESTABLISH CRITERIA SUFFICIENT TO DEMONSTRATE THAT A TAXPAYER MEETS AND
 10 HAS MET THESE QUALIFICATIONS FOR A PERIOD OF AT LEAST FIVE YEARS.
 11 EVIDENCE OF RESIDENCE SHALL REQUIRE THE TAXPAYER TO HAVE RESIDED ON THE
 12 RESIDENTIAL PROPERTY AT LEAST ONE HUNDRED NINETY DAYS A YEAR AND, UNLESS
 13 GOOD CAUSE IS SHOWN PURSUANT TO A DETERMINATION OF THE COMMISSIONER, TO
 14 HAVE LIVED AT SUCH RESIDENCE AT LEAST ONE HUNDRED TWENTY DAYS PER YEAR
 15 CONSECUTIVELY FOR EACH OF THOSE YEARS. EVIDENCE MAY ALSO INCLUDE, BUT IS
 16 NOT LIMITED TO, DRIVER'S LICENSE, WORKPLACE LOCATION IN COMPARISON TO
 17 OTHER PROPERTY WHERE SUCH TAXPAYER MAY RESIDE AT OR BE DOMICILED AT, AND
 18 VOTER REGISTRATION STATUS.

19 (B) "HOUSEHOLD" OR "MEMBERS OF THE HOUSEHOLD" MEANS A QUALIFIED
 20 TAXPAYER OR QUALIFIED TAXPAYERS AND ALL OTHER PERSONS, NOT NECESSARILY
 21 RELATED, WHO ALL RESIDE IN THE RESIDENTIAL REAL PROPERTY OWNED BY THE
 22 TAXPAYER OR TAXPAYERS, AND SHARE ITS FURNISHINGS, FACILITIES AND ACCOM-

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
 [] is old law to be omitted.

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2

1 MODATIONS; PROVIDED THAT NO PERSON MAY BE A MEMBER OF MORE THAN ONE
 2 HOUSEHOLD AT ONE TIME.

3 (C) "HOUSEHOLD GROSS INCOME" MEANS THE AGGREGATE ADJUSTED GROSS INCOME
 4 OF ALL MEMBERS OF THE HOUSEHOLD FOR THE TAXABLE YEAR AS REPORTED FOR
 5 FEDERAL INCOME TAX PURPOSES, OR WHICH WOULD BE REPORTED AS ADJUSTED
 6 GROSS INCOME IF A FEDERAL INCOME TAX RETURN WERE REQUIRED TO BE FILED,
 7 WITH THE MODIFICATIONS IN SUBSECTION (B) OF SECTION SIX HUNDRED TWELVE
 8 OF THIS ARTICLE BUT WITHOUT THE MODIFICATIONS IN SUBSECTION (C) OF SUCH
 9 SECTION, PLUS ANY PORTION OF THE GAIN FROM THE SALE OR EXCHANGE OF PROP-
 10 ERTY OTHERWISE EXCLUDED FROM SUCH AMOUNT; EARNED INCOME FROM SOURCES
 11 WITHOUT THE UNITED STATES EXCLUDABLE FROM FEDERAL GROSS INCOME BY
 12 SECTION NINE HUNDRED ELEVEN OF THE INTERNAL REVENUE CODE; SUPPORT MONEY
 13 NOT INCLUDED IN ADJUSTED GROSS INCOME; NONTAXABLE STRIKE BENEFITS;
 14 SUPPLEMENTAL SECURITY INCOME PAYMENTS; THE GROSS AMOUNT OF ANY PENSION
 15 OR ANNUITY BENEFITS TO THE EXTENT NOT INCLUDED IN SUCH ADJUSTED GROSS
 16 INCOME (INCLUDING, BUT NOT LIMITED TO, RAILROAD RETIREMENT BENEFITS AND
 17 ALL PAYMENTS RECEIVED UNDER THE FEDERAL SOCIAL SECURITY ACT AND VETER-
 18 ANS' DISABILITY PENSIONS); NONTAXABLE INTEREST RECEIVED FROM THE STATE
 19 OF NEW YORK, ITS AGENCIES, INSTRUMENTALITIES, PUBLIC CORPORATIONS, OR
 20 POLITICAL SUBDIVISIONS (INCLUDING A PUBLIC CORPORATION CREATED PURSUANT
 21 TO AGREEMENT OR COMPACT WITH ANOTHER STATE OR CANADA); WORKERS' COMPEN-
 22 SATION; THE GROSS AMOUNT OF "LOSS-OF-TIME" INSURANCE; AND THE AMOUNT OF
 23 CASH PUBLIC ASSISTANCE AND RELIEF, OTHER THAN MEDICAL ASSISTANCE FOR THE
 24 NEEDY, PAID TO OR FOR THE BENEFIT OF THE QUALIFIED TAXPAYER OR MEMBERS
 25 OF HIS OR HER HOUSEHOLD. HOUSEHOLD GROSS INCOME SHALL NOT INCLUDE
 26 SURPLUS FOODS OR OTHER RELIEF IN KIND OR PAYMENTS MADE TO INDIVIDUALS
 27 BECAUSE OF THEIR STATUS AS VICTIMS OF NAZI PERSECUTION AS DEFINED IN
 28 PUBLIC LAW 103-286 OR ANY DISABILITY COMPENSATION RECEIVED BY VETERANS
 29 ON ACCOUNT OF INJURY OR ILLNESS INCURRED OR AGGRAVATED DURING MILITARY
 30 SERVICE IN THE WARS IN AFGHANISTAN AND IRAQ SINCE SEPTEMBER ELEVENTH,
 31 TWO THOUSAND ONE. PROVIDED, FURTHER, HOUSEHOLD GROSS INCOME SHALL ONLY
 32 INCLUDE ALL SUCH INCOME RECEIVED BY ALL MEMBERS OF THE HOUSEHOLD WHILE
 33 MEMBERS OF SUCH HOUSEHOLD.

34 (D) "ADJUSTED RENT" MEANS RENT PAID FOR THE RIGHT OF OCCUPANCY OF A
 35 RESIDENCE.

36 (E) "REAL PROPERTY TAX EQUIVALENT" MEANS FOR TAXABLE YEARS BEGINNING
 37 IN TWO THOUSAND TWELVE AND THEREAFTER, TWENTY PERCENT OF THE ADJUSTED
 38 RENT ACTUALLY PAID IN THE TAXABLE YEAR BY A HOUSEHOLD SOLELY FOR THE
 39 RIGHT OF OCCUPANCY OF ITS NEW YORK RESIDENCE FOR THE TAXABLE YEAR. IF
 40 (1) A RESIDENCE IS RENTED TO TWO OR MORE INDIVIDUALS AS COTENANTS, OR
 41 SUCH INDIVIDUALS SHARE IN THE PAYMENT OF A SINGLE RENT FOR THE RIGHT OF
 42 OCCUPANCY OF SUCH RESIDENCE, AND (2) EACH OF SUCH INDIVIDUALS IS A
 43 MEMBER OF A DIFFERENT HOUSEHOLD, ONE OR MORE OF WHICH INDIVIDUALS SHARES
 44 SUCH RESIDENCE, REAL PROPERTY TAX EQUIVALENT IS THAT PORTION OF TWENTY

45 PERCENT OF THE ADJUSTED RENT PAID IN THE TAXABLE YEAR WHICH REFLECTS
 46 THAT PORTION OF THE RENT ATTRIBUTABLE TO THE QUALIFIED TAXPAYER AND THE
 47 MEMBERS OF HIS OR HER HOUSEHOLD.

48 (F) "NET REAL PROPERTY TAX" MEANS THE REAL PROPERTY TAXES ASSESSED ON
 49 THE RESIDENTIAL REAL PROPERTY OWNED AND OCCUPIED BY THE TAXPAYER OR
 50 TAXPAYERS AFTER ANY EXEMPTION OR ABATEMENT RECEIVED PURSUANT TO THE REAL
 51 PROPERTY TAX LAW.

52 (2) CREDIT. A QUALIFIED TAXPAYER FOR THE YEAR TWO THOUSAND TWELVE AND
 53 THEREAFTER SHALL BE ALLOWED A CREDIT AGAINST THE TAXES IMPOSED BY THIS
 54 ARTICLE EQUAL TO SEVENTY PERCENT, OF THE AMOUNT BY WHICH THE TAXPAYER'S
 55 NET REAL PROPERTY TAX OR THE TAXPAYER'S REAL PROPERTY TAX EQUIVALENT
 56 EXCEEDS THE TAXPAYER'S MAXIMUM REAL PROPERTY TAX, AS DETERMINED BY PARA-
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1 GRAPH THREE OF THIS SUBSECTION. IF SUCH CREDIT EXCEEDS THE TAX FOR SUCH
 2 TAXABLE YEAR, AS REDUCED BY THE OTHER CREDITS PERMITTED BY THIS ARTICLE,
 3 THE QUALIFIED TAXPAYER MAY RECEIVE, AND THE COMPTROLLER, SUBJECT TO A
 4 CERTIFICATE OF THE DEPARTMENT, SHALL PAY AS AN OVERPAYMENT, WITHOUT
 5 INTEREST, ANY EXCESS BETWEEN SUCH TAX AS SO REDUCED AND THE AMOUNT OF
 6 THE CREDIT. IF A QUALIFIED TAXPAYER IS NOT REQUIRED TO FILE A RETURN
 7 PURSUANT TO SECTION SIX HUNDRED FIFTY-ONE OF THIS ARTICLE, A QUALIFIED
 8 TAXPAYER MAY NEVERTHELESS RECEIVE AND THE COMPTROLLER, SUBJECT TO A
 9 CERTIFICATE OF THE DEPARTMENT, SHALL PAY AS AN OVERPAYMENT THE FULL
 10 AMOUNT OF THE CREDIT, WITHOUT INTEREST; PROVIDED, HOWEVER, THAT THERE
 11 SHALL BE NO OBLIGATION OF THE COMPTROLLER TO PAY SUCH OVERPAYMENT UNTIL
 12 THE REVENUE NECESSARY TO MAKE SUCH OVERPAYMENT IS IN THE ACCOUNT
 13 PROVIDED FOR IN SECTION NINETY-NINE-T OF THE STATE FINANCE LAW.

14 (3) MAXIMUM REAL PROPERTY TAX. (A) A QUALIFIED TAXPAYER'S MAXIMUM REAL
 15 PROPERTY TAX SHALL BE DETERMINED AS FOLLOWS:

16 FOR TAX YEARS BEGINNING IN TWO THOUSAND TWELVE AND THEREAFTER:

| | |
|---------------------------------------|-------------------------------------|
| 17 HOUSEHOLD GROSS INCOME | MAXIMUM REAL PROPERTY TAX |
| 18 ONE HUNDRED THOUSAND | SIX PERCENT OF HOUSEHOLD GROSS |
| 19 DOLLARS OR LESS | INCOME |
| 20 MORE THAN ONE HUNDRED THOUSAND | SIX PERCENT OF ONE HUNDRED |
| 21 DOLLARS, BUT LESS THAN OR EQUAL TO | THOUSAND DOLLARS PLUS SEVEN |
| 22 ONE HUNDRED FIFTY THOUSAND DOLLARS | PERCENT OF HOUSEHOLD GROSS INCOME |
| 23 | ABOVE ONE HUNDRED THOUSAND DOLLARS |
| 24 MORE THAN ONE HUNDRED FIFTY | SIX PERCENT OF ONE HUNDRED THOUSAND |
| 25 THOUSAND DOLLARS, BUT LESS THAN | DOLLARS PLUS SEVEN |
| 26 OR EQUAL TO TWO HUNDRED FIFTY | PERCENT OF FIFTY THOUSAND DOLLARS |
| 27 THOUSAND DOLLARS | PLUS EIGHT AND ONE-HALF PERCENT OF |
| 28 | HOUSEHOLD GROSS INCOME ABOVE ONE |
| 29 | HUNDRED FIFTY THOUSAND DOLLARS |
| 30 MORE THAN TWO HUNDRED FIFTY | NO LIMITATION. |
| 31 THOUSAND DOLLARS | |

32 (B) THE THRESHOLDS OF HOUSEHOLD GROSS INCOME ESTABLISHED BY SUBPARA-
 33 GRAPH (A) OF THIS PARAGRAPH SHALL BE INDEXED FOR INFLATION FOR TAX YEARS
 34 BEGINNING IN TWO THOUSAND FOURTEEN AND THEREAFTER.

35 (4) EXCLUSIONS FROM ELIGIBILITY. NO CREDIT SHALL BE GRANTED UNDER THIS
 36 SUBSECTION IF THE QUALIFIED TAXPAYER CLAIMS THE REAL PROPERTY TAX
 37 CIRCUIT BREAKER CREDIT, PURSUANT TO SUBSECTION (E) OF THIS SECTION,
 38 DURING THE TAXABLE YEAR.

39 S 2. Paragraph 1 of subsection (a) of section 601 of the tax law is
 40 renumbered paragraph 1-a and a new paragraph 1 is added to read as
 41 follows:

42 (1) FOR TAXABLE YEARS BEGINNING IN TWO THOUSAND TWELVE AND BEFORE TWO
 43 THOUSAND FOURTEEN:

| | |
|--|-----------------------------------|
| 44 IF THE NEW YORK TAXABLE INCOME IS: | THE TAX IS: |
| 45 NOT OVER \$16,000 | 4% OF THE NEW YORK TAXABLE INCOME |
| 46 OVER \$16,000 BUT NOT OVER \$22,000 | \$640 PLUS 4.5% OF EXCESS OVER |
| 47 | \$16,000 |
| 48 OVER \$22,000 BUT NOT OVER \$26,000 | \$910 PLUS 5.25% OF EXCESS OVER |
| 49 | \$22,000 |
| 50 OVER \$26,000 BUT NOT OVER \$40,000 | \$1,120 PLUS 5.9% OF EXCESS OVER |
| 51 | \$26,000 |

52 OVER \$40,000 BUT NOT OVER \$1,000,000 \$1,946 PLUS 6.85% OF EXCESS OVER
 53 \$40,000
 54 OVER \$1,000,000 \$67,706 PLUS 8.97% OF EXCESS OVER
 55 \$1,000,000

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4

1 S 3. Paragraph 1 of subsection (b) of section 601 of the tax law is
 2 renumbered paragraph 1-a and a new paragraph 1 is added to read as
 3 follows:

4 (1) FOR TAXABLE YEARS BEGINNING IN TWO THOUSAND TWELVE AND BEFORE TWO
 5 THOUSAND FOURTEEN:

| 6 IF THE NEW YORK TAXABLE INCOME IS: | THE TAX IS: |
|---|------------------------------------|
| 7 NOT OVER \$11,000 | 4% OF THE NEW YORK TAXABLE INCOME |
| 8 OVER \$11,000 BUT NOT OVER \$15,000 | \$440 PLUS 4.5% OF EXCESS OVER |
| 9 | \$11,000 |
| 10 OVER \$15,000 BUT NOT OVER \$17,000 | \$620 PLUS 5.25% OF EXCESS OVER |
| 11 | \$15,000 |
| 12 OVER \$17,000 BUT NOT OVER \$30,000 | \$725 PLUS 5.9% OF EXCESS OVER |
| 13 | \$17,000 |
| 14 OVER \$30,000 BUT NOT OVER \$1,000,000 | \$1,492 PLUS 6.85% OF EXCESS OVER |
| 15 | \$30,000 |
| 16 OVER \$1,000,000 | \$67,937 PLUS 8.97% OF EXCESS OVER |
| 17 | \$1,000,000 |

18 S 4. Paragraph 1 of subsection (c) of section 601 of the tax law is
 19 renumbered paragraph 1-a and a new paragraph 1 is added to read as
 20 follows:

21 (1) FOR TAXABLE YEARS BEGINNING IN TWO THOUSAND TWELVE AND BEFORE TWO
 22 THOUSAND FOURTEEN:

| 23 IF THE NEW YORK TAXABLE INCOME IS: | THE TAX IS: |
|---|------------------------------------|
| 24 NOT OVER \$8,000 | 4% OF THE NEW YORK TAXABLE INCOME |
| 25 OVER \$8,000 BUT NOT OVER \$11,000 | \$320 PLUS 4.5% OF EXCESS OVER |
| 26 | \$8,000 |
| 27 OVER \$11,000 BUT NOT OVER \$13,000 | \$455 PLUS 5.25% OF EXCESS OVER |
| 28 | \$11,000 |
| 29 OVER \$13,000 BUT NOT OVER \$20,000 | \$560 PLUS 5.9% OF EXCESS OVER |
| 30 | \$13,000 |
| 31 OVER \$20,000 BUT NOT OVER \$1,000,000 | \$973 PLUS 6.85% OF EXCESS OVER |
| 32 | \$20,000 |
| 33 OVER \$1,000,000 | \$68,103 PLUS 8.97% OF EXCESS OVER |
| 34 | \$1,000,000 |

35 S 5. Subparagraphs (B) and (C) of paragraph 2 of subsection (d) of
 36 section 601 of the tax law, as amended by section 2 of part Z1 of chap-
 37 ter 57 of the laws of 2009, are amended to read as follows:

38 (B) For taxable years beginning after two thousand two and before two
 39 thousand six, the fraction is computed as follows: the numerator is the
 40 lesser of fifty thousand dollars or the excess of New York adjusted
 41 gross income for the taxable year over one hundred fifty thousand
 42 dollars and the denominator is fifty thousand dollars. For taxable years
 43 beginning after two thousand eight and before two thousand twelve, the
 44 fraction is computed as follows: the numerator is the lesser of fifty
 45 thousand dollars or the excess of New York adjusted gross income for the
 46 taxable year over three hundred thousand dollars and the denominator is
 47 fifty thousand dollars. FOR TAXABLE YEARS BEGINNING AFTER TWO THOUSAND
 48 ELEVEN AND BEFORE TWO THOUSAND FOURTEEN, THE FRACTION IS COMPUTED AS
 49 FOLLOWS: THE NUMERATOR IS THE LESSER OF FIFTY THOUSAND DOLLARS OR THE
 50 EXCESS OF NEW YORK ADJUSTED GROSS INCOME FOR THE TAXABLE YEAR OVER ONE
 51 MILLION DOLLARS AND THE DENOMINATOR IS FIFTY THOUSAND DOLLARS.

52 (C) This paragraph shall only apply to taxable years beginning after
 53 two thousand two and before two thousand six and after two thousand
 54 eight and before two thousand [twelve] FOURTEEN.

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1 S 6. Subparagraphs (B) and (C) of paragraph 3 of subsection (d) of
 2 section 601 of the tax law, as amended by section 3 of part Z1 of chap-

3 ter 57 of the laws of 2009, are amended to read as follows:

4 (B) For such taxpayers with adjusted gross income over five hundred
5 thousand dollars, for taxable years beginning after two thousand eight
6 and before two thousand twelve, the fraction is computed as follows: the
7 numerator is the lesser of fifty thousand dollars or the excess of New
8 York adjusted gross income for the taxable year over five hundred thou-
9 sand dollars and the denominator is fifty thousand dollars. FOR SUCH
10 TAXPAYERS WITH ADJUSTED GROSS INCOME OVER ONE MILLION DOLLARS, FOR TAXA-
11 BLE YEARS BEGINNING AFTER TWO THOUSAND ELEVEN AND BEFORE TWO THOUSAND
12 FOURTEEN, THE FRACTION IS COMPUTED AS FOLLOWS: THE NUMERATOR IS THE
13 LESSER OF FIFTY THOUSAND DOLLARS OR THE EXCESS OF NEW YORK ADJUSTED
14 GROSS INCOME FOR THE TAXABLE YEAR OVER ONE MILLION DOLLARS AND THE
15 DENOMINATOR IS FIFTY THOUSAND DOLLARS. Provided, however, that the total
16 tax prior to the application of any tax credits shall not exceed the
17 highest rate of tax set forth in the tax table in subsection (a) of this
18 section multiplied by the taxpayer's taxable income.

19 (C) This paragraph shall only apply to taxable years beginning after
20 two thousand two and before two thousand six and after two thousand
21 eight and before two thousand [twelve] FOURTEEN.

22 S 7. Notwithstanding any provision of law to the contrary, the method
23 of determining the amount to be deducted and withheld from wages on
24 account of taxes imposed by or pursuant to the authority of article 22
25 of the tax law in connection with the implementation of the provisions
26 of this act shall be prescribed by regulations of the commissioner of
27 taxation and finance with due consideration to the effect such withhold-
28 ing tables and methods would have on the receipt and amount of revenue.
29 The commissioner of taxation and finance shall adjust such withholding
30 tables and methods in regard to taxable years beginning in 2011 and
31 after in such manner as to result, so far as practicable, in withholding
32 from an employee's wages an amount substantially equivalent to the tax
33 reasonably estimated to be due for such taxable years as a result of the
34 provisions of this act. Provided, however, for tax year 2011 the with-
35 holding tables shall reflect as accurately as practicable the full
36 amount of tax year 2011 liability so that such amount is withheld by
37 December 31, 2011. Any such regulations to implement a change in with-
38 holding tables and methods for tax year 2011 shall be adopted and effec-
39 tive as soon as practicable and the commissioner of taxation and finance
40 may adopt such regulations on an emergency basis notwithstanding
41 anything to the contrary in section 202 of the state administrative
42 procedure act. In carrying out his or her duties and responsibilities
43 under this section, the commissioner of taxation and finance may accom-
44 pany such a rule making procedure with a similar procedure with respect
45 to the taxes required to be deducted and withheld by local laws imposing
46 taxes pursuant to the authority of articles 30, 30-A and 30-B of the tax
47 law, the provisions of any other law in relation to such a procedure to
48 the contrary notwithstanding.

49 S 8. 1. Notwithstanding any provision of law to the contrary, no addi-
50 tion to tax required shall be imposed for failure to pay the estimated
51 tax in subsection (c) of section 685 of the tax law with respect to any
52 underpayment of a required installment due prior to, or within thirty
53 days of, the effective date of this act to the extent that such under-
54 payment was created or increased by the amendments made by this act
55 provided, however, that the taxpayer remits the amount of the underpay-
56 ment with his or her next quarterly estimated tax payment.

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6

1 2. The commissioner of taxation and finance shall take steps to publi-
2 cize the necessary adjustments to estimated tax and, to the extent
3 reasonably possible, to inform the taxpayer of the tax liability changes
4 made by this act.

5 S 9. The state finance law is amended by adding two new sections 99-t
6 and 99-u to read as follows:

7 S 99-T. REAL PROPERTY TAX CIRCUIT BREAKER ACCOUNT. 1. THERE IS HEREBY
8 ESTABLISHED IN THE JOINT CUSTODY OF THE STATE COMPTROLLER AND THE
9 COMMISSIONER OF TAXATION AND FINANCE AN ACCOUNT OF THE MISCELLANEOUS
10 SPECIAL REVENUE FUND TO BE KNOWN AS THE REAL PROPERTY TAX CIRCUIT BREAK-

11 ER ACCOUNT.

12 2. NOTWITHSTANDING ANY OTHER LAW, RULE OR REGULATION TO THE CONTRARY,
13 THE STATE COMPTROLLER IS HEREBY AUTHORIZED AND DIRECTED TO RECEIVE, ON
14 AND AFTER JANUARY FIRST, TWO THOUSAND TWELVE, FOR DEPOSIT TO THE CREDIT
15 OF THE REAL PROPERTY TAX CIRCUIT BREAKER ACCOUNT IN THE DEPARTMENT OF
16 TAXATION AND FINANCE, TO BE UTILIZED TO PAY ALL COSTS ASSOCIATED WITH
17 THE CREDIT ESTABLISHED BY SUBSECTION (SS) OF SECTION SIX HUNDRED SIX OF
18 THE TAX LAW, THAT PORTION OF PERSONAL INCOME TAX RECEIPTS WHICH RESULT
19 FROM THE TEMPORARY SURCHARGE ON TAXPAYERS WITH A NEW YORK STATE TAXABLE
20 INCOME IN EXCESS OF ONE MILLION DOLLARS WHICH ARE RECEIVED AFTER THE
21 COMMENCEMENT OF THE TWO THOUSAND TWELVE--TWO THOUSAND THIRTEEN STATE
22 FISCAL YEAR. SUCH SURCHARGE SHALL BE DEFINED AS THE DIFFERENCE WHICH
23 WOULD BE GENERATED BY TAXABLE INCOME OVER ONE MILLION DOLLARS WHEN THE
24 TAX RATE IS 8.97% AS COMPARED TO THE AMOUNT SUCH TAXABLE REVENUE WOULD
25 OTHERWISE GENERATE, AT THE RATE PROVIDED FOR BY LAW, EFFECTIVE JANUARY
26 FIRST, TWO THOUSAND FOURTEEN. SUCH FUNDS SHALL BE EXPENDED FOR THE
27 PURPOSE OF FUNDING A REAL PROPERTY TAX CIRCUIT BREAKER CREDIT, TO
28 PROVIDE A STATE FINANCED OFFSET TO SUCH RESIDENTIAL PROPERTY TAXES. IF
29 THE DIRECTOR OF THE DIVISION OF THE BUDGET CERTIFIES THAT THE RECEIPTS
30 WHICH RESULT FROM THE TEMPORARY SURCHARGE AS SET FORTH IN THIS SECTION
31 SHALL EXCEED THE AMOUNT NECESSARY FOR THE STATE TO MEET THE OBLIGATIONS
32 PROVIDED FOR UNDER SUBSECTION (SS) OF SECTION SIX HUNDRED SIX OF THE TAX
33 LAW, SUCH EXCESS AMOUNT AS DETERMINED BY THE DIRECTOR OF THE BUDGET, AND
34 AS OTHERWISE CERTIFIED TO BE AVAILABLE BY THE STATE COMPTROLLER, SHALL
35 BE ALLOCATED TO THE PUBLIC SCHOOLS OF THE STATE IN THE FORMULA UTILIZED
36 BY THE LEGISLATURE TO ESTABLISH THE TOTAL FOUNDATION BASE AID, AS
37 DEFINED BY SECTION THIRTY-SIX HUNDRED TWO OF THE EDUCATION LAW.

38 S 99-U. EDUCATION FINANCING ACCOUNT. 1. THERE IS HEREBY ESTABLISHED IN
39 THE JOINT CUSTODY OF THE STATE COMPTROLLER AND THE COMMISSIONER OF TAXA-
40 TION AND FINANCE AN ACCOUNT OF THE MISCELLANEOUS SPECIAL REVENUE FUND TO
41 BE KNOWN AS THE EDUCATION FINANCING ACCOUNT.

42 2. NOTWITHSTANDING ANY OTHER LAW, RULE OR REGULATION TO THE CONTRARY,
43 THE STATE COMPTROLLER IS HEREBY AUTHORIZED AND DIRECTED TO RECEIVE, ON
44 AND AFTER JANUARY FIRST, TWO THOUSAND TWELVE, FOR DEPOSIT TO THE CREDIT
45 OF THE EDUCATION FINANCING ACCOUNT IN THE STATE EDUCATION DEPARTMENT ANY
46 AMOUNT OF TAX RECEIPTS FROM THE REAL PROPERTY TAX CIRCUIT BREAKER
47 ACCOUNT UNDER SECTION NINETY-NINE-T OF THIS ARTICLE WHICH ARE DETERMINED
48 BY THE DIRECTOR OF THE BUDGET TO BE IN EXCESS OF THE AMOUNTS NECESSARY
49 FOR THE STATE TO MEET THE OBLIGATIONS PROVIDED FOR UNDER SUBSECTION (SS)
50 OF SECTION SIX HUNDRED SIX OF THE TAX LAW, AS SET FORTH IN SUBDIVISION
51 TWO OF SECTION NINETY-NINE-T OF THIS ARTICLE.

52 S 10. This act shall take effect immediately.

[Go to top](#)

Page display time = 0.0227 sec

The foregoing Resolution No. 2011143 was tabled in Budget, Finance, and Personnel Committee on June 14, 2011.

Budget, Finance, and Personnel Committee Roll Call

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

Present: 12
 Absent: 0
 Vacant: 0

Resolution: _____
 Motion: X

Total : 10 2
 Yes No
 Abstentions: 0

Rolison
 Resolution # 201143
 Motion To Table

Budget, Finance, and Personnel Committee Roll Call

| District | Name | Yes | No |
|---|-------------------|--------------------|-------------------|
| District 8 - City and Town of Poughkeepsie | Rolison* | | ✓ |
| District 19 - Towns of North East, Stanford, Pine Plains, Milan | Cooper* | | ✓ |
| District 6 - Town of Poughkeepsie | Flesland* | | ✓ |
| District 14 - Town of Wappinger | Goldberg* | ✓ | |
| District 7 - Town of Hyde Park | Kuffner* | ✓ | |
| District 2 - Towns of Pleasant Valley and Poughkeepsie | Horn (VC) | ✓ | |
| District 3 - Town of LaGrange | Borchert (C) | | ✓ |
| District 10 - City of Poughkeepsie | Jeter-Jackson | ✓ | |
| District 11 - Towns of Rhinebeck and Clinton | Tyner | ✓ | |
| District 18 - City of Beacon | Forman | | ✓ |
| District 22 - Town of Beekman | Hutchings | | ✓ |
| District 24 - Towns of Dover and Union Vale | Surman | | ✓ |
| Present: _____ | Resolution: _____ | Total : | <u>5</u> <u>7</u> |
| Absent: _____ | Motion: _____ | | Yes No |
| Vacant: _____ | | Abstentions: _____ | |

Amendment - Tyner, Goldberg

Add Resolved: The current Millionaires Tax Not be able to sunset this year to cover the cost of paying for this bi-partisan circuit breaker Relif

Res # 2011143

6-14-11

Tabled Amendment 143

Budget, Finance, and Personnel Committee Roll Call

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

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

2011143 Dutchess County Legislature Strongly Urges State
 Legislature Pass and Governor Sign into Law Legislation for
 Expanded Property Tax Circuit Breaker Relief

Date: 6/14/11

RESOLUTION NO. 2011144

RE: AUTHORIZING ACCEPTANCE OF RYAN WHITE PROGRAM
PART B HIV/AIDS EMERGENCY RELIEF PROJECT FUNDING

Legislators HORN, FLESLAND, ROMAN, WEISS, MICCIO, and HORTON offer the following and move its adoption:

WHEREAS, the Commissioner of Health has advised that the County of Dutchess has been awarded a grant from NYS Department of Health, AIDS Institute, to meet emergency services needs of people living with HIV disease within Dutchess County for the term of April 1, 2011 through March 31, 2012 and

WHEREAS, the funding source for this award is the federal Ryan White HIV/AIDS Treatment Extension Act of 2009, Part B, and

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

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to amend the following accounts:

APPROPRIATIONSIncrease

| | | |
|------------------------|---|------------------|
| CD.4013.2011.1010 | Positions | \$ 74,789 |
| CD.4013.2011.8100 | Retirement | 11,924 |
| CD.4013.2011.8200 | Social Security | 4,350 |
| CD.4013.2011.8355 | Long Term Disability | 300 |
| CD.4013.2011.8400 | Hospital/Med/Surg | 7,450 |
| CD.4013.2011.8450 | Optical | 175 |
| CD.4013.2011.8500 | Dental | 750 |
| CD.4013.2011.8850 | Accid Death/Dis | 75 |
| CD.4013.2011.4619 | Employee Mileage Non-taxable | 350 |
| CD.4013.2011.4400.4416 | Contract Agency - Catherine Street | 85,000 |
| CD.4013.2011.4400.4432 | Contract Agency - Dutchess Outreach | 15,000 |
| CD.4013.2011.4400.4434 | Contract Agency - Hudson River Healthcare | 165,000 |
| CD.4013.2011.4400.4437 | Contract Agency - MH Valley Aids Task | 96,595 |
| CD.4013.2011.4400.4454 | Contract Agency - St. Francis | 113,000 |
| CD.4013.2011.4400.4480 | Contract Agency - Institute for Family Health | 93,000 |
| | | <u>\$667,758</u> |

REVENUES

Increase

CD.4013.2011.44890.01 Other Culture/Rec. Aid - Ryan White Part B \$667,758

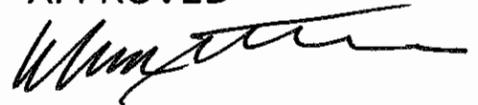
CA-71-11

CRC/ca/G-0153

5/13/11

Fiscal Impact: See attached statement

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

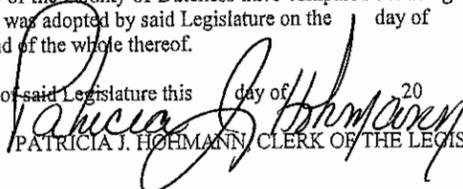
Date June 27, 2011

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the day of , 20 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 day of , 20 

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2011144 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

Family and Human Services Committee Roll Call

| District | Name | Yes | No |
|--|---------------|-----|----|
| District 8 - City and Town of Poughkeepsie | Rolison* | ✓ | |
| District 19 - Towns of North East, Stanford, Pine Plains, Milan | Cooper* | ✓ | |
| District 6 - Town of Poughkeepsie | Flesland* | ✓ | |
| District 14 - Town of Wappinger | Goldberg* | ✓ | |
| District 7 - Town of Hyde Park | Kuffner* | ✓ | |
| District 2 - Towns of Pleasant Valley and Poughkeepsie | Horn (C) | ✓ | |
| District 9 - City of Poughkeepsie | White | ✓ | |
| District 10 - City of Poughkeepsie | Jeter-Jackson | ✓ | |
| District 13 - Towns of LaGrange, Union Vale, and Wappinger | Bolner | ✓ | |
| District 21 - Town of East Fishkill | Horton | ✓ | |
| District 23 - Town/Village of Pawling, Beekman and East Fishkill | Thomes | ✓ | |
| District 25 - Amenia, Stanford, Washington, Pleasant Valley | Kelsey (VC) | ✓ | |

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

2011144 Authorizing Acceptance of Ryan White Program Part B
 HIV/AIDS Emergency Relief Project Funding

Date: 6/14/11

Roll Call Sheets

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

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

2011144 Authorizing Acceptance of Ryan White Program Part B
HIV/AIDS Emergency Relief Project Funding

Date: 6/16/11

RESOLUTION NO. 2011145

RE: AUTHORIZING AGREEMENT WITH THE POUGHKEEPSIE FARM PROJECT ACCEPTING A HUNGER-FREE COMMUNITIES GRANT FROM THE U. S. DEPARTMENT OF AGRICULTURE FOR THE BUILDING BRIDGES PROGRAM

LEGISLATORS FLESLAND, ROLISON, COOPER, ROMAN, HORN, BORCHERT, MICCIO, BOLNER, FORMAN, HORTON, HUTCHINGS, INCORONATO, KELSEY, SADOWKSI, SURMAN, THOMES, TRAUDT, and WEISS offer the following and move its adoption:

WHEREAS, the Commissioner of Health has advised that Building Bridges has been awarded a Hunger-Free Communities planning and assessment grant by the United States Department of Agriculture in the sum of \$3,954.00, and

WHEREAS, Building Bridges is a community collaboration working to ensure capacity for all residents of the City of Poughkeepsie to secure nutritious food with the goal of catalyzing a revitalized urban food system centered on providing convenient access to nutritious food for all, serving as a means for building local capacity and sustaining human, neighborhood and community health, and

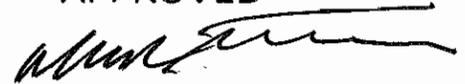
WHEREAS, the Dutchess County Department of Health is a member of the Research Team of the project Building Bridges to a Hunger-Free Poughkeepsie and will partner in the project for the term of March 15, 2011 through March 15, 2013 providing assistance in data collection and analysis as well as supporting community networking and outreach activities, and

WHEREAS, it is necessary for this Legislature to authorize the execution of the agreement, now therefore, be it

RESOLVED, that this Legislature hereby authorizes the County Executive to enter into an agreement with the Poughkeepsie Farm Project, in substantially the same form as attached hereto, to accept the grant award from the United States Department of Agriculture in connection with the above project and further authorizes and empowers the County Executive to execute said agreement on behalf of the County of Dutchess.

CA-77-11
CRC/ca/C-8356
5/13/11
Fiscal Impact: See attached statement

APPROVED



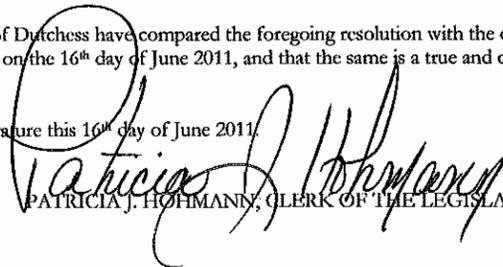
WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date June 27, 2011

STATE OF NEW YORK
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 16th day of June 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 16th day of June 2011.


PATRICIA J. HOFFMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ _____

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: \$2,531 _____

Net County Cost (this year): _____

Over Five Years: _____

Additional Comments/Explanation:

This grant will offset positions already budgeted in the 2011 budget. The grant amount of \$3,954 will save the county \$2,531 (The position would have been offset by 36% state aid- \$2,531 represents the other 64% now covered by grant funds).

Prepared by: Sabrina Marzouka, Assistant Commissioner for Administration



The Poughkeepsie Farm Project

Connecting Food, Farm and Community

March 31, 2011

Sabrina Jaar Marzouka
Assistant Commissioner for Administration
Dutchess County Department of Health
387 Main Street
Poughkeepsie, NY 12601

BOARD OF
DIRECTORS
2011

Anne Gardon
Chair

Susan Tveekrem
Vice Chair

Eric Spitzer
Treasurer

Carlie Graves
Secretary

Cornelia Harris

Sophia Hsieh

Sarah Lee

Kristina Petersen-Migoya

Amy Pelletier-Clark

ChiWei Ranck

Lori Rolison

STAFF

Susan Grove

Executive Director

Asher Burkhardt-

Spiegel

Farm Manager

Wendy Burkhardt-

Spiegel

Farm Manager

Jamie Levato

Education Manager

Andrew Jordan

Market Manager

Nicole Baker

Office Manager

The
Poughkeepsie
Farm Project

P.O. Box 3143
Poughkeepsie,
NY 12603

Tel: (845) 473-1415

info@farmproject.org
www.farmproject.org

Dear Sabrina:

This Letter of Agreement is between the Poughkeepsie Farm Project and **Dutchess County Department of Health (DCDOH)**.

Building Bridges has been awarded a Hunger-Free Communities planning and assessment grant by the United States Department of Agriculture. Building Bridges is a community collaboration working to ensure capacity for all residents of the City of Poughkeepsie to secure nutritious food with the goal of catalyzing a revitalized urban food system centered on providing convenient access to nutritious food for all, serving as a means for building local capacity and sustaining human, neighborhood and community health. The **DCDOH** is a member of the Research Team of the project Building Bridges to a Hunger-Free Poughkeepsie ("Building Bridges").

In order to complete the activities and deliverables outlined in the Building Bridges to a Hunger-Free Poughkeepsie Project Narrative – Technical Proposal (Attachment "A") between March 15, 2011 and March 15, 2013 and based on your experience in the field, this Letter of Agreement outlines the conditions of the relationship between the Poughkeepsie Farm Project and **DCDOH**.

Dutchess County Department of Health as the Contractor agrees to provide assistance in the above-mentioned project in accordance with the letter of support / matching contribution provided in the grant application phase of this program (Attachment "B"), and to assign appropriate staff to perform activities in accordance with the following conditions:

1. The Contractor are retained as Independent Contractor to perform the services described and attached hereto as Addendum "A".
2. The Total Fee to be paid for all services hereunder is **THREE THOUSAND NINE HUNDRED FIFTY FOUR and 00/100 (\$3,954.00)**, according to the requirements and schedule presented in Addendum "B".
3. The Contractor's services hereunder are retained because of their particular expertise, training, contacts and reputation and shall not be assigned or transferred hereunder to any other party.
4. The Contractor shall comply with all applicable laws and regulations pertaining to the services to be provided in this Agreement.

5. The relationship of the parties arising out of this Agreement shall be that of Independent Contractor. The Contractor shall not, as a result of this Agreement, be considered employees of the Poughkeepsie Farm Project, nor shall they represent that such employee relationship exists or arises out of this Agreement. The Contractor shall not be eligible to participate in the Poughkeepsie Farm Project's employee benefits.
6. The Contractor release and forever discharge the Poughkeepsie Farm Project, its officers, directors, employees and volunteers for any injury to themselves, including death, or damage to their property of any nature whatsoever sustained by the Contractor while engaged in performing any of the services pursuant to this Agreement. The Contractor agrees that the terms and conditions stated herein shall be binding on their heirs, trustees, estate, successors or assigns.
7. Neither party will be liable to the other party or any third party for any special, exemplary, punitive, indirect, multiple, incidental or consequential damages arising out of or in connection with this agreement whether based in contract, tort (including without limitations, negligence) or any other legal or equitable grounds.
8. The Contractor is not covered by any insurance from the Poughkeepsie Farm Project.
9. Any claims, disputes or disagreement over the terms of this Agreement shall be subject to binding arbitration venued in a location selected by the Poughkeepsie Farm Project and governed by the rules of the American Arbitration Association or the New York Supreme Court of the same county.

Executed this 9th day of April, 2011.

ACCEPTED: COUNTY OF DUTCHESS

 Susan Grove
 Executive Director, Poughkeepsie Farm Project
 (Principal Investigator of Building Bridges)

 William R. Steinhaus
 County Executive

APPROVED AS TO FORM:

 County Attorney's Office

APPROVED AS TO CONTENT:

 Dutchess County Department of Health

Tax Id #: _____

Addendum A: Contractor Services

Toward the goals of Building Bridges, the project:

1. Is conducting a survey of residents to learn about the most pressing food issues in the City of Poughkeepsie. The survey asks questions about food affordability, access to grocery stores, hunger, food choices and nutrition. Survey results will describe how food systems operate and how residents access nutritious food, make decisions about what to eat and what constrains our choices in the City of Poughkeepsie. We hope to understand how location of residence and access to transport, level of income and means of payment, and cultural preferences and level of ease using different languages facilitate or hinder secure access to healthy food.
2. Is planning a series of community forums to discuss survey results and envision with our neighbors how we can all have convenient access to nutritious food, what we would like to see our food system look like and what we can do to change it.
3. Is recruiting representatives to a Food Policy Council that will bring the survey and community forums together into a plan for a hunger-free city and will oversee an action agenda to implement the plan so we can live in a hunger-free Poughkeepsie.

The Research Team is led by Susan Grove, Executive Director of the Poughkeepsie Farm Project, in the role of **Principal Investigator**. The **Principal Investigator** agrees to oversee all aspects of the project and assume responsibility for the coordination and accomplishment of the goals and objectives of Building Bridges and the oversight of funding. She will take the lead on the elements of the assessment and plan pertaining to the food environment and infrastructure. She will also take the lead in writing and compiling the assessment and plan and in implementing two of the research methods: the interpretive and action planning community forums as well as the gathering of secondary data. She will be directly supported in administrative, coordination and documentation activities by an Administrative Assistant. She will also be supported by a Research Team comprised of **Co-Principal Investigators**, each of whom is responsible for distinct aspects of research and planning.

The Contractor, as **Co-Principal Investigator** and member of the Research Team, agrees to assume responsibility for helping to implement this project. The Contractor agrees to actively participate in monthly meetings of up to 3 hours in duration. The Contractor further agrees to dedicate additional hours to further the goals, complete deliverables and implement the activities of the project outside of scheduled meetings, in accordance with his/her roles:

The Epidemiologist at the Dutchess County Department of Health will generate the City household random samples for the surveys, provide training to Research Assistants and support the data analysis of the surveys. The Public Health Nutrition Coordinator at the Dutchess County Department of Health will support community forums and foster connections with community stakeholders, particularly from the African-American community.

Addendum B: Additional Requirements and Schedule for Payment of Fee

The Contractor and its assigned staff agrees to provide, on a quarterly basis within 15 days of the end of the quarter (by April 15, July 15, October 15 and January 15), a brief written summary of activities undertaken in connection with this project and written documentation of matching and cost sharing contributions made within the quarter.

Fee payment will be scheduled as follows:

50% will be paid upon satisfaction of the following, which shall be completed not later than April 20, 2011:

1. Execution of this Letter of Agreement,
2. Submission of a written summary of activities undertaken in connection with this project from its inception through March 31, 2011, AND
3. Submission of written documentation of matching and cost sharing contributions made from the project's inception through March 31, 2011.

Note: Items 2 and 3 will be required every quarter within 15 days of the end of the quarter, as indicated above.

The remaining 50% will be paid upon satisfaction of the following, which shall be completed no sooner than January 1, 2012 and no later than March 31, 2012:

1. A face-to-face meeting to discuss performance of services in accordance with the Co-Principal Investigator's role, AND
2. Completion and submission of any outstanding project deliverables.

Roll call vote on the foregoing Resolution No. 2011145 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

Family and Human Services Committee Roll Call

| District | Name | Yes | No |
|--|---------------|-----|----|
| District 8 - City and Town of Poughkeepsie | Rolison* | ✓ | |
| District 19 - Towns of North East, Stanford, Pine Plains, Milan | Cooper* | ✓ | |
| District 6 - Town of Poughkeepsie | Flesland* | ✓ | |
| District 14 - Town of Wappinger | Goldberg* | ✓ | |
| District 7 - Town of Hyde Park | Kuffner* | ✓ | |
| District 2 - Towns of Pleasant Valley and Poughkeepsie | Horn (C) | ✓ | |
| District 9 - City of Poughkeepsie | White | ✓ | |
| District 10 - City of Poughkeepsie | Jeter-Jackson | ✓ | |
| District 13 - Towns of LaGrange, Union Vale, and Wappinger | Bolner | ✓ | |
| District 21 - Town of East Fishkill | Horton | ✓ | |
| District 23 - Town/Village of Pawling, Beekman and East Fishkill | Thomes | ✓ | |
| District 25 - Amenia, Stanford, Washington, Pleasant Valley | Kelsey (VC) | ✓ | |

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

2011145 Authorizing Agreement with the Poughkeepsie Farm Project
 Accepting a Hunger-Free Communities Grant from the U.S.
 Department of Agriculture for the Building Bridges Program

Date: 6/14/11

Roll Call Sheets

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

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

2011145 Authorizing Agreement with the Poughkeepsie Farm Project
 Accepting a Hunger-Free Communities Grant from the U.S.
 Department of Agriculture for the Building Bridges Program

Date: 6/16/11

FAMILY/HUMAN SERVICES
AMENDED ON FLOOR 6-16-11

RESOLUTION NO. 2011146

RE: APPOINTMENTS TO THE DUTCHESS COUNTY BOARD OF HEALTH

LEGISLATORS HORN, BOLNER, JETER-JACKSON, THOMES, KELSEY,
HORTON, and BORCHERT offer the following and move its adoption:

WHEREAS, there exists vacancies on the Board of Health; and

WHEREAS, Karen Desmond, and Charis Nick-Torok have expressed an interest in being appointed to such vacancies, now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby appoint Karen Desmond and Charis Nick-Torok, said terms commencing immediately, and expiring as set forth below, as a member of the Dutchess County Board of Health.

Appointment

Term Expires

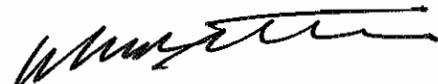
Karen Desmond
16 Watch Hill Drive
Fishkill, NY 12524
(At Large Appointment)

12/31/11

Charis Nick-Torok
278 Lauer Road
Poughkeepsie, NY 12603
(At Large Appointment)

12/31/16

APPROVED



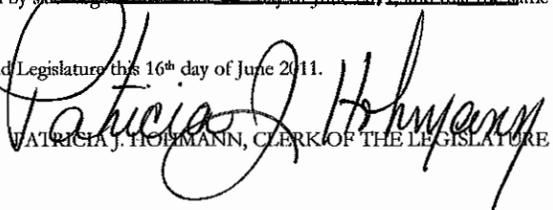
WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Amended on floor 6-16-11 cm
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 16th day of June 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have herunto set my hand and seal of said Legislature this 16th day of June 2011.

Date June 27, 2011

PATRICIA J. HOFFMANN, CLERK OF THE LEGISLATURE

Charis B. Nick-Torok

278 Lauer Road ▪ Poughkeepsie, NY 12603 ▪ (845) 452-8394 ▪ E-Mail: CJAJT@optonline.net

BAR ADMISSION

New York State, 2009

PUBLICATIONS

Charis B. Nick-Torok, JD, Thomas H. Murray, PhD, "*Wielding the Sword of Professional Ethics Against Misleading Dietary Supplement Claims*," Journal of Glycobiology, Oxford University Press (2008).

EDUCATION

Albany Law School of Union University Albany, NY

Juris Doctor; Health Law concentration *w/honors*, May 2007

- Deans List: 2004-2007
- Clinic Intern - Health Law Clinic, Fall, 2006
 - Student Practice Order, New York State - Interviewed clients, investigated facts, researched precedent, drafted briefs and administrative appeals. Areas of practice: wills, advance directives, standby guardianships, Social Security Disability.
- Charis B. Nick-Torok, J.D. "*Protecting the Elderly from the Panacea of Physician Assisted Suicide: Exploring Compassionate End-of-Life Care*," paper selected as supplemental reading for the Elder Law course at Albany Law School (Fall, 2006).

Graduate School of Union University/Mt. Sinai Hospital, Schenectady, NY

Masters in Bioethics; May 2007, GPA=3.95

Excelsior College, Albany, NY

Bachelors of Science in Liberal Studies, May 2001

Dutchess County Community College, Poughkeepsie, NY

Associates of Science Degree in General Science, May 2000

AWARDS & CERTIFICATIONS

- 1st Runner up Award-- ASBH-March of Dimes Young Scholar Award - 2009
 - Paper: "*Rational or Rationalization: Exposing the Boundaries of Experimental Medicine for Perivable Neonates Born at 23 Weeks' Gestation and Younger*"
- Certification for Article 81 Guardian, guardian for the AIP, court evaluator, May 2009
- Isabelle Redmond Prize - Albany Law School
- Mediation Assistance Program, Government Law Center (mediation training)

Charis B. Nick-Torok

278 Lauer Road ▪ Poughkeepsie, NY 12603 ▪ (845) 452-8394 ▪ E-Mail: CJAJT@optonline.net

EXPERIENCE

Law Office of Charis B. Nick-Torok, Esq., Poughkeepsie, NY

Solo practitioner, November 2010-present

- Practice and consulting services limited to Non-Medical Legal Health issues associated with chronic and terminal illness and disability. Provide information, client services, ethics consults, mediation services, provider training and public seminars on advance directives, guardianships, disability benefits, Medicare/Medicaid, simple wills and caregiver concerns.

Excelsior College, Albany, NY

Adjunct Faculty, September 2008-present

- Instructor for undergraduate online courses in Health Care Ethics

NY State Law Revision Commission, Albany, NY

Staff Attorney – ABC Project, February 2009 – April 2010

- Assisted the Commission staff with the revision of the NYS ABC laws, specific tasks included interviewing those involved in the function of the State Liquor Authority; attending meetings; researching cases, literature and statutes from across the country; analyzing existing functions and problem areas; recommending solutions and drafting of specific statutes related to NY State ABC Law. I also assisted in preliminary research and meetings related to the Commission's Post Marital Income Study.

Bioethics Masters Program - Union University-Mount Sinai School of Medicine, Schenectady, NY

Assistant Professor/co-teacher, 2008-present

- Courses: "Advanced Bioethics;" "Bioethics and the Law"
TA-Bioethics and the Law, Spring 07

The Hastings Center, Garrison, NY

Post-Doctoral Fellow in Law, Ethics and Health Policy, September 2007- May 2008

- Researcher/writer for various projects related to ethics and public health policy.

EXPERIENCE PRIOR TO LAW DEGREE

Wappingers Central School District, Wappingers Falls, NY

Consultant-Project Manager, November 2000-August 2002

- Defined specifications and implemented multi-platform system, including data integration, for vendor supported Special Education management system. Developed and managed cross-departmental auditing procedures to ensure compliance with Federal and State mandates for a special education population of 2100 students. Created training materials and IEP development guidelines for staff and teachers. Developed and taught teacher/parent workshops for alternative education programs.

Systems Software Specialist/Project Manager, March 1997-November 2000

- Managed software projects and vendor applications, including Special Education. Provided senior level analysis and troubleshooting for District applications, as well as budget proposals

Charis B. Nick-Torok

278 Lauer Road • Poughkeepsie, NY 12603 • (845) 452-8394 • E-Mail: CJAJT@optonline.net

for multi-year systems. Supervised project teams, defined programming standards and policies for District applications. Developed district-wide system security standards. Network security officer.

Micro Computer Specialist, February 1995-March 1997

- Installed, maintained and administered computer programs. Project Manager for vendor and in-house PC projects. Developed and administered training courses for District staff.

Marist College, Poughkeepsie, NY

Continuing Education Instructor, September 1994- June 1994

- Designed and taught adult education desktop publishing course.

Hudson Valley Publications, Poughkeepsie, NY

PC Consultant, March 1994-February 1995

- Drafted copy for advertisers. Edited corporate quarterly magazine, marketing materials and other publications.

Computer Stuff, LTD., Poughkeepsie, NY

Director of Training, April 1992-January 1994

- Developed desktop publishing materials including outlines, coursework and study guides. Wrote and prepared marketing materials for radio and print.
- Hired, supervised and trained software trainers. Designed, coordinated and edited the bi-monthly corporate/client newsletter. Conducted training seminars for corporate clients, including Marist College and New Paltz College. Developed and conducted "PC for seniors," a computer training course for senior citizens.

IBM, Southbury, CT

Technical Writer (contract position), April 1991-December 1992

- Drafted end-user's guide for an accounting software package.

OTHER EMPLOYMENT – 1982-1991

Various assignments while attending school, details available upon request

MEMBERSHIPS/ACTIVITIES:

- Volunteer Vassar Brothers Medical Center - Patient liaison – surgical floor; Respecting Choices program support; Ethics Committee, 2011
- Medical Reserve Corps of Dutchess County, 2008-2010
- Member ABA – American Bar Association since 2007; Health law section
- Member of NYSBA - NY State Bar Association since 2009; Health law and Elder law section.
- Certified Hospice Volunteer, May 2005
- Keynote speaker Dutchess County Hospice, May, 2006: "Law and Bioethics: Do They Agree?"
- Student Coordinator - Senior Citizen's Law Day, Government Law Center, Fall /04, 05, /06
- Hobbies: reading, learning, volunteering



May 9, 2011

RE: Dutchess County Board of Health Job Description

Prospective Dutchess County Board of Health Members,

The Board of Health is charged with protecting the health of the people of the County of Dutchess. Their authority derives from New York State Law and the Dutchess County Charter. These documents, along with the Board's Procedural Outline, are enclosed to give you a better understanding of the role and responsibilities of the Board of Health.

The Board may be asked, and occasionally gives, advice to the Commissioner of Health, County Executive and the County Legislature.

The regular meeting of the Board of Health is held on the third Thursday of each month (except July) at 4:00 p.m. in the Library Conference Room, second floor, Dutchess County Department of Health, 387 Main Street, Poughkeepsie. Parking is available behind the building in the city lot. The duration of the meeting is approximately 1 1/2 hours. Currently there are no provisions for reimbursement or travel expenses.

Dutchess
County
Board
of Health

Service on the Board, properly done, requires considerably more time. There are a number of committees whose work takes time beyond meetings. The Board administers the Sanitary Code (health regulations for the County), and this may require attendance at Public Hearings held outside of the regularly scheduled meeting time. The Board also adjusts and reviews fees and fines related to the Sanitary Code and Department of Health, and this may require additional time of some members.

William R. Steinhaus
County Executive

Michael C. Caldwell,
MD, MPH
Commissioner

387 Main Street
Poughkeepsie
New York
12601
(845) 486-3400
Fax (845) 486-3448

As the current President of the Board, I expect members to be active in their communities, detecting health concerns and problems, and serving as advocates for public health in their communities. (Note: Two members are appointed to represent the City of Beacon and the City of Poughkeepsie.)

Very truly yours,



William S. Augerson, MD
William S. Augerson, MD, President
Dutchess County Board of Health

William S. Augerson, M.D.
Helen Fuimarello, R.N.
Joy Godin, R.N.
Suzanne Horn, M. Ed.
Steven M. Lapidus, MD
Harry J. Lynch
Ralph Middleton
Robert J. Sullivan, Ph.D

Enclosures: Public Health Law Article 3, Title III, Sections 343-351 inclusive
Dutchess County Charter, Article 7
Dutchess County Administrative Code, Article 6
Board of Health Procedural Outline

McKINNEY'S
CONSOLIDATED LAWS
OF
NEW YORK
ANNOTATED

Book 44

Public Health Law

§§ 1 to 2099

With Annotations
From
State and Federal Courts
and
State Agencies

ST. PAUL, MINN.
WEST PUBLISHING CO.

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§ 343. ✓ County or part-county boards of health; organiza-
tion; appointment

1. The board of health of a county or part-county health
district shall consist of seven members, one of whom shall be a
member of the board of supervisors, selected by the board of
supervisors, and at least three of whom shall be physicians li-
censed to practice in the state of New York, and in addition
thereto, each city which becomes a part of the county or part-

§ 343

PUBLIC HEALTH LAW

Art. 3

county health district shall be entitled to one additional representative member on the board of health.

2. The members of the board of health of a county or part-county health district shall be residents of the health district.

3. (a) The members of the board of health shall be appointed by the board of supervisors.

(b) The county medical society of the county in which a county or part-county health district is established may submit to the board of supervisors a list of physicians from which the board of supervisors may choose the medical members of the board of health.

(c) The additional city representative members of the board of health shall each be appointed by the board of supervisors from a list of three persons submitted by the mayor or other administrative head of such city. Such city representative members so appointed shall have all the powers and duties conferred upon other members of said board.

L.1953, c. 879, eff. June 1, 1954.

Historical Note

Section derived in part from subd. 371; L.1930, c. 335; L.1932, c. 81; 3 of section 20-b of Public Health L.1946, c. 1000, § 5; repealed by section 5002 of this chapter. Law of 1909, added L.1921, c. 509; amended L.1923, c. 636; L.1929, c.

Notes of Decisions

1. Qualifications of members

A resident of a part of the village of Gowanda within Cattaraugus county is not a resident of the Cattaraugus county health district eligible for appointment to its board, where about a third of the population of the village is in Erie county. 1944, Op.Atty.Gen. 234.

§ 344. County or part-county boards of health; terms of office; vacancies

1. The term of office of each appointive member of the board of health of a county or part-county health district, including the additional city representative members shall be six years, and the term of one of the members shall expire annually; except that the term of office of the representative member of the board of supervisors shall be for such lesser period as may be required in the event that he does not continue as a member of the board of supervisors.

Title 3

2. Upon health district respective term

3. Vacancies terms.

L.1953, c. 879

Section derived 3 of section 2 Law, added L. L.1923, c. 636

§ 345.

The members of the county health district board, and, appropriate fees, a percentage of supervisory and net the same manner L.1953, c. 8

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1. Compensation

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§ 346.

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2. Upon the establishment of a new county or part-county health district, the first appointments shall be made for the respective terms of six, five, four, three, two and one years.

3. Vacancies shall be filled by appointment for the unexpired terms.
L.1953, c. 879, eff. June 1, 1954.

Historical Note

Section derived in part from subd. 1930, c. 335; L.1982, c. 81; L.1946, c. 3 of section 20-b of Public Health 1000, § 5; repealed by section 5002 of Law, added L.1921, c. 509; amended this chapter.
L.1923, c. 636; L.1929, c. 371; L.

§ 345. County or part-county boards of health; compensation and expenses of members

The members of the board of health of a county or part-county health district shall receive for attendance at meetings of the board, and, when authorized by the president of the board, within appropriations made therefor, for meetings of standing committees, a per diem compensation which shall be fixed by the board of supervisors, and in addition thereto, they shall be allowed actual and necessary traveling expenses, to be audited and paid in the same manner as other expenses of such board of health.
L.1953, c. 879, eff. June 1, 1954.

Historical Note

Section derived from subd. 4 of 1930, c. 335; L.1946, c. 1000, § 5; re- section 20-b of Public Health Law of 1909, added L.1921, c. 509; amended repealed by section 5002 of this chap- ter.
L.1923, c. 636; L.1929, c. 371; L.

Notes of Decisions

1. Compensation

A member of the county board of supervisors, who is also a member of the county board of health, is not entitled to the per diem compensation for attendance at county board of health meetings authorized pursuant to this section. 17 Op.State Compt. 183, 1961.

§ 346. County or part-county boards of health; general expenses

1. In counties having a county auditor or county comptroller, all charges and other expenses of a county or part-county health district shall be audited and paid in the same manner as other charges against the county. In counties that do not have a county auditor or county comptroller, all accounts, charges, claims

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§ 347. Count
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and demands of such health district shall be presented to and au-
dited by the board of health of said district and paid by the
county treasurer upon warrants of the said board of health with-
in the limits of the appropriation made therefor.

2. The board of health of a county or part-county health dis-
trict shall submit annually in the manner prescribed by and on
or before the date fixed by or pursuant to law, an itemized esti-
mate of the revenues and expenditures of such health district,
for the ensuing fiscal year. The board of supervisors shall levy
a tax upon the taxable property within the county or part-county
health district, to the extent necessary to provide moneys to
meet appropriations for such health district. The board of
supervisors may appropriate moneys in the manner provided by
law for any items of expense of the county or part-county health
district which may in any degree tend to promote the efficiency
of the administration of the provisions of this chapter and the
regulations adopted pursuant to the authority thereof.

L.1953, c. 879, eff. June 1, 1954.

Historical Note

Subd. 1 derived from subd. 5 of section 20-b of Public Health Law of 1909, added L.1921, c. 509; amended L.1923, c. 636; L.1929, c. 371; L. 1930, c. 335; L.1946, c. 1000, § 5; repealed by section 5002 of this chap-
ter.

Subd. 2 derived from subd. 10 of section 20-b of Public Health Law of 1909, added as subds. 14, 15, L.1923, c. 636; renumbered 10 and amended L.1929, c. 371; L.1930, c. 335; L. 1946, c. 1000, § 5; L.1952, c. 739, § 1; repealed by section 5002 of this chap-
ter.

Cross References

County taxes for support of county or part-county health district, see County Law § 233-a, pars. u and v.

Notes of Decisions

Audit of claims 1
Payment of claims 2
Warrants 3

1. Audit of claims

The Board of Health of a county health district of a county having no auditor or comptroller may not dele-
gate the function of auditing claims to a committee of its members. 7 Op.State Compt. 60, 1951.

2. Payment of claims

Where a county public health dis-
trict is established, payment of

claims by the county treasurer should be made within the limits of funds appropriated as follows: (1) If a county has a county auditor or comptroller, claims should be audited and paid the same as other charges against the county; (2) If a county has no county auditor or comptroller, claims are to be audited by the county board of health and paid by the county treasurer upon warrants of such board of health. 3 Op.State Compt. 191, 1947.

3. Warrants

The function of drawing warrants of the county board of health on the

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county treasurer may be delegated to its officers, by resolution of the
a committee of the board, or one of board. 7 Op.State Compt. 60, 1951.

§ 347. County or part-county boards of health; powers and
duties; rules and regulations

1. Upon the establishment of a board of health for a county
or part-county health district as provided in this article, it shall
exercise all the powers and perform all duties of local boards of
health as provided in this chapter, and such board of health may
formulate, promulgate, adopt and publish rules, regulations, or-
ders and directions for the security of life and health in the health
district which shall not be inconsistent with the provisions of this
chapter and the sanitary code. Such rules, regulations, orders
and directions shall be known as the sanitary code of such dis-
trict.

a. Every rule, regulation, order and direction adopted by a
board of health shall state the date on which it takes effect and a
copy thereof signed by the county health commissioner or his
deputy shall be filed as a public record in the department, in the
county or part-county department of health and in the office of
the county clerk and shall be published in such manner as the
board of health may from time to time determine.

b. The county health commissioner or his deputy shall fur-
nish certified copies of the sanitary code of the health district
and its amendments for a fee of one dollar.

c. Nothing herein contained shall be construed to restrict the
power of any city or any village to adopt and enforce additional
ordinances or enforce existing ordinances relating to health and
sanitation provided that such ordinances are not inconsistent
with the provisions of this chapter or the sanitary code.

2. The board of health of a county or part-county health dis-
trict shall have the power to enter into contracts with not more
than two counties to obtain or render health services, provided
the approval of the board of supervisors of each county and of
the commissioner is obtained.

L.1953, c. 879; amended L.1954, c. 155, § 3; L.1958, c. 443, § 2;
L.1964, c. 45, eff. Feb. 24, 1964.

Historical Note

Subd. 1, pars. a to c, formerly
subds. 2 to 4, redesignated pars. a to
c of subd. 1, L.1954, c. 155, § 3, eff.
June 1, 1954.

Subd. 2 added L.1954, c. 155, § 3,
eff. June 1, 1954; amended L.1958, c.
443, § 2, eff. Jan. 1, 1959; L.1964, c.
45, eff. Feb. 24, 1964. L.1964 insert-

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punishable by a fine of not more than fifty dollars or by imprisonment for not more than six months or by both such fine and imprisonment.

3. Certified copies of the sanitary code of a county or part-county health district shall be received in evidence in all courts and proceedings in the state.

L.1953, c. 879, eff. June 1, 1954.

Historical Note

Section derived in part from subd. 371; L.1930, c. 335; L.1938, c. 530; 6 of section 20-b of Public Health L.1943, c. 258; L.1946, c. 1000, § 5; Law of 1909, added L.1921, c. 509; L.1947, c. 694; repealed by section amended L.1923, c. 636; L.1929, c. 5002 of this chapter.

Library References

Evidence ⇄ 157(7), 341.
Health ⇄ 8, 37 et seq.

C.J.S. Evidence §§ 649 et seq., 777 et seq.
C.J.S. Health §§ 10, 29 et seq.

Notes of Decisions

1. Civil remedies

The possibly criminal nature of acts of operator of laundromat in disposing of waste without complying with county sanitary code would not deter injunctive relief sought by county commissioner of health. Leone v. Paris, 1964, 43 Misc.2d 442, 251 N.Y.S.2d 277, modified on other

grounds 24 A.D.2d 508, 261 N.Y.S.2d 656.

Suffolk county department of health was empowered to bring civil action to enjoin operation of laundromat and also had available to it misdemeanor procedures for violation of its orders. Id.

335; L.1935, c. 1), § 5; L.1947, c. L.1953, c. 469; 5002 of this chap-

on on 1953 Revi- is amended to in- subdivision two to former § 20-b), he Public Health by Chapter 469 of Since subdivisions : this section prior t deal with rules was deemed advis- provisions in the id subparagraph it llowing for future boards to be desig-

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mulgated by county for the security, life e people are subject mine if they consti- of rights conferred § 3 of a magnitude favorable balance to fication of submerg- individual rights to the public health or t Enterprises, Inc. v. Dept. of Health, 1 894, 239 N.Y.S.2d

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Cross References

Continuation of hospitals within the department of health, see § 403.
County laboratories, see § 520 et seq.

Library References

American Digest System

State and local health boards; authority and duties in general, see Health and Environment ⇐6.

Encyclopedia

State and local health boards, departments, and officers; powers and duties, see C.J.S. Health and Environment § 13.

WESTLAW Research

Health and environment cases: 199k[add key number].

§ 350. County or part-county boards of health; officers

The board of health of a county or part-county health district shall elect annually one of its members as president and another as vice-president. The board of health may designate the county health commissioner to act as its secretary without extra compensation.

(L.1953, c. 879.)

Historical and Statutory Notes

Derivation. Section derived in part § 1; L.1929, c. 371; L.1930, c. 335; from subd. 7 of § 20-b Public Health L.1935, c. 282, § 1; L.1946, c. 1000, § 5; Law of 1909, added L.1921, c. 509; L.1947, c. 78; L.1951, c. 659; L.1953, c. amended L.1923, c. 636; L.1926, c. 409, 469; repealed by § 5002 of this chapter.

Cross References

Consolidated health districts; officers, see § 394.

Library References

American Digest System

State and local health officers and agents; appointment and tenure, see Health and Environment ⇐7(1).

Encyclopedia

State and local health boards, departments, and officers; appointment, qualifications, and tenure, see C.J.S. Health and Environment § 11.

WESTLAW Research

Health and environment cases: 199k[add key number].

§ 351. County or part-county health commissioner; appointment; compensation

1. The board of health of each county and part-county health district or the county executive in those counties where the county

3. charter provides that said commissioner is to be appointed by the county executive shall appoint a county health commissioner; except, however, that the boards of health of not more than three county or part-county health districts may appoint the same person to serve as county health commissioner for said health districts, if the total population of health districts is not in excess of one hundred fifty thousand according to the latest federal decennial census, provided the approval of the commissioner is obtained. The board of health of any county health district with a population of less than thirty-five thousand population according to the latest federal decennial census may appoint the same person employed by a contiguous county or part-county health district to serve as county health commissioner without regard to the total population of both health districts, provided the approval of the commissioner is obtained.

2. The county health commissioner shall possess such qualifications for office as are prescribed in the sanitary code.

3. The county health commissioner shall serve for a term of six years and shall not be removed during the term for which he shall have been appointed, except upon written charges after a hearing and upon notice.

4. The county health commissioner shall receive such compensation as may be fixed by the board of supervisors.

(L.1953, c. 879; amended L.1954, c. 155, § 4; L.1958, c. 443, § 1; L.1959, c. 616; L.1960, c. 147, § 5; L.1964, c. 220; L.1975, c. 83, § 1.)

Historical and Statutory Notes

1975 Amendment. Subd. 1. L.1975, c. 83, § 1, eff. May 6, 1975, inserted "or the county executive in those counties where the county charter provides that said commissioner is to be appointed by the county executive."

Derivation. Subd. 7 of § 20-b of Public Health Law of 1909, added L.1921, c. 509; amended L.1923, c. 636; L.1926, c. 409, § 1; L.1929, c. 371; L.1930, c. 335; L.1935, c. 282, § 1; L.1946, c. 1000, § 5; L.1947, c. 78; L.1951, c. 659; L.1953, c. 469; repealed by § 5002 of this chapter; § 20-bb of Public Health Law of 1909, added L.1953, c. 115; repealed by § 5002 of this chapter.

Note of Commission on 1953 Revision. Subdivision 1 of this section is amended to include the words "except however * * * is obtained" in order to include the provisions added to § 20-b, subdivision 7, of the former Public Health Law by Chapter 469 of the Laws of 1953.

Additions of subdivisions (a), (b) and (c) are derived from the amendment to § 20-bb of the former Public Health Law which was added thereto by Chapter 115 of the Laws of 1953. The purpose of this amendment is to include these provisions in the recodified law enacted by Chapter 879 of the Laws of 1953, effective June 1, 1954.

Cross References

Compensation of county officers, see County Law § 201.
State department of health; officers and employees, see § 200 et seq.

ARTICLE VII

DEPARTMENT OF HEALTH

Section

- 7.01 County Health District; Department of Health; Commissioner; Appointment; Qualifications; Term.
- 7.02 Powers and Duties.
- 7.03 Board of Health; Appointment; Powers and Duties.
- 7.04 Deputy Commissioners and Staff.
- 7.05 Acting Commissioner.

Section 7.01. County Health District; Department of Health; Commissioner; Appointment; Qualifications; Term. The County of Dutchess shall be a health district. There shall be a Department of Health under the direction of a Commissioner of Health, who shall be appointed by the County Executive, subject to confirmation by the County Legislature. At the time of his appointment, and throughout his term of office, the Commissioner shall be and remain duly licensed and entitled to practice medicine in the State of New York and shall have such other qualifications as may be required by law. He shall be appointed on the basis of his professional experience and other qualifications for the responsibilities of his office. He shall be directly responsible to and, unless otherwise required by law, serve at the pleasure of the County Executive.

Section 7.02. Powers and Duties. The Commissioner of Health shall be the chief administrative officer of the department. Except as otherwise provided in this Charter he shall have all the powers and perform all the duties conferred or imposed by law upon a county commissioner of health or a county board of health, and shall perform such other and related duties required by the County Executive or County Legislature.

Section 7.03. Board of Health; Appointment; Powers and Duties. There shall be within the department a Board of Health whose members shall be appointed by the County Legislature in the manner and for the term provided in the Public Health Law. The Board of Health, subject to the provisions of the Public Health Law and the State Sanitary Code, shall have the power to formulate, adopt, promulgate, amend or repeal such rules and regulations as may affect public health within the County; to formulate, adopt, promulgate, amend or repeal a County Sanitary Code; to consider any matters that may come to its attention relating to the preservation and improvement of public health within the County, and advise the Commissioner thereon, either at his request or upon its own initiative, and from time to time to make recommendations to the Commissioner thereon.

Section 7.04. Deputy Commissioners and Staff. The Commissioner of Health shall have the power to appoint such Deputy Commissioners, assistants and employees of his department as shall be authorized by the County Legislature. At the times of their appointment, and throughout their terms of office, all Deputy Commissioners of Health shall be and remain duly licensed and entitled to practice medicine in the State of New York, and shall have such other qualifications as may be required by law. All Deputy Commissioners, assistants and employees of the department shall be directly responsible to, and serve at the pleasure of the Commissioner, except as otherwise provided by this Charter, the Administrative Code or applicable law.

Section 7.05. Acting Commissioner. The Commissioner of Health, subject to approval by the County Executive, shall designate in writing, and in order of succession, the Deputy Commissioners and assistants who shall be Acting Commissioner of Health in the event of his absence from the County or inability to perform and exercise the powers and duties of his office. Such designation shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Commissioner filing a new written designation and order of succession. The Acting Commissioner of Health shall have all the powers and perform all the duties of the Commissioner.

ADMINISTRATIVE CODE
OF THE
DUTCHESS COUNTY GOVERNMENT

Prepared by:

THE DUTCHESS COUNTY CHARTER COMMISSION

in consultation with

C.W. ROBINSON & CO., INC.
200 Park Avenue
New York, New York 10017

Presented October 11, 1967

at

Poughkeepsie, New York

A R T I C L E VI

DEPARTMENT OF HEALTH

Section

- 6.01. Board of Health; Sanitary Code; Procedure for Adoption.
- 6.02. County Sanitary Code; Violations and Penalties.
- 6.03. Board of Health; Powers and Duties.
- 6.04. Health Services; Intergovernmental Cooperation.

Section 6.01. Board of Health; Sanitary Code;

Procedure for Adoption.

(a) The affirmative vote of a majority of the total membership of the Board of Health shall be required to pass any rule, regulation, order or direction which constitutes an amendment or addition to the County Sanitary Code. On the final passage, the question shall be taken by ayes and noes, and the names of the members present and their votes shall be entered in the minutes of proceedings.

(b) Every rule, regulation, order or

direction which constitutes an amendment or addition to the County Sanitary Code shall be mailed or delivered in final form to each member at least ten calendar days, exclusive of Sunday, prior to its final passage, unless the County Executive certifies as to the necessity for its immediate passage, and, in such event, such rule, regulation, order or direction may be passed by the affirmative vote of two-thirds of the total membership of the Board of Health.

(c) The Board of Health shall hold a public hearing on every rule, regulation, order or direction which constitutes an amendment or addition to the County Sanitary Code prior to its final passage. Such public hearing shall be on at least five days' notice, published in the official daily newspaper in the County of Dutchess.

(d) The Board of Health shall cause to be published annually a supplement to the County Sanitary Code which shall indicate all additions to, repeals, and amendments of any section of said Code.

(e) The Commissioner of Health shall cause to be furnished certified copies of the County Sanitary Code

and its amendments for such fee as may be authorized by law.

Section 6.02. County Sanitary Code; Violations and Penalties. The provisions of the County Sanitary Code shall have the force and effect of law. Any violation or non-conformance with any provision of such County Sanitary Code or of any rule, regulation, order or direction made thereunder shall constitute a misdemeanor punishable by a fine of not more than fifty dollars or by imprisonment for not more than six months or by both such fine and imprisonment. Certified copies of the County Sanitary Code shall be received in evidence in all courts and proceedings in the State.

Section 6.03. Board of Health; Powers and Duties. The Board of Health shall, in consultation with the Commissioner, prepare recommendations for meeting the public health needs of Dutchess County. Copies of the recommendations shall be transmitted to the County Executive for his evaluation and referral within sixty (60) days to the Board of Representatives and the State Commissioner of Health. The

Board of Health shall have and exercise such other powers and duties conferred upon such Board by the County Charter or this Code.

Section 6.04. Health Services; Intergovernmental Cooperation.

The County Executive, upon recommendation of the Commissioner and the Board of Health, shall have the power to enter into contracts to obtain or render health services, pursuant to Section 33.02 of the Charter.

DUTCHESS COUNTY BOARD OF HEALTH

Procedural Outline

This Procedural Outline is meant to be the sole guidance for the Dutchess County Board of Health and is to be executed by said Board.

ARTICLE I

PURPOSE

The purpose of this Board is to be concerned with the security of life and health of the people of the Dutchess County Health District as encompassed in the Public Health Law, the Sanitary Code of the State of New York, the Sanitary Code of the County of Dutchess, and of the Charter and Administrative Code of the Dutchess County Government, Article VI.

ARTICLE II

APPOINTMENTS TO AND RESIGNATIONS FROM

- A. Appointments shall be made by the Dutchess County Legislature for a term of six (6) years, each in accordance with the provisions of the Public Health Law, Article 3, Title III, Section 343 and 344;
- B. Each member shall subscribe to an Oath of Office or Affirmation of Office;
- C. After one week's advance notice to the Board of Health, all resignations shall be submitted to the Dutchess County Legislature;
- D. When a member of the Board of Health wishes to be considered to continue to serve as a board member, they are to submit a letter of intention to the President of the Board within thirty (30) days of the end of their term.

ARTICLE III

OFFICERS

The officers shall be elected at the Annual Meeting in January, as provided for in the Public Health Law, and shall be: President, Vice-president, and Secretary.

ARTICLE IV

DUTIES OF OFFICERS

A. PRESIDENT

1. The President shall preside at all meetings;
2. The President shall act as liaison between the Board of Health and the Commissioner of Health, or whomever and whenever required;
3. The President shall be an ex-officio member on all committees, except the Nominations Committee
4. The President, with the approval of the Board, shall appoint Nominations Committee a month prior to the Annual Meeting and election of officers;
5. The President shall perform all other duties pertaining to the office.

B. VICE-PRESIDENT

1. The Vice-president shall perform the duties required of the President in his or her absence.

C. SECRETARY

1. The Secretary shall keep minutes of all meetings of the Board;
2. The Secretary shall edit minutes taken by the Department of Health's Stenographer assigned to the Board;
3. The Secretary shall return edited minutes to the Department's Recording Stenographer at least two (2) weeks prior to the next scheduled meeting of the Board;
4. The Secretary shall see that the Recording Stenographer mails a notice and a copy of the minutes to each member at least one (1) week in advance of the next scheduled meeting;
5. The Secretary shall arrange for the Administration of the Oath of Office or Affirmation of Office as soon as possible after a member's appointment by the Dutchess County Legislature. (Forms are obtained from and filed in the County Clerk's Office)
6. The Secretary shall be responsible for the correspondence, reporting such activities or occurrences at the regular monthly meetings of the Board of Health.

ARTICLE V

BOARD MEMBERS

A. COMPOSITION

1. The Board shall consist of those members as designated in the Public Health Law, Article 3, Title III, Section 343:
 - a. Three (3) physicians;
 - b. A representative from the City of Beacon;
 - c. A representative from the City of Poughkeepsie;
 - d. Three (3) members at large representing diverse areas of Dutchess County;
 - e. A representative from the Dutchess County Legislature.

B. DUTIES

1. The duties shall be those prescribed in the Public Health Law under Article 3, Title III, Section 308, 309 and Article 3, Title III, Section 347, which will be provided to each new member of the Board of Health.

C. ATTENDANCE

1. It is the desire of the Board of Health that members attend seventy-five (75%) percent of the Board meetings annually. Absence from three (3) consecutive meetings, unless authorized or excused by the Board for cause, may constitute reasons for requesting the member's resignation.
2. Frequent absence from Board meetings by any board member shall be called to his or her attention in writing. If ignored, or if the provisions in Paragraph 1 above exist, this may be grounds for dismissal. If this is ignored, the Board of Health may consult their counsel.

ARTICLE VI

MEETINGS

A. TIME

1. The January meeting shall be designated as the Annual Meeting and the time of election of officers;
2. Regular meetings shall be held the third (3rd) Thursday of each month, at 4:00 p.m., except for the month of July;
3. If necessary, and under special circumstances, a meeting may be changed by a

majority vote of the Board of Health members in attendance.

B. PLACE

1. The meeting shall be held in the Library/Conference Room of the Department of Health.

C. QUORUM

1. The quorum shall consist of five (5) members of the Board present and voting.

D. SPEAKERS

1. The President of the Board and its Board members shall be informed prior to the Board meeting, no less than of week, of anyone wishing to speak at said Board meeting, provided the issue to be presented is appropriate to the purpose of the Board of Health.

ARTICLE VII

COMMITTEES

- A. The Committee for the Revision of the Procedural Outline;
- B. Medical Advisory Committee to the Dutchess County Department of Health Certified Home Health Agency and Long Term Health Care Program, consisting of three (3) physicians on the Board of Health. The committee is to meet at a time and place designated by the Commissioner of Health;
- C. Whenever deemed necessary or appropriate, all other committees shall be created by a majority vote of the Board of Health members in attendance and voting or appointed by the President.

REPRESENTATION

- A. Whenever financially possible, a member or members shall be designated to attend conventions, seminars, and local health related functions.

ARTICLE VIII

PRELIMINARY AUTHORITY

- A. Roberts Rules of Order, revised, shall be the authority for conducting meetings of the Board of Health, when not in conflict with the Procedural Outline.

ARTICLE IX

AMENDMENTS

- A. The Procedural Outline may be amended at any meeting of the Board, providing a notice of proposed amendment has been sent to each member at least one (1) week prior to the meeting, and further provided that there are six (6) affirmative votes at the time of adoption.

ARTICLE X

ORDER OF BUSINESS

A. **REGULAR MEETING**

1. Call to order;
2. Minutes of previous meeting;
3. Report of Secretary;
4. Report of President;
5. Report of committees;
6. Report of Commissioner (or his duly authorized representative)
7. Unfinished business;
8. New business;
9. Adjournment.

B. **ANNUAL MEETING**

1. Call to order;
2. Minutes of previous meeting;
3. Report of Secretary;
4. Report of President;
5. Report of Nominating Committee;
6. Election of Officers;
7. Report of committees;
8. Report of Commissioner (or his duly authorized representative)
9. Unfinished business;
10. New business;
11. Adjournment.

ARTICLE XI

ADOPTION

- A. This Procedural Outline shall become effective immediately upon approval by the affirmative vote of six (6) members of the Board of Health, providing that written notice of the proposed adoption of the Procedural Outline be mailed or delivered not later than one (1) week prior to said vote. Upon adoption, this Procedural Outline shall be recorded in its entirety in the minutes of the Board.

DATES OF REVISION AND ADOPTION:

October 21, 1982
October 19, 1995
November 16, 2000

Discussion on the foregoing Resolution No. 2011146 resulted as follows:

Legislator Flesland moved to amend the term of Charis Nick-Torok in the foregoing Resolution from 12/31/11 to 12/31/16 duly seconded and unanimously adopted.

Roll call vote on the foregoing Resolution No. 2011146 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

Family and Human Services Committee Roll Call

| District | Name | Yes | No |
|--|---------------|-----|----|
| District 8 - City and Town of Poughkeepsie | Rolison* | ✓ | |
| District 19 - Towns of North East, Stanford, Pine Plains, Milan | Cooper* | ✓ | |
| District 6 - Town of Poughkeepsie | Flesland* | ✓ | |
| District 14 - Town of Wappinger | Goldberg* | ✓ | |
| District 7 - Town of Hyde Park | Kuffner* | ✓ | |
| District 2 - Towns of Pleasant Valley and Poughkeepsie | Horn (C) | ✓ | |
| District 9 - City of Poughkeepsie | White | ✓ | |
| District 10 - City of Poughkeepsie | Jeter-Jackson | ✓ | |
| District 13 - Towns of LaGrange, Union Vale, and Wappinger | Bolner | ✓ | |
| District 21 - Town of East Fishkill | Horton | ✓ | |
| District 23 - Town/Village of Pawling, Beekman and East Fishkill | Thomes | ✓ | |
| District 25 - Amenia, Stanford, Washington, Pleasant Valley | Kelsey (VC) | ✓ | |

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

2011146 Appointments to Board of Health

Date: 6/14/11

Roll Call Sheets

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

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

2011146 Appointments to Board of Health

Date: 6/16/11

RESOLUTION NO. 2011147

RE: APPOINTMENTS AND REAPPOINTMENTS TO THE CITIZENS
ADVISORY COMMITTEE ON DOMESTIC VIOLENCE

Legislators ROLISON, BOLNER, GOLDBERG, KUFFNER, JETER-JACKSON,
ROMAN, FLESLAND, and HORTON offer the following and move its adoption:

WHEREAS, by Resolution No. 421 of 1989, the Dutchess County Legislature did create
a Citizens Advisory Committee on Domestic Violence the members of which are to be appointed
by the Chairman of the Legislature subject to confirmation by the County Legislature, and

WHEREAS, by Resolution No. 42 of 1993, the membership of such committee was fixed
at 12 members, and

WHEREAS, the Chairman of the Legislature has appointed and reappointed the
following members to the Citizens Advisory Committee on Domestic Violence:

APPOINTMENTS

Peter Alan Phipps
(Replacing Michael Reed)

Deborah M. Reeves-Duncan
(Replacing Brittany Lee)

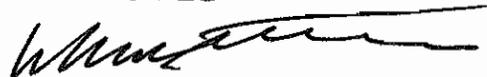
REAPPOINTMENTS

Elaine Anderson
Susie Balutis-Mallory
Leah Feldman
Kathy Graham
Judith Lombardi
Jason Mark
Catherine Poluzzi
Lisa Rubenstein
Marjorie Smith
Janice Weinstein

now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby affirm the aforesaid
appointments to the Citizens Advisory Committee on Domestic Violence each such member to
serve a term to terminate on June 30, 2012.

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

STATE OF NEW YORK

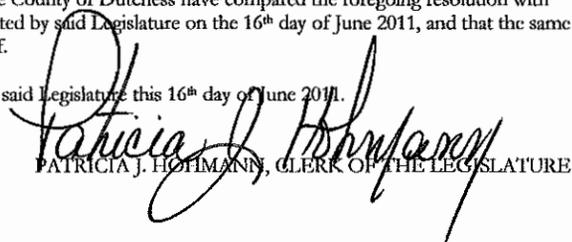
COUNTY OF DUTCHESS

ss:

Date June 27, 2011

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with
the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 16th day of June 2011, and that the same
is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 16th day of June 2011.



PATRICIA J. HOFFMANN, CLERK OF THE LEGISLATURE

History

For 10/31/89
12

RESOLUTION NO. 421 OF 1989

RE: ESTABLISHING A CITIZENS ADVISORY COMMITTEE ON DOMESTIC VIOLENCE

Legislators KNAPP and Luty offer the following and move its adoption:

WHEREAS, after extensive study, the Dutchess County Legislature has determined that domestic violence is a serious problem in Dutchess County, and

WHEREAS, domestic violence is a problem which affects all segments of our community, and

WHEREAS, in order to properly carry out its legislative function with respect to domestic violence, it is appropriate for the County Legislature to solicit and consider advice and recommendations from the community-at-large with respect to this problem, now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby create a citizens advisory committee to be known as the "Citizens Advisory Committee on Domestic Violence", said committee to consist of seven members, said members to be appointed by the Chairman of the County Legislature, subject to confirmation by the County Legislature, and the Chairman of which committee shall be appointed by the committee members, and, be it further

RESOLVED, that such committee shall consider all aspects of domestic violence within the County of Dutchess and shall periodically report to the County Legislature with respect thereto.

A:RES.178
10/31/89
dd

APPROVED

Lucille P. Pattison

LUCILLE P. PATTISON

County Executive

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

Date *Nov 15 89*

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 November 1989, 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 November 1989

Patricia J. Thompson
CLERK OF THE LEGISLATURE

Family Svs
2-8
11

RESOLUTION NO. 42 OF 1993

RE: REPEALING RESOLUTION NO. 153 OF 1991 -
CITIZENS ADVISORY COMMITTEE ON DOMESTIC VIOLENCE

Legislator SMITH offers the following and moves its adoption:

WHEREAS, by Resolution No. 421 of 1989 the Dutchess County Legislature did establish a Citizens Advisory Committee on Domestic Violence to consist of seven members, and

WHEREAS, by Resolution No. 325 of 1990 the membership of such committee was expanded from seven members to nine members and, thereafter, by Resolution No. 356 of 1990 the membership of such committee was again expanded from nine members to twelve members, and

WHEREAS, by Resolution No. 153 of 1991 the Dutchess County Legislature inadvertently purported to expand the committee from nine members to eleven members, and

WHEREAS, it is desirable and appropriate to fix the membership of the Domestic Violence committee at twelve members, now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby repeal Resolution No. 153 of 1991.

A:RES.30
1/22/93
lw

APPROVED

William R. Steinwalds
WILLIAM R. STEINWALDS
COUNTY EXECUTIVE

Date 2/16, 1993

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 8th day of February 19 93, 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 8th day of February 19 93

Patricia L. Demaree
CLERK OF THE LEGISLATURE

PETER ALAN PHIPPS

53 Evergreen Avenue
Poughkeepsie, New York 12601

Home: (845) 471-1510 E-mail: phdpete@msn.com
Work: (845) 431-8341 E-mail: phipps@sunydutchess.edu

EDUCATION

Saybrook Graduate School, San Francisco, CA
Ph. D., Clinical Inquiry in Psychology, July 1999
Dissertation: "A Phenomenological Study of Providing Psychotherapy
Within Managed Care"

Lehigh University, Bethlehem, PA
M. S., Lifespan Developmental Psychology, October 1992
Thesis: "The Impact of Young Adult Identity Processes on
Autobiographical Memory"

Marymount University, Arlington, VA
M.A., Psychological Services, May 1990
Delta Sigma Epsilon, 1990; Psi Chi, 1989

Virginia Commonwealth University, Richmond, VA
B.S.W., Social Work, June 1982
Leadership and Services Award, 1982

TEACHING EXPERIENCE

Dutchess Community College, Department Head for Behavioral Sciences and
Associate Professor of Psychology
Poughkeepsie, New York; September 2003 – present.

Sullivan County Community College, Assistant Professor of Psychology
Loch Sheldrake, New York; September 1999 – December 2003.

Durham Technical Community College, Adjunct Instructor of Psychology
Durham, North Carolina; August 1996 - May 1997.

Allentown College ACCESS Program, Adjunct Lecturer of Psychology
Center Valley, Pennsylvania; April 1991- May 1993.

Lehigh University, Teaching Assistant and Visiting Instructor of Developmental
Psychology; Bethlehem, Pennsylvania; September 1990 – May 1993.

CLINICAL EXPERIENCE

Alamance-Caswell MH, SAS, and DD Authority, Burlington, North Carolina; October 1994 - February 1999. Adult Outpatient Clinician. At the Community Mental Health Center for Alamance County, I provided individual, marital, family and group therapy to citizens of Alamance County. I facilitated Domestic Violence Prevention Groups and provided backup liaison services between the court and the Community Mental Health Center's Domestic Violence Program. I participated in the agency's long range planning research project for three years. I also provided training for both the agency and the community as needed.

Kentucky River Community Care, Inc., Hazard, Kentucky; July 1993 - October 1994. Adult Outpatient Clinician. A rural Community Mental Health Center where I provided individual, marital, family, group and crisis services to the citizens of Perry County.

Northwest Center for Community Mental Health, Reston, Virginia; September 1987 - August 1990. Emergency Services Therapist. A Community Mental Health Center for Fairfax County where I began as an Emergency Services Therapist deployed to a local homeless shelter. Later I became a McKinney Project Mental Health Outreach Worker serving the homeless mentally ill in Fairfax County. I also worked as a traditional Crisis Services Therapist at the Community Mental Health Center.

The Social Center for Psychiatric Rehabilitation, Inc., Merrifield, Virginia; August 1985-September 1987. Rehabilitation Coordinator. A Psychosocial Day Program for SPMI adults based on the Boston University Psychiatric Rehabilitation Model. I ran a wide range of groups ranging from problem-solving and support groups to recreation and prevocational daily skills groups.

Residential Youth Services, Inc., Alexandria, Virginia; 1985. Program Coordinator. A Ninety Day Adolescent Shelter where I was responsible for supervision of direct care staff and the overall day to day functioning of the shelter.

Iliff Nursing Home, Dunn Loring, Virginia; 1984. Social Worker. As the first full time social worker at Iliff, I established a social services unit including writing policies and procedures in accordance with Virginia state standards, coordinated patient care planning, provided case management and assisted with admissions.

Arlington Community Residences, Inc., Arlington, Virginia; 1982 - 1984. Residential Counselor. An Intermediary Care Facility for dually diagnosed mentally retarded, mentally ill adults where I was part of the direct care staff.

MILITARY EXPERIENCE

United States Army (ETS rank of sergeant). 1975 - 1979.

Deborah M. Reeves-Duncan

11 Mack Road
Poughkeepsie, NY 12603

(845) 473-9524 (Home)
(845) 575-3787 (Day-time)
DeborahReevesDuncan@yahoo.com

Deborah.Reeves-Duncan@
Marist.edu

SUMMARY

Over 22 years experience working in Higher Education and other professional experiences. Supervisory, hiring and training staff experience. Development and implemented the Commuter Council for commuter students. Conduct workshops and presentations for commuters, transfers, and disability related students. Previous experience consisted of evaluating transfer credit from various colleges and high schools. Experience working with students from diverse backgrounds.

PROFESSIONAL HIGHER EDUCATION WORK EXPERIENCE

Assistant Director, Special Services

Marist College, Office of Special Services

July 1, 2010-present

- Interview students for the program
- Supervise office staff when Director is not available
- Attend meeting with and for the Director
- Continue Counseling responsibilities

Counselor, Special Services

Marist College, Office of Special Services

January 2004- September 2010

- Counsel over 100 students with disabilities
- Academic Advisor
- Counsel on academics, selecting major, audits, courses
- Counsel on career: resume writing, cover letter, majors
- Counsel on Personal issues, assist with conflicts, transitions, crisis intervention
- Intake process, review documentation evaluations
- Taught advocating skills with students
- Assist with navigating other academic support services
- On and Off campus referrals
- Plan programs for students
- Assist faculty with students needs in and out of the classroom
- Conduct workshops on disabilities awareness
- Orientation workshops for prospect students and families
- Work on committees on and off campus
- Work with other offices Registrar, Housing, Financial Aid, Academic Advisement, Deans, Chairs, faculty and staff.

Program Coordinator

Dutchess Community College, Summer Academy

July 2003- August 2004

- Advised and Supervised a staff of 22, Teachers and Supportive staff
- Worked closely with the Assistant Deans and Dean
- Contact representative for the program to parents
- Counseled young people ages 6-14
- Implemented programs for young people
- Planned educational trips during the summer
- Advised Youth Counselors
- Assisted Elementary Teachers in curriculum development
- Counseled Young people ages 6 - 14
- Contact representative to parents

Commuter and Upper Class Mentor

Student Affairs, Marist College, Poughkeepsie, NY

August 2002-January 2004

- Advise Upper class Probationary students on academic, social and personal
- Assist students in clarifying and establishing their educational and life goals
- Facilitator in assisting assigned students in making contact with support services
- Supports and implements Student Learning Imperative strategies
- Maintain records and prepared weekly, monthly, and annual reports
- Programming and working with 1st Year students
- Monthly Newsletters
- Educational Fairs
- Assist students with reading and understanding degree audits

Instructor

Behavioral and Social Science, Marist College

Fall 2001- Present

Introduction to Psychology

Social Psychology

Instructor***Black Studies Department, State University of New Paltz******Fall 2009-12/20/2009******Scholars Mentoring Program***

- Provided academic and social support for students
- Presented class material and facilitated group discussions
- Evaluated students based on their academic performance
- Graded papers and tests, acted as academic resources for students inside and outside of class

Instructor

Upward Bound, Marist College, Poughkeepsie, NY

Summer 2002-Present

- Provided academic and social support for High school students
- Presented class material and facilitated group discussions
- Evaluated students based on their academic performances
- Graded papers and tests
- Weekly Teachers meetings
- Pre-Test and Post-Test Evaluations

Professional Work Experience***Primary Counselor***

New Hope Manor, Barryville, NY

February 2001- July 2003

- Counseling
- Referrals for clients
- Goal setting
- Evaluations of progress
- Facilitated groups and seminars
- Assessments and Discharge evaluations of clients

Facilitator

Family Service Inc., Poughkeepsie, NY

December 1999- November 2002

- Educated Mandated Male Clients about issues in Domestic Abuse

- Facilitated groups
- Referral to other agencies
- Provided material and lesson plans to clients
- Expedited program policies

Senior Clerk

Registrar Office, Marist College Poughkeepsie, NY 12601

December 1988- August 2002

- Input all student directory records information
- Add/drop registrations
- Post transfer credits for all students
- Post student status for all students
- Advise students/ parents on catalogue and academics
- Input graduation requirements
- Input all changes of majors
- Implemented new computer applications in SIS
- IAPROD, Focus-Report writing, *Plus applications*

Counselor

PIUS VII, REAL House, Poughkeepsie, NY 12601

January 1994- June 1994

- Worked with young men between the ages of 15 –19
- Counseled members on positive behavior
- Behavioral Management techniques
- Life Skills and Hygiene
- Assisted in Assessments, treatment plans
- Assisted Program Coordinator on weekly and monthly activities
- Groups sessions/ Individual sessions
- Management team building

EDUCATION

Master of Arts in Educational Psychology, Marist College

Poughkeepsie, NY August, 2000

Thesis Topic: Student's in Year-Round Education Academic achievement performance is Better than Student's in Traditional Ten Month Education.

Bachelor of Arts in Psychology, Marist College

Poughkeepsie, NY August, 1994

ACHIEVEMENTS

1994, 2000

Who's Who In American Universities and Colleges

1997

Outstanding Young Women in America

May 2006

Outstanding Professor

ACTIVITIES:

1/2006-present

Lateef Islam Legacy Committee

1/92-4/92

Catherine St. Community Ctr., Poughkeepsie, NY 12601

Volunteer Teacher

9/92-5/93

Spackenkill School District, Girl Scout Leader

PROFESSIONAL AFFILIATION:

2010-present Liberty Partnership Parent Council Coordinator
2008-present Marist Professional Women's Mentoring Program
2003- present Sigma Gamma Rho Sorority, Inc, Vice President and campus Advisor
2003-2004 Commuter Council Club, Advisor
1997- 2005 Marist Minority Affairs Professional Organization (MMAPO), President

Awards Sigma of the Year, April 2006
Recognition of 20 years of Service, September 2008

References upon request

Discussion on the foregoing Resolution No. 2011147 resulted as follows:

Legislator Flesland disclosed that her mother was being reappointed to this committee.

Roll call vote on the foregoing Resolution No. 2011147 resulted as follows:

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

NAYS: 1 Kelsey.

ABSENT: 0

Resolution adopted.

Family and Human Services Committee Roll Call

| District | Name | Yes | No |
|--|---------------|-----|----|
| District 8 - City and Town of Poughkeepsie | Rolison* | ✓ | |
| District 19 - Towns of North East, Stanford, Pine Plains, Milan | Cooper* | ✓ | |
| District 6 - Town of Poughkeepsie | Flesland* | ✓ | |
| District 14 - Town of Wappinger | Goldberg* | ✓ | |
| District 7 - Town of Hyde Park | Kuffner* | ✓ | |
| District 2 - Towns of Pleasant Valley and Poughkeepsie | Horn (C) | ✓ | |
| District 9 - City of Poughkeepsie | White | ✓ | |
| District 10 - City of Poughkeepsie | Jeter-Jackson | ✓ | |
| District 13 - Towns of LaGrange, Union Vale, and Wappinger | Bolner | ✓ | |
| District 21 - Town of East Fishkill | Horton | ✓ | |
| District 23 - Town/Village of Pawling, Beekman and East Fishkill | Thomes | ✓ | |
| District 25 - Amenia, Stanford, Washington, Pleasant Valley | Kelsey (VC) | | ✓ |

| | | | | | | |
|----------|-----------|-------------|-------------|--------------|-----------|----------|
| Present: | <u>12</u> | Resolution: | <u>X</u> | Total : | <u>11</u> | <u>1</u> |
| Absent: | <u>0</u> | Motion: | <u> </u> | | Yes | No |
| Vacant: | <u>0</u> | | | Abstentions: | <u>0</u> | |

2011147 Appointments and Reappointments to the Citizens Advisory Committee on Domestic Violence

Date: 6/14/11

Roll Call Sheets

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

Present: 25
 Absent: 0
 Vacant: 0

Resolution: X
 Motion: —

Total: 24 1
 Yes No
 Abstentions: 0

2011147 Appointments and Reappointments to the Citizens Advisory
 Committee on Domestic Violence

Date: 6/16/11

RESOLUTION NO. 2011148

RE: RESOLUTION TO NOT LEASE ANY COUNTY-OWNED LANDS
FOR HIGH-VOLUME SLICK-WATER HYDRAULIC FRACTURING
TO EXTRACT NATURAL GAS

Legislators TYNER and DOXSEY offer the following and move its adoption:

WHEREAS, it is increasingly clear that drilling for natural gas using slick-water hydraulic fracturing may have severe adverse impacts on communities and the environment, and

WHEREAS, the process of pumping chemicals under intense pressure into an underground shale formation to release gas for extraction may contaminate drinking water supplies, and

WHEREAS, hydraulic fracturing natural gas drilling practices in a township in Susquehanna County, Pennsylvania contaminated the drinking water supply and subsequent litigation and a settlement of 4.1 million dollars was awarded to the residents, and

WHEREAS, any economic boost to the state's economy from development and sale of natural gas from Marcellus or Utica Shale is short-term at best, and will foreclose the long-term economic benefit to the county of tourism and agriculture, and

WHEREAS, this is a local issue, as there is Utica Shale here in Dutchess County up and down the east side of the Hudson River, and

WHEREAS, improving and protecting the quality of life, Open Space and Waterways concluded that increased energy conservation and use of renewable energy are important ways to avert the most catastrophic impacts of climate change, and

WHEREAS, the Ulster County Legislature unanimously passed a resolution this March to not lease any county-owned lands, including but not limited to County park lands, for high-volume, slick-water hydraulic fracturing to extract natural gas, and the City of Buffalo passed a resolution against any fracking of Utica Shale on city-owned land there, and therefore be it

RESOLVED, that the Dutchess County Legislature declares that Dutchess County will not lease any county-owned lands, including but not limited to County park lands, for high-volume, slick-water hydraulic fracturing to extract natural gas, and be it further

RESOLVED, that a copy of this resolution be sent to Dutchess County Executive William Steinhaus.

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 16th day of June 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 16th day of June 2011.

The foregoing Resolution No. 2011148 was tabled in Environment Committee on June 14, 2011.

Environment Committee Roll Call

| District | Name | Yes | No |
|---|-------------|--------|----|
| District 8 - City and Town of Poughkeepsie | Rolison* | ✓ | |
| District 19 - Towns of North East, Stanford, Pine Plains, Milan | Cooper* | ✓ | |
| District 6 - Town of Poughkeepsie | Flesland* | ✓ | |
| District 14 - Town of Wappinger | Goldberg* | ✓ | |
| District 7 - Town of Hyde Park | Kuffner* | Absent | |
| 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 16 - Towns of Fishkill, East Fishkill and City of Beacon | MacAvery | | ✓ |
| District 17 - Town and Village of Fishkill | Miccio (C) | ✓ | |
| District 20 - Town of Red Hook | Traudt (VC) | Absent | |
| District 24 - Towns of Dover and Union Vale | Surman | ✓ | |

Present: _____ Resolution: _____ Total: 8 2
 Absent: _____ Motion: _____ Yes No
 Vacant: _____ Abstentions: _____

Tabled - Flesland, Cooper
 Res. 2011148

RESOLUTION NO. 2011149

RE: DUTCHESS COUNTY LEGISLATURE STRONGLY URGES STATE
LEGISLATURE TO PASS AND OUR GOVERNOR SIGN INTO LAW
THE SOLAR JOBS ACT OF 2011

Legislators TYNER, KUFFNER, MACAVERY, and DOXSEY offer the following and
move its adoption:

WHEREAS, Germany has less sunlight than New York but solar panels all over; New
Jersey, Pennsylvania, Massachusetts, Connecticut, and Delaware all much more heavily
incentivize the purchase of solar for their state residents than New York does here, and

WHEREAS, Dr. Richard Perez of SUNY-Albany has conclusively proven that all of New
York's energy needs could be met completely by solar energy alone by merely covering 0.75%
of the state's surface with photovoltaics, and

WHEREAS, the New York League of Conservation Voters, Sierra Club, NYPIRG,
Environmental Advocates, and Audobon New York are all endorsing bipartisan legislation co-
sponsored by state Senator John Bonacic and Assemblyman Kevin Cahill, the Solar Jobs Act of
2011 (A.5713/S.4178), and

WHEREAS, the Solar Jobs Act of 2011 would create over 22,000 jobs in the solar
industry across New York, including many here in the Hudson Valley, through a program of
solar renewable energy credits similar to successful ones already up and running in
Pennsylvania, New Jersey, and other states, and

WHEREAS, the Solar Jobs Act takes a market-based approach that will accelerate
investments in solar power throughout New York and stimulate business growth, and therefore
be it

RESOLVED, that the Dutchess County Legislature strongly urges that our state
legislature pass and our governor sign into law the Solar Jobs Act of 2011 (A.5713/4178), and be
it further

RESOLVED, that a copy of this resolution be sent to Governor Cuomo and Dutchess
County's delegation of state legislators.

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 16th day of June 2011, and that the same
is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 16th day of June 2011.

The foregoing Resolution No. 2011149 was tabled in Environment Committee on June 14, 2011.

Environment Committee Roll Call

| District | Name | Yes | No |
|---|-------------|--------|----|
| District 8 - City and Town of Poughkeepsie | Rolison* | ✓ | |
| District 19 - Towns of North East, Stanford, Pine Plains, Milan | Cooper* | ✓ | |
| District 6 - Town of Poughkeepsie | Flesland* | ✓ | |
| District 14 - Town of Wappinger | Goldberg* | | ✓ |
| District 7 - Town of Hyde Park | Kuffner* | Absent | |
| 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 16 - Towns of Fishkill, East Fishkill and City of Beacon | MacAvery | | ✓ |
| District 17 - Town and Village of Fishkill | Miccio (C) | ✓ | |
| District 20 - Town of Red Hook | Traudt (VC) | Absent | |
| District 24 - Towns of Dover and Union Vale | Surman | ✓ | |

Present: 12
 Absent: 2
 Vacant: 0

Resolution:
 Motion: X

Total: 6 4
 Abstentions: 0 Yes No

Bolner
 Table Res. # 201149

RESOLUTION NO. 2011150

RE: ESTABLISHING A PUBLIC HEARING PURSUANT TO AGRICULTURE AND MARKET LAW SECTION 303-b, TO CONSIDER RECOMMENDATIONS OF THE AGRICULTURE AND FARMLAND PROTECTION BOARD TO CONSIDER REQUESTS THAT PROPERTY OWNERS BE INCLUDED WITHIN DUTCHESS COUNTY CERTIFIED AGRICULTURE DISTRICTS 20, 21, 22 AND 23

Legislators MICCIO, COOPER, HUTCHINGS, HORTON, and WEISS offer the following and move its adoption:

WHEREAS, in accordance with New York State Agriculture and Markets Law Section 303-b, the Dutchess County Legislature pursuant to Resolution No. 204098 established an annual thirty (30) day period in which landowners may submit requests to the County Legislature to include predominantly and viable Agriculture land within an existing Certified Agricultural District, and

WHEREAS, a notice to all owners of viable farmland in Dutchess County was publicized, and

WHEREAS, the requests by property owners for inclusion of their property within an existing Agricultural District were referred to the Agriculture and Farmland Protection Board, and

WHEREAS, the Agriculture and Farmland Protection Board has issued a report containing recommendations as to the requests of individual property owners for inclusion of their property in an existing Agricultural District, and

WHEREAS, the County Legislature is required to adopt or reject the proposed inclusion of land in an existing Agricultural District following a Public Hearing pursuant to Agriculture and Markets Law Section 303-b, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby establishes July 11, 2011, as the date for a Public Hearing pursuant to the recommendations of the Agriculture and Farmland Protection Board at 7:00 o'clock P.M. and that the Clerk of the County Legislature hereby is directed to publish a Notice of Public Hearing in accordance with the provisions of Subdivision 3 of the Section 303-b of the Agriculture and Markets Law and that written notice of the Public Hearing be given directly to those municipalities whose territory encompasses the lands which are proposed to be included in an Agricultural District and a notice shall also be sent to the Commissioner of the New York State Department of Agriculture and Markets. APPROVED

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 16th day of June 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 16th day of June 2011.

Patricia J. Hohmann
PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE
Date June 27, 2011

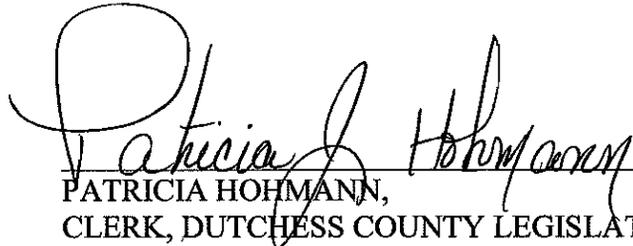
NOTICE TO OWNERS OF VIABLE FARMLAND IN DUTCHESS COUNTY

Pursuant to Section 303-b of the New York State Agriculture and Markets Law Article 25AA the Dutchess County Legislature has designated the period April 15th through May 14th, 2011 during which landowners may request that their land be included in one of Dutchess County's four Agricultural Districts. Applicants must provide information about their property and farm operation, including current tax parcel numbers.

Inclusion in an Agricultural District provides right-to-farm protections for farm businesses, including protection against laws that unreasonably regulate farm operations in agricultural districts, limited protection from private nuisance claims, and notification of property buyers about farming practices prior to purchase of property in agricultural districts.

Applications must be filed with the Dutchess County Soil and Water Conservation District before May 14, 2011. The Agriculture and Farmland Protection Board will review applications and submit a report to the Dutchess County Legislature, which will hold a public hearing and forward any approved applications to the New York State Department of Agriculture and Markets for certification. Only parcels judged to be "predominately viable agricultural land," pursuant to Section 303-b of the New York State Agriculture and Markets Law will be included.

To receive an application, contact the Dutchess County Soil and Water Conservation District at 845-677-8011, ext. 3. Landowners whose parcels are already included in an Agricultural District are not required to respond to this annual inclusion.


PATRICIA HOHMANN,
CLERK, DUTCHESS COUNTY LEGISLATURE

March 8, 2011

Roll call vote on the foregoing Resolution No. 2011150 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

Environment Committee Roll Call

| District | Name | Yes | No |
|---|-------------|--------|----|
| District 8 - City and Town of Poughkeepsie | Rolison* | ✓ | |
| District 19 - Towns of North East, Stanford, Pine Plains, Milan | Cooper* | ✓ | |
| District 6 - Town of Poughkeepsie | Flesland* | ✓ | |
| District 14 - Town of Wappinger | Goldberg* | ✓ | |
| District 7 - Town of Hyde Park | Kuffner* | Absent | |
| 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 16 - Towns of Fishkill, East Fishkill and City of Beacon | MacAvery | ✓ | |
| District 17 - Town and Village of Fishkill | Miccio (C) | ✓ | |
| District 20 - Town of Red Hook | Traudt (VC) | Absent | |
| District 24 - Towns of Dover and Union Vale | Surman | ✓ | |

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

2011150 Establishing a Public Hearing Pursuant to Agriculture and Market Law Section 303-b to Consider Recommendations of the Agriculture and Farmland Protection Board to Consider Requests that Property Owners be Included within Dutchess County Certified Agriculture Districts 20, 21, 22, and 23

Date: 6/14/11

Roll Call Sheets

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

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

2011150 Establishing a Public Hearing Pursuant to Agriculture and Market Law Section 303-b to Consider Recommendations of the Agriculture and Farmland Protection Board to Consider Requests that Property Owners be Included within Dutchess County Certified Agriculture Districts 20, 21, 22, and 23

Date: 6/16/11

RESOLUTION NO. 2011151

RE: ESTABLISHMENT OF A SPECIAL LEGISLATIVE COMMITTEE ON
REAPPORTIONMENT

Legislators ROLISON and COOPER offers the following and moves its adoption:

WHEREAS, upon completion of the 2010 Decennial Census, it will be necessary for this Legislature to enact a plan of reapportionment, and

WHEREAS, the Rules of the Legislature provide for the creation of special legislative committees to review, recommend, and facilitate the implementation of such projects, and

WHEREAS, the County Legislature, by local law subject to permissive referendum, shall reapportion its membership within two years after the publication of each federal decennial census in a manner consistent with constitutionally and legally accepted principles of legislative representation, now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby establish a Special Committee to be known as the Special Legislative Committee on Reapportionment, and, be it further

RESOLVED, that the Special Legislative Committee on Reapportionment be directed to reapportion the County and report said plan to Legislature for final adoption, and, be it further

RESOLVED, that said Committee shall consist of three legislative members to be appointed by the Chairman, and, be it further

RESOLVED, that said Committee shall conduct all meetings in public with special notice of such meetings to the media.

Amended in Government Services & Administration 6/14/11 lw

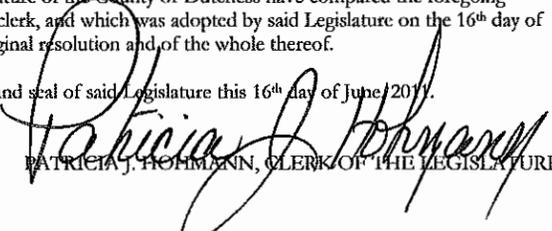
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 16th day of June 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 16th day of June 2011.


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Discussion on the foregoing Resolution No. 2011151 resulted as follows:

Legislator MacAvery moved to amend the 3rd RESOLVED to foregoing Resolution as follows:

Resolved, that the committee shall consist of four legislative members two members are to be appointed by the majority caucus and two members are to be appointed by the minority caucus and one citizen member selected by the majority caucus and one citizen member selected by the minority caucus

duly seconded by Legislator Goldberg.

Roll call vote on the foregoing motion resulted as follows:

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

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

ABSENT: 0

Amendment defeated.

Legislator MacAvery moved to amend the last RESOLVED to foregoing Resolution as follows:

RESOLVED, that said committee shall conduct public meetings within the County including the Cities of Poughkeepsie and Beacon or towns nearby those said locations at 7pm in the evening and, be it further

RESOLVED, that Clerk of the Legislature shall cause notice of said public meeting to be published in the two official newspapers at least five days between the first publication of such notice and the date specified for the public meeting on reapportionment

duly seconded by Legislator Goldberg.

Roll call vote on the foregoing motion resulted as follows:

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

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

ABSENT: 0

Amendment defeated.

Roll call vote on the foregoing Resolution No. 2011151 resulted as follows:

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

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

ABSENT: 0

Resolution adopted.

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

Amended

151

Government Services and Administration Roll Call

| District | Name | Yes | No |
|---|-------------|----------|----|
| District 8 - City and Town of Poughkeepsie | Rollison* | ✓ | |
| District 19 - Towns of North East, Stanford, Pine Plains, Milan | Cooper* | ✓ | |
| District 6 - Town of Poughkeepsie | Flesland* | ✓ | |
| District 14 - Town of Wappinger | Goldberg* | | |
| District 7 - Town of Hyde Park | Kuffner* | Absent ✓ | |
| District 9 - City of Poughkeepsie | White | | ✓ |
| District 12 - Town of East Fishkill | Weiss (C) | ✓ | |
| District 15 - Towns of Poughkeepsie and Wappinger | Incoronato | ✓ | |
| District 16 - Towns of Fishkill, East Fishkill and City of Beacon | MacAvery | | ✓ |
| District 17 - Town and Village of Fishkill | Miccio | ✓ | |
| District 18 - City of Beacon | Forman (VC) | ✓ | |
| District 25 - Amenia, Stanford, Washington, Pleasant Valley | Kelsey | ✓ | |

Present: 11
 Absent: 1
 Vacant: 0

Resolution: X
 Motion: —

Total : 8 3
 Abstentions: 0 Yes No

2011151 Establishment of a Special Committee on Reapportionment

Date: 6/14/11

Government Services and Administration Roll Call

| District | Name | Yes | No |
|---|-------------|-----------------|----------------|
| District 8 - City and Town of Poughkeepsie | Rolison* | | ✓ |
| District 19 - Towns of North East, Stanford, Pine Plains, Milan | Cooper* | | ✓ |
| District 6 - Town of Poughkeepsie | Fiesland* | | ✓ |
| District 14 - Town of Wappinger | Goldberg* | ✓ | |
| District 7 - Town of Hyde Park | Kuffner* | Absent | |
| District 9 - City of Poughkeepsie | White | ✓ | |
| District 12 - Town of East Fishkill | Weiss (C) | | ✓ |
| District 15 - Towns of Poughkeepsie and Wappinger | Incoronato | | ✓ |
| District 16 - Towns of Fishkill, East Fishkill and City of Beacon | MacAvery | ✓ | |
| District 17 - Town and Village of Fishkill | Miccio | | ✓ |
| District 18 - City of Beacon | Forman (VC) | | ✓ |
| District 25 - Amenia, Stanford, Washington, Pleasant Valley | Kelsey | 3 ^{DP} | 1 ⁸ |

Present: 11
 Absent: 1
 Vacant: 0

Resolution:
 Motion: X

Total : 3 1
 Yes No
 Abstentions:

Debate

MacAvery, Goldberg

Amendment - all Members -

- 2 - Majority Caucus
- 2 - Minority Caucus

6-14-11
 2011151

Government Services and Administration Roll Call

| District | Name | Yes | No |
|---|-------------|--------|----|
| District 8 - City and Town of Poughkeepsie | Rolison* | | ✓ |
| District 19 - Towns of North East, Stanford, Pine Plains, Milan | Cooper* | | ✓ |
| District 6 - Town of Poughkeepsie | Flesland* | | ✓ |
| District 14 - Town of Wappinger | Goldberg* | ✓ | |
| District 7 - Town of Hyde Park | Kuffner* | Absent | |
| District 9 - City of Poughkeepsie | White | | ✓ |
| District 12 - Town of East Fishkill | Weiss (C) | | ✓ |
| District 15 - Towns of Poughkeepsie and Wappinger | Incoronato | | ✓ |
| District 16 - Towns of Fishkill, East Fishkill and City of Beacon | MacAvery | ✓ | |
| District 17 - Town and Village of Fishkill | Miccio | | ✓ |
| District 18 - City of Beacon | Forman (VC) | | ✓ |
| District 25 - Amenia, Stanford, Washington, Pleasant Valley | Kelsey | | ✓ |

Present: 11 Resolution: Total: 2 9
 Absent: 1 Motion: X Yes No
 Vacant: 0 Abstentions: 0

Defeated

Amendment - McAvery, Goldberg

*conduct all meetings in public
 "during evening-hours" with special
 Notice...*

6-14-11

Res. # 201151

Roll Call Sheets

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

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

Amendment -
 4 leg. members - Mc Avey - Goldberg
 2 - members appointed by the Majority Caucus; 2 members by
 one citizen by Majority ^{caucus} and one citizen
 by Minority Caucus

201151
 6-16-11

Roll Call Sheets

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

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

DeFeild

*McAvery, Goldberg
 Resolved - City of Poughkeepsie, Beacon or towns in
 close proximity to these cities to be
 held at 7pm
 2011151
 6-16-11
 Check of Leg. cause notice of said p. meeting*

Roll Call Sheets

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

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

2011151 Establishment of a Special Committee on Reapportionment

Date: 6/16/11

RESOLUTION NO. 2011152

RE: Requiring All Contract Agencies to Have Bedbug Prevention and Remediation Policies

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

WHEREAS, nationally and locally the prevalence of bedbug infestations have been rising including a 76 percent increase in Dutchess County from 2009 to 2010;
and

WHEREAS, bedbugs are small, flat, brown, wingless, parasitic insects known as "vampires" for their nocturnal sucking of human blood leaving red, itchy welts or small bumps on the skin, and as "hitchhikers" for their tendency to travel from place-to-place by crawling into human clothing or suitcases,

WHEREAS, Dutchess County Department of Health does not monitor bedbug infestations because they do not transmit disease, but once an area is infected it can take years to completely be rid of bedbugs and the infestation can easily spread from location to location in furniture, luggage and on persons causing property damage and serving as a public nuisance, and

WHEREAS, areas of public lodging for short or extended stays including motels and hotels, dormitories, shelters and apartments are most susceptible to bedbug infestations due to close-quarters, and the transiency of its occupants, which can then spread to subsequent locations, and

WHEREAS, clear and thoughtful advance preventative steps and quick remediation guided by self-policing can easily help reduce the risk of infestation, and the formulation of such policies is not overly cumbersome, and

WHEREAS, requiring policies as a condition precedent before receiving county expenditures is within the spending and appropriation power of the County Legislature, and

WHEREAS, it is the Legislature's hope that all places of public dwelling within the County including privately-funded hotels and motels will voluntarily adopt their own policies on prevention and remediation of bedbugs for the good of the general public, now therefore, be it

RESOLVED, all contract agencies must have in existence appropriate policies on bedbug prevention and remediation as a condition precedent to entering into a contract with the County for funding for beds (mental hygiene, social services, homeless shelters, domestic violence, etc.), and be it further

RESOLVED, that Dutchess Community College shall also be expected to adopt appropriate policies on prevention and remediation for bedbugs with respect to dormitories.

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 16th day of June 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 16th day of June 2011.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

The foregoing Resolution No. 2011152 was tabled in Family & Human Services Committee on June 14, 2011.

Tabled & Refer 152

Family and Human Services Committee Roll Call

| <i>District</i> | <i>Name</i> | <i>Yes</i> | <i>No</i> |
|--|---------------|------------|-----------|
| District 8 - City and Town of Poughkeepsie | Rolison* | | |
| District 19 - Towns of North East, Stanford, Pine Plains, Milan | Cooper* | | |
| District 6 - Town of Poughkeepsie | Fiesland* | | |
| District 14 - Town of Wappinger | Goldberg* | | |
| District 7 - Town of Hyde Park | Kuffner* | | |
| District 2 - Towns of Pleasant Valley and Poughkeepsie | Horn (C) | | |
| District 9 - City of Poughkeepsie | White | | |
| District 10 - City of Poughkeepsie | Jeter-Jackson | | |
| District 13 - Towns of LaGrange, Union Vale, and Wappinger | Bolner | | |
| District 21 - Town of East Fishkill | Horton | | |
| District 23 - Town/Village of Pawling, Beekman and East Fishkill | Thomes | | |
| District 25 - Amenia, Stanford, Washington, Pleasant Valley | Kelsey (VC) | | |

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

2011152 Requiring All Contract Agencies to Have Bedbug Prevention and Remediation Policies

Date: 6/14/11

RESOLUTION NO. 2011153

RE: REQUESTING THE DEPARTMENT OF PLANNING AND DEVELOPMENT TO HOLD A PUBLIC HEARING ON THE DISTRIBUTION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

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

WHEREAS, every year Dutchess County receives considerable funding from the federal government from Community Development Block Grants, and

WHEREAS, many Dutchess County residents have expressed concerns about how Community Development Block Grants have been distributed, and

WHEREAS, the Dutchess County Legislature exercises no monopoly on wisdom in Dutchess County; we would do well to do what we can to get as much input as possible from tens of thousands of taxpayers across our county regarding the distribution of Community Development Block Grant funds, and

WHEREAS, any opportunity to get new ideas and suggestions from local taxpayers on an issue like this should be pursued, and therefore be it

RESOLVED, that the Dutchess County Legislature requests that our county's Department of Planning and Development hold a special, well-publicized public hearing on the distribution of Community Development Block Grant funds to various municipalities before those monies are to be disbursed, and be it further

RESOLVED, that a copy of this resolution be sent to our County Executive and our county's Department of Planning and Development.

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 16th day of June 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 16th day of June 2011.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE



Dutchess County
Department of
Planning and
Development

Dutchess

William R. Steinhaus
County Executive

Kealy Salomon
Commissioner

Ein Wrafter
Assistant Commissioner

27 High Street
Poughkeepsie

New York 12601
(845)486-3600

Fax(845)486-3610

E-mail:plandev@co.dutchess.ny.us

To: Members of the Dutchess County Legislature

From: Kealy Salomon, Commissioner of Planning & Development *KS*

Re: *Resolution No. 2011153*

Date: June 13, 2011

I am unable to be present at the Environment Committee meeting, but I have reviewed Resolution 2011153 requesting the Planning Department to hold a public hearing on the distribution of Community Development funds. In fact, the 2011 CDBG projects have been the subject of several public hearing opportunities during the past 11 months. The following describes the public comment process in place, both locally and at the County level, for the 2011 (and previous) program years.

- July 13, 2010: CDBG and HOME Program applications were released to municipal officials, human service agencies, developers and other interested parties. The applications were also available on the Dutchess County website. Applications were due back October 1, 2010.
- To be in accordance with federal regulations, any of the 26 eligible municipalities who apply for funds must hold a public hearing to discuss the intended use of Community Development funds. A copy of the public notice, the meeting minutes and the resolution must be submitted with the municipal application to be considered eligible for possible funding.
- September 2, 2010: Planning Department staff held a public meeting to review the federal eligibility requirements, application and funding processes. Notice of this meeting was published in the *Poughkeepsie Journal* and the *Hudson Valley Black Press*. Representatives from several municipalities, various non-profit agencies, a private engineering firm, and interested citizens attended. Minutes of the meeting were included in the 2011 Action Plan.

- December 8, 2010: A notice was issued to municipal officials, human service agencies, developers and interested parties with the 2011 Consolidated Plan-Draft Action Plan listing the proposed projects for the 2011 CDBG and HOME Programs. The notice included the public hearing date (December 16, 2010) and the comment period deadline (January 6, 2011).

The notice was published in the *Poughkeepsie Journal* and the *Hudson Valley Black Press*. The notice stated that the documents would be available for review by the public for a 30-day period beginning December 8 and ending January 6, 2011. The documents were also available at the Planning Department and on the County's home page.

- December 16, 2010: Municipal and non-profit agency representatives attended the public hearing. One municipality submitted written comments. Minutes of the meeting and the written comments were included in the 2011 Action Plan. The comments and suggestions submitted as part of the public review process were taken into consideration and included, as appropriate, in the final Plan that was forwarded to HUD on January 10, 2011.

The final Action Plan is available on the Dutchess County website: [Planning and Development: Divisions: Community Development & Housing: Consolidated Plan \(2008-2012\) and Action Plan \(2011\)](#)

As you can see, the federally-funded CDBG and HOME Programs have a substantial public outreach process already in place for each annual cycle. The public hearing notices are published in the local newspapers, distributed to a wide number of interested agencies and individuals, and made available on the County website and in the Department office.

KS:BD/mm

C: Patricia Hohmann, Clerk of the Legislature
Michael Ellison, Assistant to the Chairman

The foregoing Resolution No. 2011153 was pulled by the sponsor on June 14, 2011.

*Pulled 153
by Sponsor*

Environment Committee Roll Call

| <i>District</i> | <i>Name</i> | <i>Yes</i> | <i>No</i> |
|---|-------------|------------|-----------|
| District 8 - City and Town of Poughkeepsie | Rolison* | | |
| District 19 - Towns of North East, Stanford, Pine Plains, Milan | Cooper* | | |
| District 6 - Town of Poughkeepsie | Flesland* | | |
| District 14 - Town of Wappinger | Goldberg* | | |
| District 7 - Town of Hyde Park | Kuffner* | | |
| District 11 - Towns of Rhinebeck and Clinton | Tyner | | |
| District 12 - Town of East Fishkill | Weiss | | |
| District 13 - Towns of LaGrange, Union Vale, and Wappinger | Bolner | | |
| District 16 - Towns of Fishkill, East Fishkill and City of Beacon | MacAvery | | |
| District 17 - Town and Village of Fishkill | Miccio (C) | | |
| District 20 - Town of Red Hook | Traudt (VC) | | |
| District 24 - Towns of Dover and Union Vale | Surman | | |

Present: _____
Absent: _____
Vacant: _____

Resolution: _____
Motion: _____

Total : _____
Yes _____ No _____
Abstentions: _____

2011153 Requesting the Department of Planning and Development to Hold a Public Hearing on the Distribution of Community Development Block Grant Funds

Date: 6/14/11

RESOLUTION NO. 2011154

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

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

WHEREAS, the Legislature funded four months of rent expense in the 2011 Adopted County Budget, for 170 Washington Street with the intention of the Administration acquiring the building in early 2011; and

WHEREAS, the purchase was not implemented by the Administration in a timely manner and the Legislature, by Resolution 2011078, appropriated an additional month's rent and requested the County Executive to deliver an appropriate bond resolution to authorize funding to purchase the property; and

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

WHEREAS, the County Executive demonstrated the fiscal prudence of purchasing the building based upon the potential savings to the County of \$3.6 million over the next 25 years; and

WHEREAS, in adopting the 2011 Budget the County Legislature established a policy of acquiring the building, which the County Executive has failed to do by unnecessarily linking the acquisition of the building for continued County record storage to a bond to construct a new Medical Examiner's office, which is a policy the Legislature has not yet established; and

WHEREAS, funding for rent, taxes, insurance and lease allowance for minor repairs of this property has been depleted and an additional funding is necessary; and

WHEREAS, it is necessary to amend the 2011 Adopted County Budget to provide funds to meet these expenses for an additional two months; now therefore, be it

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

APPROPRIATIONS

Increase

| | | |
|----------------|----------------------------|----------|
| A.1620.4571.63 | Rental/Lease-Real Property | \$23,926 |
|----------------|----------------------------|----------|

Decrease

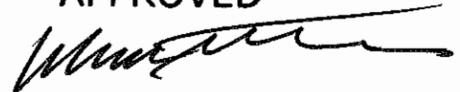
| | | |
|-------------|---------------------|----------|
| A.1990.4007 | General Contingency | \$23,926 |
|-------------|---------------------|----------|

: and be if further

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

Fiscal Impact: See attached statement

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date June 27, 2011

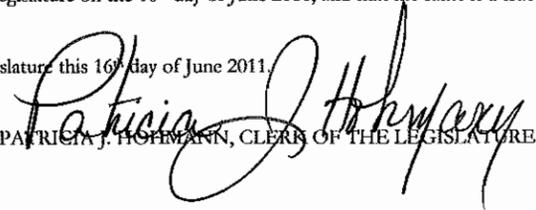
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 16th day of June 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 16th day of June 2011.


PATRICIA J. HOFFMANN, CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2011154 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

Public Works and Capital Projects Roll Call

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

Present: 11
 Absent: 1
 Vacant: 0

Resolution: X
 Motion:

Total: 11 0
 Yes No
 Abstentions: 0

2011154 Amending the 2011 Adopted County Budget as it Pertains to the Department of Public Works (A.1620)

Date: 6/14/11

Roll Call Sheets

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

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

2011154 Amending the 2011 Adopted County Budget as it Pertains to the Department of Public Works (A.1620)

Date: 6/16/11

RESOLUTION NO. 2011155

RE: SETTING LOOP BUS FARES FOR DIAL-A-RIDE

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

WHEREAS, Dutchess County Mass Transit operated both Dial-A-Ride, which is sponsored by various towns and the Dutchess County office for the Aging, and Paratransit (Demand Response), which is sponsored by Dutchess County, and which is now to be known as Flex Service; and

WHEREAS, New York State Transit Operating Assistance (NYSTOA) regulations require passengers using such services pay a fare and the Dial-A-Ride fare is now discretionary; and

WHEREAS, to be eligible for NYSTOA for LOOP operations, Dutchess County must establish a mandatory fare structure; and

WHEREAS, Dutchess County Legislature is considering and recommending a fare for Veterans and Active Military for the LOOP Bus System, effective September 1, 2011:

| LOOP Fare Category | Current Fare | Proposed Fare |
|------------------------------|--------------|-----------------|
| Veterans/ Active Military | \$N/A | \$0.75 per zone |

: and

WHEREAS, Dutchess County Legislature is considering and recommending a fare for Veterans and Active Military for the LOOP Bus, Dial-A-Ride System, effective September 1, 2011:

| Dial-A-Ride Fare Category | Current Fare | Proposed Fare |
|------------------------------|--------------|----------------|
| Veterans/Active Military | \$N/A | \$1.00 one way |

: and

WHEREAS, procedures established in accordance with U.S. Department of

Transportation Regulations require a Public Hearing be held before any fare changes for LOOP bus service are implemented; and

WHEREAS, on June 20, 2011, this Legislature conducted a Public Hearing to receive public comments on a proposed change in LOOP bus fares and LOOP bus fares for Dial-A-Ride to be effective September 1, 2011, by adding a new category for "Veterans/Active Military"; now therefore, be it

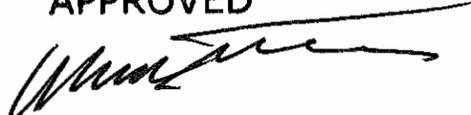
RESOLVED, effective September 1, 2011 bus fares for a new rider category for "Veterans/Active Military" for LOOP bus fares and for Dial-A- Ride shall be as set forth as follows:

| LOOP Fare Category | Current Fare | Proposed Fare |
|------------------------------|--------------|-----------------|
| Veterans/Active Military | \$ N/A | \$0.75 per zone |
| Dial-A-Ride Fare Category | Current Fare | Proposed Fare |
| Veterans/Active Military | \$ N/A | \$1.00 one way |

; and, be it further

RESOLVED, the Dutchess County Department of Planning & Development shall cause such fare structure to be implemented effective September 1, 2011.

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

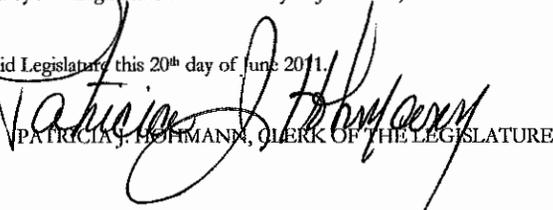
Date June 27, 2011

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 20th day of June 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 20th day of June 2011.


PATRICIA J. HOFFMANN, CLERK OF THE LEGISLATURE

The foregoing Resolution No. 2011155 was adopted by the Public Works and Capital Projects Committee on June 14, 2011 and then considered at the June 20, 2011 Board Meeting. Discussion at that time resulted as follows:

Discussion on the foregoing Resolution No. 2011155 resulted as follows:

Legislator Kuffner stated that he would like to state for the record that this is a new category for Veterans/Active Military.

Chairman Rolison stated that this was correct.

Roll call vote on the foregoing Resolution No. 2011155 resulted as follows:

AYES: 15 Flesland, Forman, Goldberg, Horn, Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, Kuffner, Rolison, Surman, Thomes, Traudt, Weiss.

NAYS: 0

ABSENT: 10 Bolner, Borchert, Cooper, Doxsey, MacAvery, Miccio, Roman, Sadowksi, Tyner, White.

Resolution adopted.

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

Public Works and Capital Projects Roll Call

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

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

2011155 Setting Loop Bus Fares for Dial-A-Ride

Date: 6/14/11

Roll Call Sheets

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

Present: 15
 Absent: 10
 Vacant: 0

Resolution: ✓
 Motion:

Total: 15 0
 Yes No
 Abstentions: 0

2011155 SETTING LOOP BUS FARES FOR DIAL-A-RIDE

6/20/11

RESOLUTION NO. 2011156

RE: APPOINTMENT TO THE DUTCHESS COUNTY ENVIRONMENTAL
MANAGEMENT COUNCIL

LEGISLATORS BOLNER, COOPER, FLESLAND, GOLDBERG, KUFFNER,
ROLISON, MACAVERY, TRAUDT, KELSEY, and HUTCHINGS offer the following and
move its adoption:

WHEREAS, a vacancy exist on the Dutchess County Environmental Management
Council due to the resignation of Larry Steele; and

WHEREAS, Paul F. Quinn has expressed a desire to be appointed to the Dutchess
County Environmental Management Council; and be it

RESOLVED, that the Dutchess County Legislature does hereby appoint the following
member of the Dutchess County Environmental Management Council for a two-year term
commencing July 1, 2011, and expiring on the 30th day of June 2013;

REAPPOINTMENT

Paul F. Quinn
Commander, U.S. Navy (Retired)
99 Sunset Hill Road
Pleasant Valley, NY 12569

TERM ENDING

June 30, 2013

APPROVED


WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

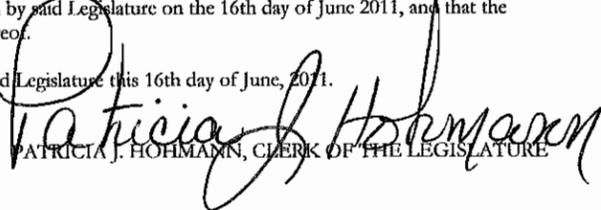
Date June 27, 2011

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with
the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 16th day of June 2011, and that the
same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 16th day of June, 2011.


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2011156 resulted as follows:

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

NAYS: 1 Tyner.

ABSENT: 0

Resolution adopted.

Roll Call Sheets

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

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

2011156 APPOINTMENT TO THE DUTCHESS COUNTY ENVIRONMENTAL
MANAGEMENT COUNCIL

Date: 6/16/11

RESOLUTION NO. 2011157

RE: AUTHORIZING PAYMENT OF 2010 UNENCUMBERED INVOICE FROM 2011 FUNDS FOR PAYMENT OF 2010 DUTCHESS COUNTY RESOURCE RECOVERY AGENCY NET SERVICE FEE

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

WHEREAS, the submission of invoices following the close of 2010 budget year has shown that there are outstanding payment invoices for the Dutchess County Resource Recovery Agency, in the sum of \$817,509 for Net Service Fees from October - December 2010 per solid waste disposal agreement and July - December 2010 per recyclables processing agreement; and

WHEREAS, said charges were proper except that appropriations were not made before the end of the close out date for submission for 2010; and

WHEREAS, the charges reflected by said invoices remain unpaid; and

WHEREAS, payment for the Net Services fee 2010 and 2011 were appropriated in the 2011 budget since payment for a portion of 2010 was not due until 2011; 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 any moneys legally available to be used for such purposes (Opinion 69-686); now, therefore be it

RESOLVED, that payment from 2011 funds is hereby approved from the following accounts in the amounts indicated:

| <u>Line Item No.</u> | <u>Amount</u> |
|---------------------------|---------------|
| A.8160.4621 - Service Fee | \$817,509 |

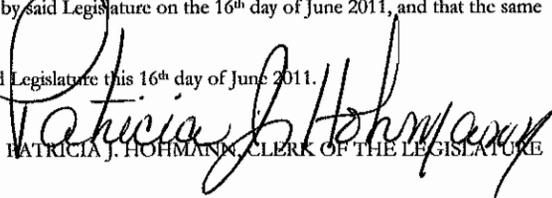
Fiscal Impact: None. Reduction of 2011 appropriations in amounts indicated.

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 16th day of June 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 16th day of June 2011.


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE



HUDSON VALLEY CPAs

Navigating Your Success

*Background
2011/5/7*

Partners
*James L. Sedore, Jr., CPA
Mark S. O'Sullivan, CPA
James F. Letterio, Jr., CPA
Linda M. Hannigan, CPA
Karen T. Hansen, CPA
Jeffrey L. Boorn, CPA
Charles R. Rae, Jr., CPA*

June 9, 2011

William Calogero, Executive Director
Dutchess County Resource Recovery Agency, Inc.
96 Sand Dock Road
Poughkeepsie, New York 12601

Re: Resource Recovery Facility
Net Service Fee Calculation
October 2010 - March 2011

Dear Mr. Calogero:

Pursuant to our agreement, we have inspected the above calculation as prepared by Agency staff. The Agency's management is responsible for the calculation of the net service fee. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of the parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

We have verified the three months ended December 31, 2010 and the three months ended March 31, 2011 revenues and expenses for the Resource Recovery Facility. This verification consisted of tracing amounts used in the calculation to the Agency's October through December 2010 and January through March 2011 trial balances and certain reconciliations to year-to-date amounts.

We concur with the calculation based on the information provided to us resulting in a net balance due from Dutchess County in the amount of \$1,851,067. This balance due includes the net processing fee due the Agency for the six months ended December 31, 2010 of \$40,133 and the net service fee due to the Agency for the six months ended March 31, 2011 in the amount of \$1,810,934. The net balance also includes the outstanding net service fee due from Dutchess County for 2010 amounting to \$817,509.

We were not engaged to, and did not perform an examination, the objective of which would be the expression of an opinion on the Resource Recovery Facility Net Service Fee calculation. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

Poughkeepsie Office

2678 South Road | Suite 101 | Poughkeepsie, New York 12601

Tel: (845) 485-5510 | Fax: (845) 485-5547 | Email: info@sedoreco.com | Web: www.sedoreco.com

POUGHKEEPSIE • PORT JERVIS • FISHKILL

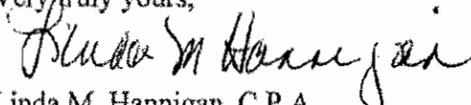
William Calogero, Executive Director

June 9, 2011

Page 2

This report is intended solely for the use the information and use of the Dutchess County Resource Recovery Agency and Dutchess County and is not intended to be and should not be used by anyone other than those specified parties.

Very truly yours,



Linda M. Hannigan, C.P.A.

Shareholder

LMH/rcs

cc: Edward Mills, Chairman

Net Service Fee Payments – 1995 - 2010

The following chart illustrates how net service fees budgeted/allocated were used to fund various years. Funds for selected years were encumbered and made available for the following year's billings. In some cases allocations were used to fund multiple years.

| Date Paid | Budget Year | Service Fee Payments | June | December | Total Annual - Net Service Fees |
|-----------|-------------|----------------------|-----------------|-----------------|---------------------------------|
| 06/14/95 | 1995 | \$ 705,459.00 | \$ 705,459.00 | | |
| 12/20/95 | 1995 | \$ 1,530,325.00 | | \$ 1,530,325.00 | \$2,235,784.00 |
| 06/28/96 | 1996 | \$ 2,050,394.00 | \$ 2,050,394.00 | | |
| 12/24/96 | 1996 | \$ 1,597,664.00 | | \$ 1,597,664.00 | \$3,648,058.00 |
| 06/27/97 | 1997 | \$ 1,486,479.00 | \$ 1,486,479.00 | | |
| 12/26/97 | 1997 | \$ 1,233,736.00 | | \$ 1,233,736.00 | \$2,720,215.00 |
| 06/18/98 | 1997 | \$ 732,000.00 | | | |
| 06/18/98 | 1998 | \$ 550,056.00 | \$ 1,282,056.00 | | |
| 12/23/98 | 1998 | \$ 876,973.00 | | \$ 876,973.00 | \$2,159,029.00 |
| 06/28/99 | 1998 | \$ 72,971.00 | | | |
| 06/28/99 | 1999 | \$ 14,466.00 | \$ 87,437.00 | | |
| 12/28/99 | 1999 | \$ 377,553.00 | | \$ 377,553.00 | \$464,990.00 |
| 06/21/00 | 1999 | \$ 202,123.00 | \$ 202,123.00 | | |
| 12/22/00 | 2000 | \$ 231,575.00 | | \$ 231,575.00 | \$433,698.00 |
| 06/11/01 | 2000 | \$ 112,457.00 | \$ 112,457.00 | | |
| 12/18/01 | 2001 | \$ 645,927.00 | | \$ 645,927.00 | \$758,384.00 |
| 06/24/02 | 2001 | \$ 54,073.00 | | | |
| 06/24/02 | 2001 | \$ 150,000.00 | | | |
| 06/24/02 | 2002 | \$ 334,427.00 | \$ 538,500.00 | | |
| 12/26/02 | 2000 | \$ 160,981.00 | | | |
| 12/31/02 | 2002 | \$ 890,573.00 | | \$ 1,051,554.00 | \$1,590,054.00 |
| 06/24/03 | 2000 | \$ 157,343.00 | | | |
| 06/24/03 | 2003 | \$ 573,186.00 | \$ 730,529.00 | | |
| 12/18/03 | 2003 | \$ 707,236.00 | | \$ 707,236.00 | \$1,437,765.00 |
| 06/18/04 | 2000 | \$ 157,444.00 | | | |
| 06/18/04 | 2003 | \$ 597,874.00 | | | |
| 06/18/04 | 2004 | \$ 100,596.00 | \$ 855,914.00 | | |
| 12/21/04 | 2004 | \$ 972,729.00 | | \$ 972,729.00 | \$1,828,643.00 |
| 06/17/05 | 2005 | \$ 548,823.00 | \$ 548,823.00 | | |
| 12/23/05 | 2005 | \$ 741,136.00 | | \$ 741,136.00 | \$1,289,959.00 |
| 06/22/06 | 2005 | \$ 710,724.00 | \$ 710,724.00 | | |
| 12/18/06 | 2006 | \$ 1,167,271.00 | | \$ 1,167,271.00 | \$1,877,995.00 |
| 06/22/07 | 2006 | \$ 837,176.00 | \$ 837,176.00 | | |

| | | | | | |
|----------|--------|------------------|------------------|------------------|------------------|
| 12/11/07 | 2007 | \$ 1,688,160.00 | | \$ 1,688,160.00 | \$2,525,336.00 |
| 06/27/08 | 2007 | \$ 1,257,550.00 | \$ 1,257,550.00 | | |
| 11/28/08 | 2008 | \$ 2,520,927.00 | | \$ 2,520,927.00 | \$3,778,477.00 |
| 07/03/09 | 2008 | \$ 1,114,710.00 | \$ 1,114,710.00 | | |
| 12/04/09 | 2009 | \$ 2,401,874.00 | | \$ 2,401,874.00 | \$3,516,584.00 |
| 06/04/10 | 2009 | \$ 2,517,610.00 | \$ 2,517,610.00 | | \$2,517,610.00 |
| | Totals | \$ 32,782,581.00 | \$ 15,037,941.00 | \$ 17,744,640.00 | \$ 32,782,581.00 |

Liquidated Funds

In addition to expensing excess budget funds in subsequent years, funds were also liquidated. In fact, as shown below, 2009 budgeted funds totaling \$1,411,124 were liquidated.

| | Modified Budget for Net Service Fees | Liquidated funds |
|------|--|---------------------|
| 1995 | \$2,235,784 | |
| 1996 | \$3,648,058 | |
| 1997 | \$3,452,215 | |
| 1998 | \$1,500,000 | |
| 1999 | \$858,000 | \$263,858 |
| 2000 | \$850,000 | |
| 2001 | \$850,000 | |
| 2002 | \$1,225,000 | |
| 2003 | \$1,878,296 | |
| 2004 | \$1,878,296 | \$804,971 |
| 2005 | \$2,254,000 | \$251,379 |
| 2006 | \$4,100,000 | \$2,095,553 |
| 2007 | \$4,045,794 | \$1,100,084 |
| 2008 | \$5,005,363 | \$1,369,726 |
| 2009 | \$6,330,608 | \$1,411,124 |
| 2010 | \$0 | \$0 |
| | | <u>\$7,296,695</u> |

Roll call vote on the foregoing Resolution No. 2011157 resulted as follows:

AYES: 23 Bolner, Borchert, Cooper, Flesland, Forman, Goldberg, Horn,
Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, MacAvery, Miccio,
Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Tyner, Weiss, White.

NAYS: 2 Doxsey, Tyner.

ABSENT: 0

Resolution adopted.

Budget, Finance, and Personnel Committee Roll Call

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

| | | | | | | |
|----------|-----------|-------------|-------------|--------------|-----------|----------|
| Present: | <u>12</u> | Resolution: | <u>X</u> | Total : | <u>11</u> | <u>1</u> |
| Absent: | <u>0</u> | Motion: | <u> </u> | | Yes | No |
| Vacant: | <u>0</u> | | | Abstentions: | <u>0</u> | |

2011157

AUTHORIZING PAYMENT OF 2010 UNENCUMBERED INVOICE FROM 2011 FUNDS FOR PAYMENT OF 2010 DUTCHESS COUNTY RESOURCE RECOVERY AGENCY NET SERVICE FEE

6/16/11

Roll Call Sheets

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

Present: _____
 Absent: _____
 Vacant: _____

Resolution: _____
 Motion: _____

Total : 23 2
 Yes No
 Abstentions: _____

2011157

**AUTHORIZING PAYMENT OF 2010 UNENCUMBERED INVOICE
 FROM 2011 FUNDS FOR PAYMENT OF 2010 DUTCHESS COUNTY
 RESOURCE RECOVERY AGENCY NET SERVICE FEE**

6/16/11

RE: Proclaiming July 2011 as Dutchess Watershed Awareness Month

WHEREAS, water quantity and quality are basic ingredients to the health and quality of life in Dutchess County, and many residents get their drinking water from private wells and rely on private septic systems, and

WHEREAS, water exists in watersheds that extend beyond municipal boundaries, and Dutchess County's municipalities are working together to protect water resources, and

WHEREAS, there is a need to educate all members of the community about how watersheds contribute to the health and quality of life in Dutchess County, the recreational activities they provide, and how daily actions of residents can affect the quantity and quality of water in the watershed, and

WHEREAS, dutchess County has a new interactive website that provides information on all four of its major watersheds, and includes maps created with Dutchess County's new GIS data, called www.dutchesswatersheds.org, and

WHEREAS, municipal and volunteer watershed groups are working throughout the County to maintain and improve water quantity and quality in all of our watersheds, and

WHEREAS, these various watershed groups have collaborated to organize over 40 events throughout the county that are mostly free and family-friendly to increase awareness of the need to protect water resources, with information on events being provided at www.dutchesswam.com, and

WHEREAS, Dutchess County is a leader in watershed protection, and in organizing a Watershed Awareness Month on this scale and breadth of activities, now, therefore be it

RESOLVED, that the Dutchess County Legislature proudly proclaims the month of July 2011 as Dutchess Watershed Awareness Month and encourages all municipal officials, citizens and visitors to participate in the scheduled events to learn more about watersheds: how they contribute to health and the quality of life, the recreational activities they provide, and how daily actions can affect the quantity and quality of water in watersheds. The Dutchess County Legislature also commends the Dutchess Watershed Coalition including Cornell Cooperative Extension Dutchess County, Clearwater, Vassar College, and representatives from the many watershed organizations, partnering organizations and local sponsors for their collaborative efforts, involving numerous volunteer hours, to organize Dutchess Watershed Awareness Month.

Resolution No. 2011158

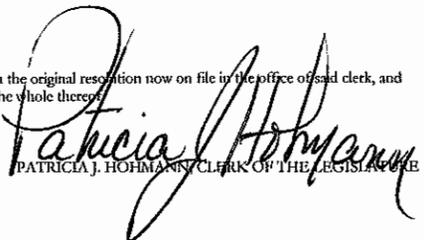
STATE OF NEW YORK

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 16th day of June 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 16th day of June 2011.


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Resolution No. 2011158 entitled, Proclamation: Proclaiming July 2011 as Dutchess Watershed Awareness Month was unanimously adopted.

RESOLUTION NO. 2011159

RE: LOCAL LAW NO. OF 2011, CAMPAIGN FINANCE LAW

Legislators TYNER, DOXSEY, MacAVERY, KUFFNER, and GOLDBERG offer the following and move its adoption:

RESOLVED, that this Legislature of the County of Dutchess adopt Local Law No. of 2011, which has been submitted this day for consideration by said Legislature.

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

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

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

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

LOCAL LAW NO. OF 2011

RE: CAMPAIGN FINANCE LAW

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

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

SECTION 1. DEFINITIONS.

CANDIDATE -- Any person seeking election to any county position, as defined by the New York State Election Law, within the County of Dutchess, including any political committee formed for the sole purpose of electing one or more candidates, as defined herein.

DONATION -- The transfer, to a candidate, of any tangible or intangible property, including but not limited to cash, check, money order, ticket or admission to social, artistic or sporting event, use of office space, equipment or postage, whether temporary or permanent, and any other real or personal property for the purpose of obtaining election to any position as defined in Section 1 of this chapter.

ELECTION -- The calendar year in which any primary, general or special election takes place.

INDIVIDUAL, CORPORATION, OR OTHER ENTITY DOING BUSINESS WITH THE COUNTY -- Includes those individuals or organizations appearing on the county's vendors list; or those who are acting as contractor or supplier for which role they are paid county funds. However, this definition shall specifically exclude unions, individual employees and their immediate family who are not beneficial owners of more than 10% of a corporation or other entity doing business with the county, employees of local governments and individual members of any union, if employment or membership is their only business relationship with the county.

SPEND -- Transfer any tangible or intangible property, including but not limited to cash, check, money order, ticket or admission to social, artistic or sporting event, use of office space, equipment or postage, whether temporary or permanent, or any other real or personal property for the purpose of obtaining election to any position, as defined in Section 1 of this chapter.

SECTION 2. PROHIBITED ACTS.

A. Donations

1) No individual, corporation, or other entity doing business with the County of Dutchess shall make a donation, in the aggregate, of more than \$100 to any candidate during any primary, special or general election campaign.

2) No candidate shall knowingly accept any such donation in excess of \$100.

SECTION 3. VENDOR'S LIST

A. The County Executive shall, on a quarterly basis, direct the Dutchess County Director of Purchasing to compile a list of names, based on the county's records, listing those individuals, corporations or other entities doing business with the County of Dutchess, as defined in Section 1 of this chapter. This list shall be available for public viewing in the office of the Dutchess County Board of Elections and be easily accessible on the Dutchess County website

SECTION 4. PENALTIES FOR OFFENSES

Violation of this chapter shall be punishable, for the first offense, by a fine of not less than \$250 or three times the amount illegally contributed, whichever is greater, and each subsequent violation shall be punishable by a fine not less than \$500 or four times the amount illegally contributed, whichever is greater, to be enforced through a civil procedure by the County Attorney.

SECTION 5. COMPLAINTS

Any complaints of alleged violations of this chapter may be made to the Dutchess County Board of Elections, which shall notify the County Executive and the Chairman of the County Legislature when it has received a complaint of alleged violation of this chapter. The Board of Elections shall then proceed to investigate whether in fact this chapter has been violated and shall make a determination. If the Board of Elections determines that this chapter has been violated, the person or committee who allegedly violated this chapter shall be given 15 days, after notice by the Board of Elections, to return the money or correct the violation. If said party fails to do so within 15 days, after notice by the Board of Elections, the matter shall be referred to the County Attorney's office for enforcement of a civil proceeding to collect an appropriate civil penalty, which will be payable to the County of Dutchess.

SECTION 6. 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.

The foregoing Resolution No. 2011159, Local Law No. of 2011 was laid on the desk at this time and considered at a Regular Board Meeting on .

Roll call vote on Resolution No. 2011159 at that time resulted as follows:

AYES:

NAYS:

ABSENT:

Resolution adopted.

The County Executive signed it into law on . The effective date was

Condolence: HON. JAMES DEWITT BENSON, II

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

Whereas, The Dutchess County Legislature has learned with sadness and regret of the recent death of James D. Benson, II, on May 10, 2011, in North Carolina, with family nearby, and

Whereas, James D. Benson, was a life-long Dutchess County resident who was born on September 24, 1922 at the 1740 Family Farm in Amenia, New York. James D. Benson, was a direct descendent of Dr. Josiah Barlett, signer of the Declaration of Independence, and

Whereas, James D. Benson, married Catherine Deck, the mother of his five children, Catherine, Marylou, James, III, Rachele and Susan; he also has seven grandchildren and three great-grandchildren, and

Whereas, James D. Benson attended Cornell University during which he enrolled in ROTC; serving for three years as a U.S. Army Captain in the Philippines during WWII. Judge Benson remained in the Army Reserves for many years. After being discharged from the Army, Judge Benson returned to Ithaca, New York, where he completed his studies, ultimately earning his J.D. from Cornell and Judge Benson was admitted into the New York State Bar and thereafter, began his career by building a private law practice in Pawling, New York, and

Whereas, Judge Benson served as Confidential Law Secretary for the Hon. John P. Donahue, J.S.C., Putnam County from 1962 until 1976; during those years Judge Benson served as the Pawling Town Clerk. In 1976, Judge Benson became Dutchess County Attorney, and thereafter, Judge Benson became Dutchess County Executive; than he became Justice of the Surrogate's Court before becoming Acting Supreme Court Justice of the 9th Judicial District, which he served for ten years; and upon Judge Benson's retirement from the bench, he practiced as legal counsel at a Poughkeepsie law firm, and

Whereas, Judge Benson was a longtime member of several organizations being on the Executive Committee of the Dutchess County Environmental Management Council, a Trustee of the Sharon Hospital, Sharon, CT; a member of the Aldo Leopold Society of the Institute of Ecosystems Studies; and Chairman of the Long Range Planning Committee of the New York YMCA Holiday Hills Board of Managers, and

Whereas, his passing will be mourned by his family, friends and colleagues throughout Dutchess County, now, therefore, be it

Resolved, the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby extend its deepest sympathy and sincere condolences to the family and friends of Judge James D. Benson, and be it further

Resolved, that this meeting at the Dutchess County Legislature be adjourned in memory of the late Judge James D. Benson.

Resolution No. 2011160

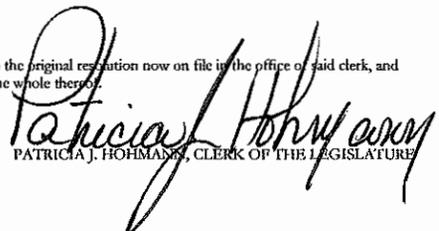
STATE OF NEW YORK

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 16th day of June 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 16th day of June 2011.


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Resolution No. 2011160 entitled, Condolence: James Dewitt Benson II was unanimously adopted.

Condolence: JACK M. QUARTARARO

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

Whereas, The Dutchess County Legislature has learned with sadness and regret of the recent death of Jack M. Quartararo on May 27, 2011 in Wellington, Florida; and

Whereas, Jack M. Quartararo, was a life-long resident of Dutchess County and was born in Poughkeepsie, New York in 1929; and

Whereas, Jack M. Quartararo attended and graduated from Norwich University in 1951 with a Bachelor of Science in Civil Engineering; thereafter, he served his country with honor during the Korean War as an officer and tank commander in the 7th Cavalry Brigade, 1st Armored Division (United States) and received a Combat Infantry Badge and upon Jack M. Quartararo's return from the Korean War he attended Cornell Law School graduating in 1956; and

Whereas, Jack began his career in the Office of the General Counsel at Union Carbide Corporation; thereafter, he returned to Dutchess County and was a founding partner of the Poughkeepsie law firm of "Quartararo & Quartararo"; and

Whereas, Jack M. Quartararo is survived by his Wife, Lisbeth and their three sons, John, Paul and David, along with seven grandchildren, and

Whereas, Jack had many professional and civic interests and was very involved with the Dutchess County community. He was elected to the Board of Supervisors of Dutchess County representing the 6th Ward of the City of Poughkeepsie; served as counsel to the Dutchess County Legislature; a governor of Hudson Valley Psychiatric Center; a member of the New York State Republican Committee; a member of the Dutchess County Bar Association and served on the Ethics Committee and as Vice President; and a member of the Board of Dutchess Day School, and

Whereas, Jack also served as the Chairman of the Mental Health Board of Dutchess County; he was an member and served on the Board of the Millbrook Golf and Tennis Club and a member of the Tamarack Preserve, and

Whereas, his passing will be mourned by his family, friends and colleagues throughout Dutchess County, now, therefore, be it

Resolved, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby extend its deep sympathy and sincere condolences to the family and friends of the late Jack M. Quartararo, and, be it further

Resolved, that the meeting of the Dutchess County Legislature be adjourned in memory of the late Jack M. Quartararo.

Resolution No. 2011161

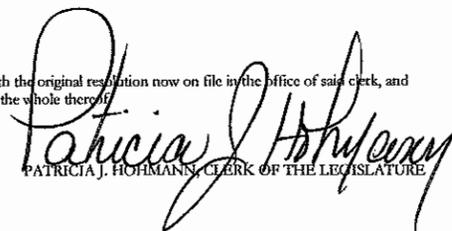
STATE OF NEW YORK

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 16th day of June 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 16th day of June 2011.


PATRICIA J. HOCHMANN, CLERK OF THE LEGISLATURE

Resolution No. 2011161 entitled, Condolence: Jack Quartararo was unanimously adopted.

Condolence: William Law Weatherwax

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

Whereas, The Dutchess County Legislature has learned with sadness and regret of the recent death of William Law Weatherwax on May 16, 2011 in Sarasota, Florida, after a long battle with cancer, and

Whereas, William ("Bill") Law Weatherwax, was a resident of Dutchess County for 57 years and was born February 8, 1939, to the late H. Law and Mary B. Weatherwax, and

Whereas, William L. Weatherwax attended Hyde Park and Red Hook School Districts, graduating from Red Hook High School in 1956; thereafter, he attended and graduated from Colgate University in 1961, with a B.A. in Political Science, and

Whereas, William L. Weatherwax married Diane Zaconic on August 31, 1996, who survives him in Sarasota FL; he is also survived by daughters Laura Weatherwax and Meg Rovere; and beloved granddaughter Ariel and step-granddaughter, Courtney, and

Whereas, William L. Weatherwax began his career as a Dutchess County Probation Officer; he worked his way up the ranks retiring as Director of Probation and Community Corrections in 1996 with over 30 years of service, and

Whereas, Bill had many professional and civic interests and was very involved with his community in Dutchess County. He served as President of the Dutchess County YMCA, President of the New York State Council of Probation Administrators; served on the Board of Directors of the Dutchess Golf and Country Club and served on the board of the Dutchess County United Way, and

Whereas, Bill had a lifelong passion for golf, he also enjoyed playing tennis and traveling the world, which he had the opportunity to do with his wife. He also enjoyed reading, classical music and attending the symphony in Sarasota, and

Whereas, his passing will be mourned by his family, friends and colleagues throughout Dutchess County, now, therefore, be it

Resolved, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby extend its deep sympathy and sincere condolences to the family and friends of the late William L. Weatherwax, and, be it further

Resolved, that the meeting of the Dutchess County Legislature be adjourned in memory of the late William L. Weatherwax.

Resolution No. 2011162

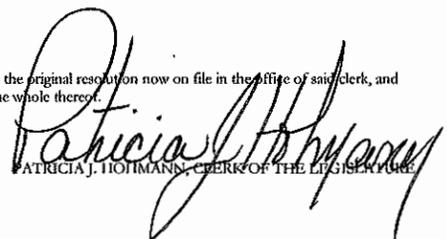
STATE OF NEW YORK

COUNTY OF DUTCHESS

891

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 16th day of June 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 16th day of June 2011.


PATRICIA J. HOFFMANN, CLERK OF THE LEGISLATURE

Resolution No. 2011162 entitled, Condolence: William Weatherwax was unanimously adopted.

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

Constantine Kazolias, 47 Noxon Street, Poughkeepsie, spoke regarding fracking stating that water resources would run out before gas therefore there should be a moratorium on fracking. He also addressed putting the Hauptman House in the City of Poughkeepsie back on the taxrolls.

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

On motion by Legislator Cooper, duly seconded by Legislator Flesland and carried, the meeting was adjourned in memory of James Dewitt Benson, II, Jack M. Quartararo, and William Weatherwax at 8:15 p.m. subject to the call of the Chair.

Attendance Sheets

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

Date: 6/20/11

Regular Meeting
of the
Dutchess County Legislature

Monday, June 20, 2011

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

Roll Call by the Clerk of the Legislature

PRESENT: 14 Flesland, Forman, Goldberg, Horn, Horton, Hutchings, Incoronato,
Jeter-Jackson, Kelsey, Kuffner, Rolison, Thomes, Traudt, Weiss.

ABSENT: 10 Bolner, Borchert, Cooper, Doxsey, MacAvery, Miccio, Roman,
Sadowski, Tyner, White.

PRESENT, LATE: 1 Surman.

Quorum Present.

Pledge of Allegiance and invocation to be given by Legislator Angela Flesland; and a moment of silent meditation.

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.

The Clerk read the notice of public hearing on Proposed Change in Loop Bus Fares for Veterans and Active Military.

The Chairman declared the public hearing open.

No one wishing to be heard, the Chairman declared the public hearing closed.

Discussion on the foregoing Resolution No. 2011155 resulted as follows:

Legislator Kuffner stated that he would like to state for the record that this is a new category for Veterans/Active Military.

Chairman Rolison stated that this was correct.

Roll call vote on the foregoing Resolution No. 2011155 resulted as follows:

AYES: 15 Flesland, Forman, Goldberg, Horn, Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, Kuffner, Rolison, Surman, Thomes, Traudt, Weiss.

NAYS: 0

ABSENT: 10 Bolner, Borchert, Cooper, Doxsey, MacAvery, Miccio, Roman, Sadowksi, Tyner, White.

Resolution adopted.

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

The Clerk noted that Resolution No. 2011127, Local Law No. of 2011 entitled, "Introducing a Local Law, Prohibiting Demonstrations at Funeral Services in the County of Dutchess" was re-laid on the desks.

Text of local law can be found in the May 9, 2011 minutes.

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

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

On motion by Legislator Traudt, duly seconded by Legislator Flesland and carried, the meeting was at 7:10 p.m. subject to the call of the Chair.