

# Attendance Sheets

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

Date: 9/10/12

Regular Meeting  
of the  
Dutchess County Legislature

Monday, September 10, 2012

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

Roll Call by the Clerk of the Legislature

PRESENT: 25     Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton,  
Hutchings, Incoronato, Jeter-Jackson, Kelsey, MacAvery,  
Miccio, Perkins, Rolison, Roman, Serino, Sherman, Surman,  
Thomes, Traudt, Tyner, Weiss, Wilkinson, White

ABSENT:    0

PRESENT, LATE: 0

Quorum Present.

Pledge of Allegiance to the Flag, invocation by Monsignor Joseph Martin of St. Mary's Church in Poughkeepsie, followed by a moment of silent meditation.

Presentation:

Certificates presented to the New York State District 17 Softball  
Champions

Commendations and Proclamations

Proclamation:     Designating September 9 – 15, 2012, as "Suicide  
Prevention Week in Dutchess County"

Commendation: The Friends of the Beekman Library

Commendation: Dr. Daniel and Nancy Aronzon

Commendation: William and Matilda Davenport

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 August 13 minutes.

The August 13, 2012, minutes were adopted.

## **COMMUNICATIONS RECEIVED FOR THE SEPTEMBER 2012 BOARD MEETING**

Received from Budget Director, Contingency Account Status as of September 7, 2012.

Received from County Clerk, Summary of Mortgage Tax Received April – September 2012.

Received from NYS Office of Real Property Tax Services, List of Certified 2012 State Equalization Rates.

Received from New York State Department of Health Vital Records, revised Order for the Consolidation of the Taconic Development Disabilities Services Office, District 1396, and the Town of Amenia.

Received the following from Poughkeepsie Town Clerk:

Notice of Public Hearing regarding a waterfront housing overlay district,

Notice of Public Hearing regarding amending certain definitions in the zoning law including changes to the definition of "family".

Received from Department of Social Services, 2011 Annual Report.

Received the following audits from the Dutchess County Comptroller:

Maintenance in Lieu of Rent, January 1, 2011 – December 31, 2011,

Dutchess County Division of Aging Services, January 1, 2011 – March 31, 2012.

Hudson River Housing, Inc, January 1, 2009 – December 31, 2010.

RESOLUTION NO. 2012218

RE: AMENDING THE 2012 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS

Legislators Hutchings, Borchert, Flesland, Perkins and Doxsey offer the following and move its adoption:

WHEREAS, the Acting Commissioner of Public Works has requested the reallocation of existing appropriations within Capital Project H0285, and

WHEREAS, reallocated funds will be used to cover costs associated with removal of existing underground fuel storage tanks and appurtenances at the Dutchess County Airport, including consultant expenses for soil testing per NYSDEC requirements, building a new fuel station at the Airport with above ground fuel storage tanks, new spill containment dyke, new fuel management system, new fire suppression system and all appurtenances, and

WHEREAS, funds expended at the Airport must be listed in an EA account since the Airport is considered an enterprise fund, and

WHEREAS, the work to be completed at the Airport is consistent with the original nature and scope of the work contemplated within Capital Project H0285, and

WHEREAS, it is necessary to amend the 2012 Adopted County Budget to reallocate the funds, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to amend the 2012 Adopted County Budget as follows:

APPROPRIATIONS

Increase

EA0445.5610.3700 Fuel Tanks \$76,000

Decrease

H0285.1620.3700 Fuel Tanks -\$76,000

Increase

H0285.1620.9501 Interfund Transfer \$76,000

REVENUE

Increase

EA0445.5610.50310 Interfund Transfer \$76,000

CA-137-12 Ca/G-0188  
8/17/12 Fiscal Impact: See attached statement

APPROVED  
*Marcus J. Molinaro*  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 9/17/2012

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 10<sup>th</sup> day of September 2012, 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 10<sup>th</sup> day of September 2012.

*Carolyn Morris*  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

### APPROPRIATION RESOLUTIONS

*(To be completed by requesting department)*

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

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

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

Identify Line Items(s):

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

Nature/Reason:

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

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

Additional Comments/Explanation:

Prepared by: Robert H. Balkind

218 Sponsors:  
Doxsey

## Public Works and Capital Projects Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 1 - Town of Poughkeepsie	Doxsey		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Town of Hyde Park	Perkins	absent	
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 18 - City of Beacon	Forman (VC)		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Sherman		
District 22 - Town of Beekman	Hutchings (C)		

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

2012218 AMENDING THE 2012 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS

Date: 9/6/12

# Roll Call Sheets

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

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

2012218                      AMENDING THE 2012 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS

Date: 9/10/12

RESOLUTION NO. 2012219

RE: AMENDING THE 2012 ADOPTED COUNTY BUDGET AS  
IT PERTAINS TO THE DISTRICT ATTORNEY (A.1165.05)

Legislators Roman, Borchert, Flesland, Wilkinson, Sherman, Doxsey, and Perkins offer the following and move its adoption:

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

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

WHEREAS, the District Attorney has requested that the sum of \$20,195 be placed in various District Attorney Asset Forfeiture accounts to be used for law enforcement efforts, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized and directed to amend the 2012 Adopted County Budget as follows:

APPROPRIATIONS

Increase

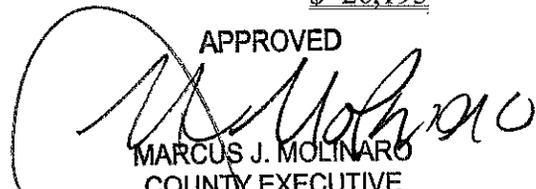
A.1165.05.4160	Office Stationery & Supplies	\$ 7,434
A.1165.05.4123.65	Safety Supplies, Firearms, etc. Town of Pine Plains	5,067
A.1165.05.4442.0200	City of Beacon Police	3,960
A.1165.05.4442.4426	City of Poughkeepsie Police	1,100
A.1165.05.4760	Computer Software – ND	<u>2,634</u>
		<u>\$ 20,195</u>

REVENUES

Increase

A.9998.95110.01	State – Reserve	<u>\$ 20,195</u>
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CA-133-12  
LDF/ca/G-0135  
8/13/12  
Fiscal Impact: See attached statement

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 9/17/2012

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 10<sup>th</sup> day of September 2012, 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 10<sup>th</sup> day of September 2012.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

### APPROPRIATION RESOLUTIONS

*(To be completed by requesting department)*

Total Current Year Cost \$ 20,195

Total Current Year Revenue \$ 20,195  
and Source

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

Identify Line Items(s):

Please see attached

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

Nature/Reason:

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

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

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

#### Additional Comments/Explanation:

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

Prepared by: Gina Barry 486-2321

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# Public Safety Roll Call

Sponsor: Doxsey

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 1 - Town of Poughkeepsie	Doxsey		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson (VC)		
District 4 - Town of Hyde Park	Serino	absent	
District 5 - Town of Poughkeepsie	Roman (C)		
District 9 - City of Poughkeepsie	White		
District 12 - Town of East Fishkill	Weiss		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		

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

2012219      AMENDING THE 2012 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DISTRICT ATTORNEY (A.1165.05)

Date: 9/6/12

# Roll Call Sheets

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

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

2012219                      AMENDING THE 2012 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DISTRICT ATTORNEY (A.1165.05)

Date: 9/10/12

RESOLUTION NO. 2012220

RE: REVISIONS TO FIRE AND SAFETY ADVISORY BOARD BY-LAWS

Legislators Roman, Borchert, Flesland, and Doxsey offer the following and move its adoption:

WHEREAS, pursuant to Resolution 6-1951 the Dutchess County Board of Supervisors pursuant to General Municipal Law §209-k established a Dutchess County Fire Advisory Board, and

WHEREAS, Section 209-k of the General Municipal Law was repealed in 1952 and replaced by County Law §225-a which continued the authority to create and maintain a County Fire Advisory Board, and

WHEREAS, a Fire Advisory Board is also authorized and required by the Dutchess County Administrative Code §30.02, and

WHEREAS, the Fire Advisory Board a/k/a Fire and Safety Advisory Board has been conducting itself pursuant to the terms of a "constitution and by-laws of the Dutchess County Fire and Safety Advisory Board", and

WHEREAS, the record is unclear as to when and how the by-laws were adopted but they appear to have been adopted prior to January 1, 1964, and

WHEREAS, certain recommendations with respect to the by-laws have been made by the current Board, now, therefore be

RESOLVED, that the Constitution and By-Laws of the Dutchess County Fire and Safety Advisory Board are hereby amended in accordance with the Constitution and By-Laws annexed hereto.

APPROVED  
*Marcus J. Molinaro*  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 9/17/2012

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 10<sup>th</sup> day of September 2012, 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 10<sup>th</sup> day of September 2012.

*Carolyn Morris*  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

**CONSTITUTION AND BY-LAWS  
OF  
THE DUTCHESS COUNTY FIRE AND SAFETY ADVISORY BOARD**

392 Creek Road  
Poughkeepsie, New York 12601

ARTICLE I

NAME

1. This Board shall be known as, and designated by the title of

*THE DUTCHESS COUNTY FIRE AND SAFETY ADVISORY BOARD*

ARTICLE II

PURPOSE

1. As provided in the County Law, Section 225-a, the purpose of this board shall be to serve in a consultative capacity to the Dutchess County Legislature, the Standing Committees of the Legislature, and the principal heads of the County Departments, Commissions and Agencies, in matters pertaining to the suppression, prevention and relief from the ravage of fire and other disasters which may be the obligation of the Fire Service of said County. In addition, items such as:
  - A. The fulfillment of any obligation of the County mandated by laws, regulations, and/or agreements made by the Federal Government, the State of New York and such agreements which may have been entered into by the County Legislature and other political subdivisions in connection with the rendering of mutual assistance in cases of fire and other disasters calling for the services of the fire department, and their personnel and/or equipment, wherever the interest of the county may appear.
  - B. The administration of the laws and regulations delegated to the County Legislature by the Department of Defense, Office of Civil Defense Mobilization, and its counterpart in New York State, the Office of Disaster Preparedness, having to do with the defense against fire as a result of enemy attack, or the result of natural disaster.
  - C. Cooperative efforts of the Fire Service with the office of the County Sheriff in times of natural disasters, as provide in County Law, Section 601.
  - D. The sponsorship by the County Legislature of the Dutchess County Mutual Aid Fire Plan, and the New York State Training Program.

2. As provided in the aforesaid Section 225-a, of the County Law to consult with, make recommendations to, and to cooperate with the Office of the Dutchess County Emergency Response Coordinator on firematic matters.
3. To consult and cooperate with the Firematic Organizations of the county in order to hear and make recommendations to the County Legislature concerning the needs and provisions for the improvement of the Fire Service, which may be the concern and the responsibility of the County Legislature.

### ARTICLE III

#### MEMBERSHIP

1. The Dutchess County Fire and Advisory Board shall consist of no more than TWENTY-ONE (21) members appointed by resolution of the County Legislature, from nominations made as follows:
  - A. THREE (3) members nominated as representatives from the Dutchess County Volunteer Firemen's Association, in whatever manner that Association prescribes.
  - B. FOUR (4) members nominated as representatives from the Association of Fire Districts of Dutchess County.
  - C. FOUR (4) members nominated as representatives from the Fire Chiefs Council of Dutchess County, in whatever manner that Association prescribes.
  - D. THREE (3) members nominated as representatives from the Paid Fire Services of Dutchess County, in whatever manner these Services prescribe.
  - E. TWO (2) members nominated as representatives from the Dutchess County EMS Council of Dutchess County, in whatever manner that Association prescribes.
  - F. TWO (2) members nominated as representatives from the Volunteer Fire Police Association of Dutchess County, in whatever manner that Association prescribes.
  - G. TWO (2) members appointed as representatives of the citizens of Dutchess County. These citizens shall not be affiliated with Emergency Services in any capacity.
  - H. ONE (1) member of the legislature to serve as the legislative liaison. This member will be appointed by the chairman of the Dutchess County Legislature.

### ARTICLE IV

## QUALIFICATION FOR MEMBERSHIP

1. All persons nominated for appointment to the Dutchess County Fire and Safety Advisory Board, with the exception of two citizen appointments set forth at Article III Section 1.G. shall be bona fide representatives of one of the following firematic groups or Associations:
  - A. DUTCHESS COUNTY VOLUNTEER FIREMEN'S ASSOCIATION.
  - B. ASSOCIATIONS OF FIRE DISTRICTS OF DUTCHESS COUNTY.
  - C. FIRE CHIEF'S COUNCIL OF DUTCHESS COUNTY.
  - D. THE PAID FIRE SERVICE OF DUTCHESS COUNTY.
  - E. THE DUTCHESS COUNTY EMS COUNCIL OF DUTCHESS COUNTY.
  - F. VOLUNTEER FIRE POLICE ASSOCIATION OF DUTCHESS COUNTY.
2. All persons nominated for the appointment to the Dutchess County Fire and Safety Advisory Board shall be residents of Dutchess County.
3. All persons nominated for appointment to the Dutchess County Fire and Safety Advisory Board shall submit a resume to the Clerk of the Dutchess County Legislature prior to being considered for appointment to the Advisory Board.

## ARTICLE V

### TERM OF OFFICE

1. Members of the Dutchess County Fire and Safety Advisory Board shall serve for a period of three (3) calendar years or until a replacement may be submitted by the member organization wishing the replacement; provided however, that after January 1, 1964 only one member from each of the firematic groups listed in Article IV, Section I, may be nominated and appointed annually, in order to stagger terms of membership.
2. Termination of membership in the sponsoring member organization shall, upon written notification, by certified mail from said organization, be cause for automatic termination of membership on the Fire and Safety Advisory Board.
  - A. An acceptable nomination from member organization to fill the unexpired term shall be sent to the clerk of the County Legislature, with resume and by certified mail within sixty (60) days. If no acceptable nomination is forthcoming within

sixty (60) days, the procedure outlined in Article IX, Section 1 (revised) shall be followed.

3. The total number of members on the County Fire and Safety Advisory Board shall be twenty-one.

## ARTICLE VI

### MEETINGS

1. The annual REORGANIZATION MEETING of the Dutchess County Fire and Safety Advisory Board shall be on the third Monday of January, at a time and place previously designated by the Board.
2. Regular business meetings of the Board shall be every other month beginning with the month of January, at a time and place previously designated by the Board.
  - A. Regular meetings shall be held at the Dutchess County Training Center in the Board Room at 7:30PM on the third Monday of the odd month.
3. Special meetings may be called by the Chairman, all members being notified by mail, received not less than two, nor more than seven days in advance of such meeting, stating time, place and reason for such meeting.
4. The Chairman shall be required to call a special meeting of the Board, upon receipt of written request, signed by at least four (4) members, in accordance with the method provided in Section 3 of this article.
5. No meeting of the Board shall be held unless there are seven (7) members answering the roll call, and these members must represent at least three of the member organizations of the Fire and Safety Advisory Board. The above requirements constitute a quorum.

## ARTICLE VII

### OFFICERS

1. There shall be a Chairman, a Deputy Chairman and a Secretary elected by the Board membership at each Annual Reorganization meeting on the third Monday of each January. A majority of votes cast shall elect the candidate in each instance.
2. A temporary Chairman shall be appointed by majority consent to conduct the Annual Reorganization meeting until a permanent chairman is nominated and elected in a like manner.

3. Election of a permanent Chairman may not proceed until all new members are recognized and seated by the temporary Chairman.
4. Following election of a permanent Chairman, a Deputy Chairman shall be nominated and elected in the usual manner.
5. The Chairman and Deputy Chairman must be bona fide members of the Board.
6. The Board may nominate and elect a Secretary who is not a bona fide member of the Board.
7. Terms of the Chairman, the Deputy Chairman and the Secretary, shall expire on the 31<sup>st</sup> day of December following their election, or until the successor of each be elected, as provided in Sections 1 through 5 of this article.
8. In the absence of the Chairman, and/or the Deputy Chairman, from any board meeting, a substitute shall be appointed by those members present.
9. In the absence of the Secretary, a substitute shall be then appointed by the Chairman.

## ARTICLE VIII

### DUTIES OF THE OFFICERS

1. The Chairman shall preside at all meetings of the Board, conducting these meetings under accepted parliamentary procedure. (This Board shall use the latest revision of Robert's Rules of Order.)
  - A. Unless otherwise provided by resolution of the Board, he shall serve as sole spokesman of the Board. Contents of any resolutions or recommendations put into writing may not be disclosed or released to the PUBLIC, PRESS, RADIO, OR OTHER MEANS OF MASS INFORMATION UNTIL SUCH RELEASE HAS BEEN APPROVED BY THE BOARD.
2. The Chairman shall cause all members of the Board to be sworn in as public officials prior to conducting any official Board business.
3. The Chairman shall call special meetings, when necessary, as provide for in Article VI of these By-Laws.
4. It shall be the responsibility of the Chairman or in his absence the Deputy Chairman, to postpone any meetings of the Board because of inclement weather, or other adverse condition calculated to provide a hazard or hardship for a majority of the members to

attend. The responsible person canceling the meeting must request the cancellation be "toned out" by the fire dispatchers at 6:00pm on the night of the meeting.

5. The Deputy Chairman shall assume the duties of the Chairman in his absence and perform such other duties as assigned by the Chair.
6. The Secretary shall keep a true and accurate record of all proceedings, record attendance of all members, send meeting notices to all Board members, the County Emergency Response Coordinator and his Deputies; to invite guests, to make arrangements for meeting places, to make copies of the minutes of the meeting and distribute same to members as soon after the meeting as practical, but prior to the next meeting. The Secretary, if requested, shall compute mileage expense of all Board members at the going county rate.

## ARTICLE IX

### ATTENDANCE

1. All members are expected to attend all meetings of the Board, and meetings of any Special Committee or Committees to which the member may have been appointed. Absence of any member for two (2) consecutive meetings (illness or deaths only excuse), or attendance of less than four (4) meetings a year shall be cause for automatic termination of membership on the board. (Any person who misses a meeting must have an excuse from this Board.) The sponsoring organization shall be notified by certified mail and ask to provide an acceptable nomination within sixty (60) days. If an acceptable nomination is not forthcoming by certified mail within sixty (60) days, it shall be the duty of this Board to nominate a candidate to complete the term of the member dropped from the organization which failed to respond to the aforementioned notification.
2. The Dutchess County Emergency Response Coordinator and any of his staff are invited to attend all Board meetings. They will provide to the Board information on matters pertaining to the fire service, particularly in the field of fire training, fire communication, fire law, mutual aid problems, etc. They may be appointed by the Board to serve on such committees as ex-officio members.

## ARTICLE X

### MILEAGE FEES

1. All members of the Dutchess County Fire and Safety Advisory Board are eligible to attend regular or special meetings of the Board and meetings called by the Chairman of Special Committees. The rate to be paid at the time is the rate currently authorized by the County Legislature. Such mileage may be computed from the official AAA mileage between their place of residence and the scheduled meeting place. The Secretary of the

board shall also be entitled to mileage expense, whether or not a bona fide member of this Board.

2. The Emergency Response Coordinator is authorized to include in his annual budget of the Bureau of Emergency Response, amounts sufficient to cover such expense of all members. Members may elect to submit such claims after each meeting or on an annual basis as they desire. Forms for such claims are available from the Emergency Response Coordinator, who shall audit and countersign all such claims.

## ARTICLE XI

### ORDER OF BUSINESS

1. Open Items
  - A. Meeting called to order by Chairman
  - B. Roll call of members
  - C. Reading of minutes of previous meeting
  - D. Communications and bills
  - E. Committee Reports (not part of 3.C)
  - F. Introduction of guest/guests
2. Guest Presentation
3. Office of Emergency Response Coordinator
  - A. Unfinished business with this Board (from previous meeting)
  - B. Communications of Emergency Response Coordinator
  - C. Committee reports of Emergency Response Coordinator
  - D. New business of Emergency Response Coordinator
4. Break/General Discussion (optional)
5. Round Table Query of Members
6. Closing Items
  - A. Remaining Board business
  - B. New business
  - C. Summary of recommendations to the Emergency Response Coordinator or to the Legislators; or whatever business of this meeting that the Chairman feels needs summary
7. Adjournment

## ARTICLE XII

1. Amendments to the Constitution and By-Laws may be made only by the County Legislature.

220

# Public Safety Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 1 - Town of Poughkeepsie	Doxsey		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson (VC)		
District 4 - Town of Hyde Park	Serino		absent
District 5 - Town of Poughkeepsie	Roman (C)		
District 9 - City of Poughkeepsie	White		
District 12 - Town of East Fishkill	Weiss		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		

Present: 11  
 Absent: 1  
 Vacant: 0

Resolution: ✓  
 Motion: —

Total: 11 0  
 Yes No  
 Abstentions: 0

2012220

REVISIONS TO FIRE AND SAFETY ADVISORY BOARD BY-LAWS

Date: 9/6/12

# Roll Call Sheets

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

Present: 25  
 Absent: 0  
 Vacant: 0

Resolution:       
 Motion:   ✓  

Total :            
           Yes      No  
 Abstentions:     

*JT - Add Resolved that the DCL requests the Dutchess County Dept of Emergency Response to demand an evacuation plan for Indian Point  
 2012220  
 9/10/11  
 failed*

# Roll Call Sheets

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

Present: 25  
 Absent: 0  
 Vacant: 0

Resolution: ✓  
 Motion: —

Total : 25      0  
                   Yes            No  
 Abstentions: 0

2012220 REVISIONS TO FIRE AND SAFETY ADVISORY BOARD BY-LAWS

Date: 9/10/12

Discussion on Resolution No.2012220 resulted as follows:

Legislator Tyner made a motion to amend the resolution by adding the following:

RESOLVED, that the Dutchess County Legislature requests the Dutchess County Department of Emergency Response to demand an evacuation plan for Indian Point, and

The foregoing motion failed for lack of second.

Roll call on the foregoing resolution resulted as follows:

AYES:        25     Amparo, Bolner, Borchert, Doxsey, Flesland, Forman, Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, MacAvery, Miccio, Perkins, Rolison, Roman, Serino, Sherman, Surman, Thomes, Traudt, Tyner, Weiss, Wilkinson, White

NAYS:        0

ABSENT:     0

Resolution adopted.

RESOLUTION NO. 2012221

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

Legislators Bolner, Serino, Horton, and Perkins offer the following and move its adoption:

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

WHEREAS, the New York State Department of Labor has provided allocations to Dutchess County for the operation of PY 2011 T-1B Dislocated Worker funding and T-1B Dislocated Worker Transferred Funds for Adult Activities funding for the period 07/01/11 through 06/30/13, and for the operation of PY 2012 T-1B Dislocated Worker, T-1B Adult, and T-1B Administration funding for the period 07/01/12 through 06/30/14, and for the operation of FY 2011 TAA funding for the period of 10/01/10 through 09/30/13 now, therefore be it

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

APPROPRIATIONS

Increase (Decrease)

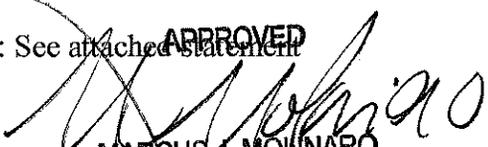
CD6292.2011.4802	T-1B Dislocated Worker	\$ (20,000)
CD6292.2011.4806	T-1B Dislocated Worker Transferred funds for Adult Activities	20,000
CD6292.2012.4802	T-1B Dislocated Worker	95,791
CD6292.2012.4801	T-1B Adult	38,858
CD6292.2012.4804	T-1B Administration	14,961
CD6292.2011.4813	TAA Participant Funding	17,119
		<u>\$166,729</u>

APPROPRIATIONS

Increase (Decrease)

CD6292.2011.47910.03	T-1B Dislocated Worker	\$ (20,000)
CD6292.2011.47910.06	T-1B Dislocated Worker Transferred funds for Adult Activities	20,000
CD6292.2012.47910.03	T-1B Dislocated Worker	95,791
CD6292.2012.47910.01	T-1B Adult	38,858
CD6292.2012.47910.04	T-1B Administration	14,961
CD6292.2011.47910.22	TAA Participant Funding	17,119
		<u>\$166,729</u>

CA-135-12 LK/CRC/ca/G-1263 8/14/12 Fiscal Impact: See attached statement

  
**MARCUS J. MOLINARO**  
 COUNTY EXECUTIVE  
 Date 9/12/2012

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 10<sup>th</sup> day of September 2012, 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 10<sup>th</sup> day of September 2012.

  
 CAROLYN MORRIS, CLERK OF THE LEGISLATURE

**FISCAL IMPACT STATEMENT**

NO FISCAL IMPACT PROJECTED

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

Total Current Year Cost \$ 166,729

Total Current Year Revenue \$ 166,729  
and Source

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

Identify Line Items(s):

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

Nature/Reason:

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

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

Additional Comments/Explanation:

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

## *Family and Human Services Committee Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 4 - Town of Hyde Park	Serino (VC)	<i>absent</i>	
District 7 - Town of Hyde Park	Perkins		
District 9 - City of Poughkeepsie	White		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner (C)		
District 21 - Town of East Fishkill	Horton		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey	<i>absent</i>	

Present: 10  
 Absent: 2  
 Vacant: 0

Resolution:   
 Motion:

Total : 10      0  
                   Yes            No  
 Abstentions: 0

2012221      AUTHORIZING ACCEPTANCE OF FUNDING UNDER THE  
 WORKFORCE INVESTMENT ACT OF 1998 AND THE TRADE  
 ADJUSTMENT ASSISTANCE ACT

Date: 9/6/12

# Roll Call Sheets

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

Present: 25  
 Absent: 0  
 Vacant: 0

Resolution: ✓  
 Motion:     

Total : 25      0  
           Yes            No  
 Abstentions: 0

2012221

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

Date: 9/10/12

RESOLUTION NO. 2012222

RE: APPOINTMENT TO THE CITIZENS ADVISORY COMMITTEE ON DOMESTIC VIOLENCE

Legislators BOLNER, SERINO, THOMES, HORTON and PERKINS 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 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, a vacancy exists on the committee due to the resignation of Susie Balutis-Mallory, and

WHEREAS, the Chairman of the Legislature has appointed the following member to the Citizenship Advisory Committee on Domestic Violence:

Appointment  
Catherine Lane  
54 Rogers Road  
Hyde Park, NY 12538

now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby confirm the aforesaid appointment to the Citizens Advisory Committee on Domestic Violence to serve a term to expire on June 30, 2013.

APPROVED

MARCUS J. MOLINARO  
COUNTY EXECUTIVE

Date 9/17/2012

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 10<sup>th</sup> day of September 2012, 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 10<sup>th</sup> day of September 2012.

*Carolyn Morris*  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

## *Family and Human Services Committee Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 4 - Town of Hyde Park	Serino (VC)	<i>absent</i>	
District 7 - Town of Hyde Park	Perkins	<i>absent</i> (C)	
District 9 - City of Poughkeepsie	White		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner (C)		
District 21 - Town of East Fishkill	Horton		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey	<i>absent</i>	

Present: 10  
 Absent: 2  
 Vacant: 0

Resolution:   
 Motion:

Total: 10    0  
           Yes        No  
 Abstentions: 0

2012222      APPOINTMENT TO THE CITIZENS ADVISORY COMMITTEE ON DOMESTIC VIOLENCE

Date: 9/6/12

# Roll Call Sheets

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

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

2012222 APPOINTMENT TO THE CITIZENS ADVISORY COMMITTEE ON DOMESTIC VIOLENCE

Date: 9/10/12

RESOLUTION NO. 2012223

RE: EXTENDING APPOINTMENT OF MARY KAYE DOLAN AS  
ACTING COMMISSIONER OF THE DEPARTMENT OF SERVICES  
FOR AGING, VETERANS AND YOUTH

Legislators Bolner, Serino, Horton, and Perkins offer the following and  
move its adoption:

WHEREAS, pursuant to Section 3.04 of the Dutchess County Charter,  
County Executive William R. Steinhaus appointed Mary Kaye Dolan as Acting  
Commissioner of the Department of Services for Aging, Veterans and Youth on  
November 30, 2011, and

WHEREAS, by Resolution No. 2012036 the appointment of Mary Kaye  
Dolan was extended to August 19, 2012, and

WHEREAS, County Executive Marcus J. Molinaro has requested that Ms.  
Dolan's appointment be further extended through December 31, 2012, and

WHEREAS, pursuant to Section 3.04 of the Charter, this Legislature has  
the authority to extend Ms. Dolan's appointment, now therefore, be it

RESOLVED, that Mary Kaye Dolan's appointment as Acting  
Commissioner of the Department of Services for Aging, Veterans and Youth is extended  
through December 31, 2012.

CA-134-12  
JMF/ca/G-1522  
8/15/12

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 9/17/2012

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 10<sup>th</sup> day of  
September 2012, 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 10<sup>th</sup> day of September 2012.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

223

## *Family and Human Services Committee Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 4 - Town of Hyde Park	Serino (VC)	<i>absent</i>	
District 7 - Town of Hyde Park	Perkins		
District 9 - City of Poughkeepsie	White		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner (C)		
District 21 - Town of East Fishkill	Horton		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey	<i>absent</i>	
<b>Present:</b>	<u>10</u>	<b>Resolution:</b>	<u>✓</u>
<b>Absent:</b>	<u>2</u>	<b>Motion:</b>	<u>—</u>
<b>Vacant:</b>	<u>0</u>	<b>Total :</b>	<u>10</u> <u>0</u>
		<b>Yes</b>	<b>No</b>
		<b>Abstentions:</b>	<u>0</u>

2012223

EXTENDING APPOINTMENT OF MARY KAYE DOLAN AS  
ACTING COMMISSIONER OF THE DEPARTMENT OF  
SERVICES FOR AGING, VETERANS AND YOUTH

Date: 9/6/12

# Roll Call Sheets

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

Present: 25  
 Absent: 0  
 Vacant: 0

Resolution: ✓  
 Motion:     

Total : 25      0  
           Yes            No  
 Abstentions: 0

2012223

EXTENDING APPOINTMENT OF MARY KAYE DOLAN AS  
 ACTING COMMISSIONER OF THE DEPARTMENT OF  
 SERVICES FOR AGING, VETERANS AND YOUTH

Date: 9/10/12

RESOLUTION NO. 2012224

RE: CONFIRMING APPOINTMENT OF WILLIAM P. TATUM III  
AS COUNTY HISTORIAN

Legislators KELSEY, BORCHERT, TRAUDT, FLESLAND and PERKINS offer the following and move its adoption:

WHEREAS, the position of County Historian is vacant, and

WHEREAS, a six person search committee that included representatives of the County Executive, County Clerk, County Legislature Chairman, Human Resources Commissioner, Dutchess County Tourism Director, and the Dutchess County Historical Society Executive Director evaluated a number of highly qualified candidates and ultimately agreed to recommend William P. Tatum III be hired as County Historian, and

WHEREAS, the County Executive has determined that William P. Tatum III is the candidate for such appointment best qualified to perform the duties of the position of County Historian, and

WHEREAS, Mr. Tatum has agreed to comply with Section 1(b) of Local Law No. 6 of 1987 and shall become a resident of Dutchess County within six months from the successful completion of his probationary term, and

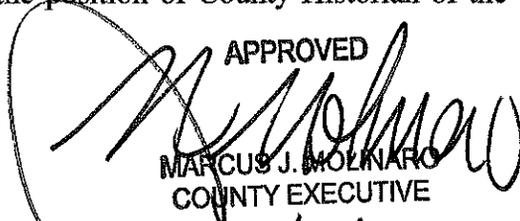
WHEREAS, pursuant to Article XXX, Section 30.08 of the Dutchess County Charter, the County Executive shall appoint the County Historian subject to confirmation by the County Legislature, now, therefore, be it

RESOLVED, that the Legislature of the County of Dutchess does hereby confirm the appointment of William P. Tatum III to the position of County Historian of the County of Dutchess effective immediately.

CA-153-12  
JMF/ca/G-0157  
9/13/12

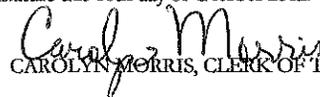
STATE OF NEW YORK  
COUNTY OF DUTCHESS

ss:

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 10/16/2012

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 10<sup>th</sup> day of October 2012, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of October 2012.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

## *Government Services and Administration Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacor	MacAvery*		
District 9 - City of Poughkeepsie	White (VC)		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato	<i>absent</i>	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Sherman		
District 20 - Town of Red Hook	Traudt		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey (C)		

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

**2012224 CONFIRMING APPOINTMENT OF WILLIAM P. TATUM III AS COUNTY HISTORIAN**

Date: 10/4/12

# Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison	/	
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Flesland		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Doxsey		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Town of Hyde Park	Perkins		
District 9 - City of Poughkeepsie	White		
District 11 - Towns of Rhinebeck and Clinton	Tyner		✓
District 12 - Town of East Fishkill	Weiss		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 14 - Town of Wappinger	Amparo		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon	Forman		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Sherman		
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: 24      1  
 Absent: 0      Motion: ---      Yes      No  
 Vacant: 0      Abstentions: 0

**2012224 CONFIRMING APPOINTMENT OF WILLIAM P. TATUM III AS COUNTY HISTORIAN**

Date: 10/10/12

The foregoing Resolution No. 2012224, Appointment of County Historian, was pulled by County Attorney at this time and considered in October.

Roll call vote at that time resulted as follows:

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

NAYS: 1 Tyner

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2012225

RE: AUTHORIZING THE FINANCE DEPARTMENT TO AMEND  
COMMUNITY DEVELOPMENT ACCOUNT FOR URBAN COUNTY  
IN-HOUSE LOAN PROGRAM

Legislators Traudt, Borchert, Flesland, Bolner, and Miccio offer the following and move its adoption:

WHEREAS, the County is a participant in the Community Development Block Grant Program pursuant to the Housing and Community Development Act, and

WHEREAS, pursuant to the Program, the County makes loans known under the Program as In-House Loans, to qualified moderate-income property owners to rehabilitate their homes, who repay the loans to the County, and on repayment the County is authorized to make additional loans to other qualified candidates, and

WHEREAS, by Resolution No. 144 of 1994, the Commissioner of Finance was directed to establish a Community Development account, which account has from time to time been amended, and

WHEREAS, loan repayments received by the County have exceeded the amount appropriated to date and since the U.S. Department of Housing and Urban Development (HUD) requires that the County expend Program income prior to drawing down new money from the Federal Treasury this Resolution provides for an increase in appropriations that includes an estimate of anticipated revenue, and

WHEREAS, since HUD regulations permit up to 20% of program income to be used for administrative expenses this Resolution provides that from October 1, 2012 forward up to 20% of Program income be used to defray administration expenses including salaries the County incurs operating the Program, now, therefore, be it

RESOLVED, from October 1, 2012 forward up to 20% of program income be used to defray administration expenses including salaries the County incurs operating the Program pursuant to HUD regulations, and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to amend the In-House Loans Community Development Account as follows:

APPROPRIATIONS

Increase

CD.8668.2705.4404	Rehab Loans & Grants	\$60,000
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REVENUES

Increase

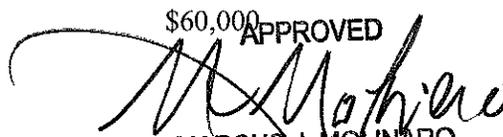
CD.8668.21700.00	Community Dev. General	\$60,000
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CA-126-12	ADR/ca/G-179
8/10/12	Fiscal Impact: See attached statement

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

\$60,000 APPROVED  
  
 MARCUS J. MOLINARO  
 COUNTY EXECUTIVE  
 Date 9/17/2012

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 10<sup>th</sup> day of September 2012, 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 10<sup>th</sup> day of September 2012.

  
 CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

## APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 60,000

Total Current Year Revenue \$ 60,000

and Source  
Community Development Block Grant Program

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

Identify Line Items(s):

CD8668.2705.4404

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

Nature/Reason:

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

Net County Cost (this year): \$0

Over Five Years: \$0

Additional Comments/Explanation:

Prepared by: Patricia Longbard, Department of Planning and Development

# Environment Committee Roll Call

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

Present: 11                      Resolution:    
 Absent: 1                         Motion:    
 Vacant: 0

Total :    11      0   
               Yes        No   
 Abstentions: 0

2012225      AUTHORIZING THE FINANCE DEPARTMENT TO AMEND  
 COMMUNITY DEVELOPMENT ACCOUNT FOR URBAN COUNTY  
 IN-HOUSE LOAN PROGRAM

Date: 9/6/12

# Roll Call Sheets

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

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

2012225      AUTHORIZING THE FINANCE DEPARTMENT TO AMEND  
 COMMUNITY DEVELOPMENT ACCOUNT FOR URBAN COUNTY  
 IN-HOUSE LOAN PROGRAM

Date: 9/10/12

RESOLUTION NO. 2012226

RE: AUTHORIZING THE FINANCE DEPARTMENT TO AMEND  
COMMUNITY DEVELOPMENT ACCOUNT FOR HOME  
INVESTMENT PARTNERSHIP PROGRAM

LEGISLATORS Traudt, Borchert, Flesland, Bolner, and Miccio offer the following and move its adoption:

WHEREAS, the County is a participant in the HOME Investment Partnership Program (the Program) pursuant to the Housing and Community Development Act, and

WHEREAS, pursuant to the Act, the County receives funding under the HOME Investment Partnership Program to provide assistance for the construction of affordable housing for low and moderate income individuals in participating jurisdictions, and

WHEREAS, by Resolution No. 144 of 1994, the Commissioner of Finance was directed to establish a Community Development account, which account has from time to time been amended, and

WHEREAS, since the U.S. Department of Housing and Urban Development (HUD) requires that the County expend Program income prior to drawing down new money from the Federal Treasury this Resolution provides for an increase in appropriations that includes an estimate of anticipated revenue, and

WHEREAS, since HUD regulations permit up to 10% of program income to be used for administrative expenses this Resolution provides that from October 1, 2012 forward up to 10% of Program income be used to defray administration expenses including salaries the County incurs operating the Program, now, therefore, be it

RESOLVED, from October 1, 2012 forward up to 10% of program income be used to defray administration expenses including salaries the County incurs operating the Program pursuant to HUD regulations, and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to amend the HOME Investment Partnership Program account as follows:

APPROPRIATIONS

Increase

CD.8668.2705.4404 Rehab Loans & Grants \$100,000

REVENUES

Increase

CD.8668.21700.02 Community Dev. HOME Trust \$100,000

CA-110-12 ADR/ca/G-179  
8/10/12 Fiscal Impact: See attached statement

APPROVED  
*Marcus J. Molinaro*  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 9/12/2012

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 10<sup>th</sup> day of September 2012, 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 10<sup>th</sup> day of September 2012.

*Carolyn Morris*  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

### APPROPRIATION RESOLUTIONS

*(To be completed by requesting department)*

Total Current Year Cost \$ 100,000

Total Current Year Revenue \$ 100,000  
and Source

HOME Investment Partnership Program Income

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

Identify Line Item(s):

CD8668.2705.4404

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

Nature/Reason:

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

Net County Cost (this year): \$0

Over Five Years: \$0

Additional Comments/Explanation:

Prepared by: Patricia Longbard, Department of Planning and Development

# Environment Committee Roll Call

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

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

2012226                      AUTHORIZING THE FINANCE DEPARTMENT TO AMEND  
 COMMUNITY DEVELOPMENT ACCOUNT FOR HOME  
 INVESTMENT PARTNERSHIP PROGRAM

Date: 9/6/12

# Roll Call Sheets

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

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

2012226

AUTHORIZING THE FINANCE DEPARTMENT TO AMEND  
 COMMUNITY DEVELOPMENT ACCOUNT FOR HOME  
 INVESTMENT PARTNERSHIP PROGRAM

Date: 9/10/12



## Budget, Finance, and Personnel Committee Roll Call

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

Present: 11  
 Absent: 1  
 Vacant: 0

Resolution: \_\_\_\_\_  
 Motion: ✓

Total : 3 8  
 Yes No  
 Abstentions: \_\_\_\_\_

JF/JT failed  
 Seperate into two resolutions.

Divide the question --  
 NO DEBATE

## Budget, Finance, and Personnel Committee Roll Call

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

Present: 11  
 Absent: 1  
 Vacant: 0

Resolution: ✓  
 Motion: —

Total : 9 2  
 Yes No  
 Abstentions: 0

2012227 APPOINTMENT AND REAPPOINTMENT TO THE BOARD OF TRUSTEES OF DUTCHESS COMMUNITY COLLEGE

Date: 9/6/12

# Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison	<input checked="" type="checkbox"/>	<input type="checkbox"/>
District 3 - Town of LaGrange	Borchert	<input type="checkbox"/>	<input type="checkbox"/>
District 6 - Town of Poughkeepsie	Flesland	<input type="checkbox"/>	<input type="checkbox"/>
District 10 - City of Poughkeepsie	Jeter-Jackson	<input type="checkbox"/>	<input type="checkbox"/>
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery	<input type="checkbox"/>	<input type="checkbox"/>
District 1 - Town of Poughkeepsie	Doxsey	<input type="checkbox"/>	<input type="checkbox"/>
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson	<input type="checkbox"/>	<input type="checkbox"/>
District 4 - Town of Hyde Park	Serino	<input type="checkbox"/>	<input type="checkbox"/>
District 5 - Town of Poughkeepsie	Roman	<input type="checkbox"/>	<input type="checkbox"/>
District 7 - Town of Hyde Park	Perkins	<input type="checkbox"/>	<input type="checkbox"/>
District 9 - City of Poughkeepsie	White	<input type="checkbox"/>	<input type="checkbox"/>
District 11 - Towns of Rhinebeck and Clinton	Tyner	<input type="checkbox"/>	<input checked="" type="checkbox"/>
District 12 - Town of East Fishkill	Weiss	<input type="checkbox"/>	<input type="checkbox"/>
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner	<input type="checkbox"/>	<input type="checkbox"/>
District 14 - Town of Wappinger	Amparo	<input type="checkbox"/>	<input type="checkbox"/>
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato	<input type="checkbox"/>	<input type="checkbox"/>
District 17 - Town and Village of Fishkill	Miccio	<input type="checkbox"/>	<input type="checkbox"/>
District 18 - City of Beacon	Forman	<input type="checkbox"/>	<input type="checkbox"/>
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Sherman	<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  
 Absent: 0  
 Vacant: 0

Resolution:   
 Motion:

Total : 24      1  
                   Yes            No  
 Abstentions: 0

2012227

## APPOINTMENT AND REAPPOINTMENT TO THE BOARD OF TRUSTEES OF DUTCHESS COMMUNITY COLLEGE

Date: 9/10/12

RESOLUTION NO. 2012228

RE: AMENDING RESOLUTION NO. 2012148 ESTABLISHING STANDARD WORK DAY FOR ELECTED OR APPOINTED OFFICIALS

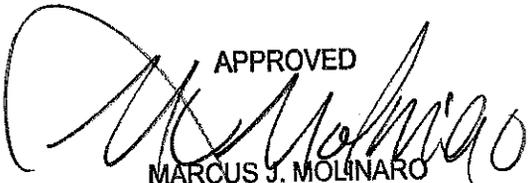
LEGISLATORS FLESLAND and ROLISON offer the following and move its adoption:

WHEREAS, on the 11<sup>th</sup> day of June 2012, the Dutchess County Legislature adopted Resolution No. 2012148 establishing a standard workday for elected and appointed officials; and

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

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

See Attached Schedule

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 9/17/2012

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 10<sup>th</sup> day of September 2012, 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 10<sup>th</sup> day of September 2012.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

TERM APPOINTMENTS OF ELECTED AND APPOINTED OFFICIALS

DEPARTMENT	EMPLOYEE	TITLE	TERM	HOURS IN WORKDAY	IN TIME-KEEPING SYSTEM	DAYS/MONTH (Based on Record of Activities)
Legislature	Sherman, David	Legislator	03/21/2012 – 12/31/2012	6	No	10
Public Defender	Gibson, Beth	Sr Asst Public Defender	01/01/2012 – 12/31/2015	7	Yes	N/A
Public Works	Balkind, Robert	Acting, Commissioner of Public Works	06/30/2012 – 02/08/2013	7	Yes	N/A
Finance	Seelbach-Budd, Heidi	First Deputy Commissioner of Finance	03/06/2012- 12/31/2015	7	Yes	N/A



*Pulled until Monday 228*  
*9/10/12*

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

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

Present: \_\_\_\_\_  
 Absent: \_\_\_\_\_  
 Vacant: \_\_\_\_\_

Resolution: \_\_\_\_\_  
 Motion: \_\_\_\_\_

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

2012228

AMENDING RESOLUTION NO. 2012148 ESTABLISHING  
 STANDARD WORK DAY FOR ELECTED OR APPOINTED  
 OFFICIALS

Date: 9/6/12

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

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

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

2012228      AMENDING RESOLUTION NO. 2012148 ESTABLISHING  
STANDARD WORK DAY FOR ELECTED OR APPOINTED  
OFFICIALS

Date: 9/10/12

# Roll Call Sheets

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

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

2012228      AMENDING RESOLUTION NO. 2012148 ESTABLISHING  
 STANDARD WORK DAY FOR ELECTED OR APPOINTED  
 OFFICIALS

Date: 9/10/12

RESOLUTION NO. 2012229

RE: PUBLIC AUCTION OF PROPERTIES ACQUIRED BY THE COUNTY THROUGH IN REM PROCEDURE

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

WHEREAS, pursuant to Article 11 of the Real Property Tax Law, the County of Dutchess has acquired title to certain parcels of real property as listed and annexed hereto on Exhibit "A", and

WHEREAS, the Commissioner of Finance has recommended the public sale of said parcels at a public auction to be conducted pursuant to the Terms of Sale in essentially the form annexed hereto as Exhibit "B" and the provisions of this resolution, now, therefore, be it

RESOLVED, that the Commissioner of Finance be and she hereby is authorized and empowered to sell the parcels listed and annexed hereto, at a public auction to be conducted at the Poughkeepsie Grand Hotel, Poughkeepsie, New York on or about October 17, 2012, by an auctioneer under the direction of the Commissioner of Finance, and be it further

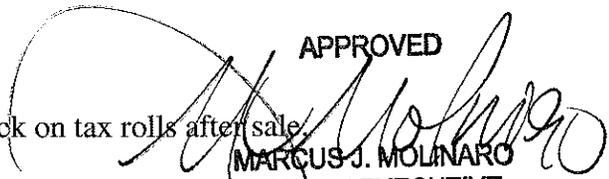
RESOLVED, that the Commissioner of Finance shall have the discretion to waive the In Rem fee authorized by Resolution No. 72 of 1991 where deemed economically desirable for the County, and be it further

RESOLVED, that the Commissioner of Finance shall give public notice of such sale as she may deem appropriate, and be it further

RESOLVED, that the County Executive and the Clerk of the County Legislature be and they hereby are authorized and empowered to execute deeds conveying the parcels of real property so sold to the purchasers thereof in the name and on behalf of the County of Dutchess.

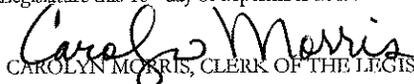
CA-132-12  
KPB/ca/R-0324  
8/13/12

Fiscal Impact: Favorable. Parcels will be put back on tax rolls after sale.

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 9/17/2012

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 10<sup>th</sup> day of September 2012, 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 10<sup>th</sup> day of September 2012.  
  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

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

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

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

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

Identify Line Items(s):

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

Nature/Reason:

Anticipated Savings to County: Favorable - Parcels will be put back on tax rolls.

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

Additional Comments/Explanation:

Prepared by: Pamela Barrack, Commissioner of Finance

<b>Auction#</b>	<b>Previously assessed to:</b>	<b>GRID NUMBERS</b>
1	COUNTY CONDUIT CORP	132000-7064-00-647030-0000
2	CARROLL HELENE CARROLL JAMES	132000-7067-20-932218-0000
3	KINNEAR DONNA KINNEAR JOHN JR	132000-7068-00-214685-0000
4	CUMMINGS DONALD	132000-7164-00-698659-0000
5	CUMMINGS DONALD G	132000-7164-00-991212-0000
6	49 EAST HOUSTON STREET CORP	132000-7165-00-313385-0000
7	KORNICKI TERRI	132000-7167-00-186672-0000
8	770 OLD ROUTE 22 LLC	132000-7167-17-119187-0000
9	LOWE JOCELYNE	132200-6558-08-966864-0000
10	CLARK HEATHER L	132200-6559-00-792110-0000
11	FELICE EDITH FELICE FRANK	132200-6559-00-943015-0000
12	FREDENBURGH DANIEL R	132200-6656-02-953972-0000
13	BASSETT JAMES P BASSETT THOMAS J	132200-6756-00-765126-0000
14	SABEL EQUITIES LLC	132200-6757-00-406130-0000
15	AMY SUSAN TASSONE GRAZIANO'	132200-6757-00-409174-0000
16	JOHNSON PAUL E SLINSKEY SAMUEL M III	132200-6757-00-452130-0000
17	CAPUTO ANTHONY	132200-6757-00-886588-0000
18	ELLIOTT ERNEST F ELLIOTT SANDRA L	132200-6759-00-788612-0000
19	HALBRO HOLDING CORP	132200-6858-00-320048-0000
20	ROXY REALTY & DEVELOPMENT CORP	132200-6959-13-205282-0000
21	FERRANDI JEANNINE	132400-6467-00-712200-0000
22	MCPMAHON LYNN MCPMAHON MICHAEL	132400-6468-00-937631-0000
23	CLARKE MATTHEW L J	132400-6469-00-323211-0000
24	HISCOCK FLORENCE HISCOCK RAYMOND J	132400-6469-09-222625-0000
25	DI MEO RALPH E SR	132400-6469-09-243629-0000
26	WERN ROBERT	132600-6961-00-796523-0000
27	LONG ALBERT JR LONG SOPHIE E	132600-7061-00-797987-0000
28	YENO WILLIAM R	132600-7159-00-005506-0000
29	YENO WILLIAM R	132600-7159-00-053523-0000
30	KORNICKI TERRI	132600-7159-00-145389-0000
31	SEGELBAUM LASZLO	132600-7160-01-393841-0000
32	UNKNOWN	132600-7162-00-405463-0000 now 506465
33	PIERCE JAMES G	132800-6357-01-190690-0000
34	DOHERTY ALICE L DOHERTY ANDREW M	132800-6357-02-954734-0000
35	MATWIJIW JOSEPH	132800-6358-04-865162-0000
36	LEMA-BOUZAS JOSE	132800-6455-00-757935-0000
37	HEPBURN HERBERT G HEPBURN MARY T	132800-6455-02-683720-0000
38	KRAUS VINCENT G	132800-6455-02-688624-0000
39	VIVENZIO SAM	132800-6456-01-090908-0000
40	FREDERICA DETTORI WORTH JENNIE	132800-6457-04-805457-0000
41	THOMAS STANLEY B	132800-6458-03-238120-0000
42	DOLSON DAWN RENEE	132800-6458-07-618863-0000

"A"

43	MILLER CHARLES J JR	132800-6459-19-559041-0000
44	KIMISIS GREEK ORTHODOX CHURCH	132800-6459-19-677204-0000
45	KIMISIS GREEK ORTHODOX CHURCH	132800-6459-19-681201-0000
46	DIGILIO FRANK T DIGILIO KATHLEEN	132800-6459-19-733022-0000
47	DIGILIO FRANK T DIGILIO KATHLEEN	132800-6459-19-743015-0000
48	DIGILIO FRANK T DIGILIO KATHLEEN	132800-6459-19-745017-0000
49	AHMED MASUD	132800-6459-20-801088-0000
50	ROSMILSO RALPH	132800-6459-20-841062-0000
51	GREICO CORIE	132800-6556-00-293362-0000
52	SZALYGO LUDWIG	132800-6556-00-831407-0000
53	SZALYGA LUDWIG TRUSTEE	132800-6556-00-839415-0000
54	JOHNSON PAULETTE RESINO KEVIN	132800-6655-03-215025-0000
55	JOHNSON PAULETTE RESINO KEVIN	132800-6655-03-226042-0000
56	KOEHLER KERI	132800-6658-03-072328-0000
57	MACAL DEVELOPMENT CORP	132800-6755-03-382499-0000
58	GARCIA VICTOR A	132800-6755-04-598212-0000
59	GARCIA VICTOR A	132800-6755-04-602196-0000
60	BARRETT LAWRENCE	132800-6755-04-818226-0000
61	GODSEN LUCILLE SKENE	132800-6756-00-031125-0000
62	BEHUNIAK PATRICIA FARRELL MARIANNA BEHUNIAK RONALD	133001-6156-20-961098-0000
62B	CHASIN REGINA GLICK ALBERT GLICK HERMAN GLICK MELVIN LONDON MOLLIE	133089-6054-08-902908-0000
63	STROTHER J ALLAN	133089-6055-01-127627-0000
64	ANDERSON RUTH E	133089-6055-16-995403-0000
65	CASEY LISA A ADMIN	133089-6055-20-983031-0000
66	COUNTY CONDUIT CORP.	133089-6155-01-461583-0000
67	PILAPIL MARIALUIS C	133089-6155-01-487580-0000
68	GOODWIN MICHAEL J	133089-6156-04-817478-0000
69	BEHUNIAK PATRICIA FARRELL MARIANNA	133089-6156-04-957109-0000
70	BEVILACQUA JAMES EXECUTOR	133089-6256-01-021524-0000
71	DI GESO DOMINICO	133089-6256-02-994786-0000
72	2ND CHANCE REALTY INC BEST BUILDERS I	133089-6356-01-090733-0000
73	VAN WAGNERS BARD BUILDERS INC	133200-6065-04-995394-0000
74	MOWER ALLAN	133200-6067-04-896310-0000
75	CHANG FENG-CHING	133200-6164-01-074690-0000
76	BL PROPERTY INVESTMENT CORP	133200-6164-03-385043-0000
77	VIVENZIO SAM	133200-6165-01-481505-0000
78	FITZGERALD SHANNON K	133200-6167-03-103065-0000
79	LEE JOAN I	133200-6168-04-807283-0000
80	GRUSETSKI LAWRENCE	133200-6266-03-174202-0000
81	ALLEN PATRICIA L ALLEN ROBERT	133400-6260-02-576948-0000
82	AUCHMOODY SHAWN L	133400-6260-04-622379-0000
83	KIMISIS GREEK ORTHODOX CHURCH	133400-6260-04-662351-0000

84	ELLIOTT ERNEST F	133400-6359-02-556725-0000
85	O'MARA REALTY & DEV CORP	133400-6360-01-093926-0000
86	CARDILLO JAMES CORDEIRO ANA MARIE	133400-6360-01-139884-0000
87	LAWRENCE ROBERT	133400-6360-01-147952-0000
88	POLUZZI PATRICIA M POLLUZZI ROBERT T	133400-6360-02-674638-0000
89	POLUZZI PATRICIA M POLLUZZI ROBERT T	133400-6360-02-693639-0000
90	POLUZZI PATRICIA M POLLUZZI ROBERT T	133400-6360-02-710654-0000
91	SPIAK WILLIAM	133400-6360-02-860964-0000
92	JUHI INC	133400-6460-02-585905-0000
93	SENDZIMIR BERTHE	133400-6460-03-420199-0000
94	SENDZIMIR BERTHE	133400-6460-03-451161-0000
95	SENDZIMIR BERTHE	133400-6460-03-457150-0000
96	ELLIOTT ERNEST F	133400-6460-04-646485-0000
97	CATALIC VICTOR	133400-6461-01-073869-0000
98	SCACCIA GERTRUDE	133400-6559-01-436627-0000
99	SIEGEL ANGELA M SIEGEL IRA S	133400-6560-02-888704-0000
100	RW THEW TRUST	133400-6560-03-458092-0000
101	DEMICHIEL MICHAEL J CEMICHIEL SUSAN K	133400-6562-03-456442-0000
102	NICHOLS MARY	133600-6473-00-620226-0000
103	NICHOLS MARY	133600-6473-00-630185-0000
104	PARKER MIRIAM	133600-6474-00-973085-0000
105	SPEIRS ROSEMARY C	133600-6571-02-919555-0000
106	SPEIRS ROSEMARY C	133600-6573-00-280622-0000
107	REYNOLDS ROBERT P	133801-7271-18-442176-0000
108	BL PROPERTY INVESTMENT CORP	133889-7169-00-605905-0000
109	HUNT CHRISTOPHER	133889-7170-00-253322-0000
110	73 RUDD POND RD LLC	133889-7271-00-484451-0000
111	ROSAS MICHAEL P ROSAS TRINA M	133889-7271-00-569274-0000
112	PENNEY FRED F PENNEY WIFE	134001-6956-08-961935-0000
113	PREDHAM RICHARD J EXECUTOR	134001-7057-17-008077-0000
114	KIMISIS GREEK ORTHODOX CHURCH	134089-6856-13-164498-0000
115	LOPANE MARIA E LOPANE VINCENT	134089-7056-00-678645-0000
116	BROWN ALEXANDER BROWN SUZANNE	134089-7157-00-049133-0000
117	GERSCHEL ALBERTA	134089-7259-00-178100-0000
118	LEE JOAN I LEE MARY M	134200-6871-00-413933-0000
119	HAYNES DONNA N HAYNES JEFFREY N	134200-6872-00-228873-0000
120	WILLIAMS MARJORIE E	134400-6564-03-155424-0000
121	MARTIN ROBERT J WEINRACH MICHAEL H	134601-6158-14-286314-0000
122	BLASSE JASLYN BLASSE NETHELBERT	134689-6058-20-865090-0000
123	MAXIN FANNY M MAXIN PHILIP A	134689-6059-08-979942-0000
124	SCALZO JUNE M	134689-6159-03-439053-0000
125	RCT ENTERPRISES LLC	134689-6161-07-688870-0000

126	EKWEREKWU VERONA A	134689-6162-05-093887-0000
127	PINES SIDNEY	134689-6162-05-098868-0000
128	PATRICK WILLIAM	134689-6162-15-737355-0000
129	SHEIKH TAHIR JAVAID	134689-6162-15-748453-0000
130	MERRITT JONATHAN D	134689-6162-19-705069-0000
131	BONANNO FLORINDO PACE JOHN	134689-6162-20-930194-0000
132	SHUKLA NIRAV	134689-6262-03-226265-0000
133	BURDINE BARBARA JANE BURDINE HENRY W	134689-6263-04-665066-0000
134	GORRAY WILLIAM F	134801-6272-09-202683-0000
135	WHITE LANCE D	134803-6174-02-643925-0000
136	NERATOFF ALEXANDR	134803-6174-06-429813-0000
138	MARTIN ROBERT J	134889-6273-14-272397-0000
139	CIPRIANO BROTHERS CONTRACTING	135089-6268-00-008681-0000
140	MC CARTHY JEANNE J MC CARTHY RAYMON	135200-6869-11-601502-0000
141	PENDERGAST KEVIN	135400-6661-00-487554-0000
142	ADLER JANE R	135400-6662-00-124037-0000
143	MC LAUHLAN HENRY	135601-6158-17-138130-0000
144	SCIANNA THOMAS S	135601-6158-17-198119-0000
145	JAKLITSCH CAROLYN A	135601-6158-18-363174-0000
146	SMITH-WALTON RANDI	135689-6057-16-894337-0000
147	ALSTON DARRICK ALSTON G LAVERNE	135689-6156-01-010554-0000
148	ZENO THERESA	135689-6156-02-794847-0000
149	ZENO THERESA	135689-6156-02-820883-0000
150	SMITH MICHAEL B	135689-6156-07-578798-0000
151	G & S DREAMWORK HOMES LLC	135689-6157-03-157248-0000
152	PASQUALE JANE E	135689-6158-11-607540-0000
153	GOODWIN MICHAEL J	135689-6256-02-970944-0000
154	SCHUELE EUGENE	135689-6258-02-787614-0000
155	APGAR ROBERT MCBRIDE SUSAN	135689-6258-04-759217-0000
156	PEKS HOLDING CORP	135689-6359-02-539693-0000
157	TIFFANY HILL SOUTH	135689-6359-04-543283-0000
158	HOWLETT JOAN RM POST RICHARD LT POST VIRGINIA RM POST-GALLINGER NORMA RM	135689-6459-03-070409-0000
159	BOOTH DOROTHY A	135801-6764-02-911834-0000
160	FINGER VIOLET	135889-6764-01-330652-0000
161	WING LINDA WING PATRICK M	135889-6767-00-619131-0000

# TERMS AND CONDITIONS OF SALE

## TERMS FOR INTERNET BIDDING (in addition to standard terms below):

1. **Registration.** All bidders are required to register and to provide suitable I.D. (photo copy acceptable) prior to the auction. Auctioneer reserves the right to decline registration if I.D. is not sufficient. Notarized copy of bidder's signature on copy of bidder's valid driver's license or passport must be provided to auctioneer. **NO EXCEPTIONS.**
2. **Bidder Approval.** Download the "Internet Bidder Registration Packet" from the website (<http://www.nysauctions.com/auctions/IbidReg/Dutchess.pdf>). Complete all required information where highlighted by printing or signing legibly and return all completed documents with the funds described in paragraph two below to auctioneer/broker no later than 12:00 PM (noon) on Tuesday, October 16, 2012, Eastern Standard Time. **NO EXCEPTIONS.**
3. **No Recourse.** Internet bidding through our Provider is offered as a service to our customers, and bidders shall not hold Dutchess County and/or Haroff Auction and Realty, Inc. and/or Absolute Auctions & Realty, Inc., responsible for any failure due to the loss of the internet connection supplied to Haroff Auction & Realty Inc. and Absolute Auctions & Realty, Inc. by the Provider.

\*\*\*\*\*

## STANDARD TERMS:

1. **Buyer's Premium.** Purchaser shall pay an eleven percent (11%) buyers premium (a 1% buyer's premium discount will be given for cash or guaranteed funds) in addition to the accepted bid price.
2. **Down Payment.** \$250 or 20% of the total contract price (contract price is the bid price + buyer's premium), whichever is higher, shall be paid as a down payment upon execution of a contract of sale immediately upon being declared the successful high bidder. **ONLY CASH, CREDIT CARD (MASTERCARD, VISA or DISCOVER CARD ONLY), MONEY ORDER OR BANK CHECK (Tellers/Cashiers Check) MADE PAYABLE TO "DUTCHESS COUNTY COMMISSIONER OF FINANCE" WILL BE ACCEPTED. NO EXCEPTIONS.**
3. **Closing Costs.** Purchaser shall pay the following closing costs: Filing Fee for Combined Gains Transfer Tax Affidavit of \$5, Filing Fee of \$5 for Town of Red Hook Transfer Tax, and all recording and other fees required by the Dutchess County Clerk. Fees are subject to change by law without further notice.
4. **Balance Due.** The balance due, including closing costs and the 2012-2013 School Tax, and Village Tax if any, shall be paid by **cash, money order or bank check** made payable to "Dutchess County Commissioner of Finance" on or before **November 16, 2012. Credit Card payment is NOT acceptable for balance due. TIME IS OF THE ESSENCE.** Failure to timely pay balance due shall constitute default and forfeiture of down payment.
5. **Recording Information.** Purchaser shall provide all information necessary for recording the deed and shall execute all required documents prior to close of auction.

"B"

6. **Deed.** Conveyance shall be by quitclaim deed, with the description of the property to be by tax grid number. The deed shall be recorded by the County after payment in full, and returned to purchaser by the County Clerk's Office.

7. **No Warranty.** (a) All real property, including any buildings thereon, is sold "AS IS", without any representation or warranty whatsoever, and is subject to: 1) any facts a survey or inspection of the parcel would disclose; 2) applicable zoning/land use/building regulations/**easements of record or matters of public record**; 3) all federal or state taxes, liens, delinquent water and/or sewer rents, other local charges, mortgages or judgments not extinguished from the parcel by foreclosure proceedings.

(b) All informational material such as slides, tax maps, deeds, photos, auction listings, auction catalogs, auction signs, property record cards, and verbal descriptions are for identification purposes only and represent no warranty or guarantee as to accuracy or otherwise.

(c) There is no representation, express or implied, as to condition of parcel, warranty of title, right of access, or suitability for a particular use. **RESEARCH BEFORE YOU BID.**

8. **No Recourse.** All sales shall be final and without recourse, and in no event shall Dutchess County and/or Haroff Auction & Realty, Inc. and/or Absolute Auction & Realty, Inc., be liable for any defects in title for any cause whatsoever. No claim, demand or suit of any nature shall exist in favor of the purchaser, its heirs, successors or assigns, against Dutchess County and/or Haroff Auction & Realty, Inc. and/or Absolute Auction & Realty, Inc., arising from this sale.

9. **Right of Withdrawal:** By Resolution No. 244 of 1997, the County of Dutchess adopted a Land Disposition Policy which provides that the former landowner has the exclusive opportunity to reacquire his/her property through the payment of all back taxes, fees and incurred interest cost after the conclusion of the *in rem* proceedings but only until 5:00 P.M. on the day prior to the next county auction of properties, subject to approval by the County Legislature. After that time the County shall not remove any properties from auction absent a direction to do so from a court of competent jurisdiction.

10. **Confirmation of Sale.** The successful bid shall be considered an offer to purchase subject to the acceptance of the County (a) If the high bid on a parcel at auction meets or exceeds the outstanding taxes, costs, fees, due and owing, and the high bid is not substantially less than the assessed value of the parcel; and the bidder fully complies with the terms and conditions of sale, the bid shall be accepted and the contract of sale forwarded to the purchaser. (b) If the high bid fails to meet this standard, it shall be rejected, in which case written notice shall be given to bidder by the Dutchess County Commissioner of Finance. **All balances are due on or before November 16, 2012.**

11. **Personal Property.** No personal property is included in the sale of any parcel by Dutchess County. The disposition of any personal property located on any parcel sold shall be the sole responsibility of the purchaser following the recording of the deed.

12. **Auctioneer.** The auctioneer's decision regarding any disputes is final and the auctioneer reserves the right to reject any bid not considered an appreciable advance over the preceding bid.

13. **Evictions.** Evictions, if necessary, are the sole responsibility of the purchaser following the recording of the deed.

14. **Possession and Entry.** The purchaser shall not take possession of nor enter upon the parcel until recording of the deed by Dutchess County.

15. **Prohibitions.** (a) The owner of a particular parcel immediately prior to the foreclosure action shall not be allowed to bid on that parcel at auction. (b) No person (or spouse) employed in the offices of the County Executive, County Attorney, Finance, Real Property Tax or who is a member of the Dutchess County Legislature or who is an auctioneer, member of his family or his employee shall be allowed to bid upon or purchase a parcel at auction.

16. **No Assignment.** The successful bidder shall have no right to assign the right to complete the purchase. Any attempted assignment shall be void and given no effect by the County.

17. **Risk of Loss Provision:** Buyer assumes risk of loss as of the date final payment is made.

18. The auctioneer reserves the right to revoke permission to bid and remove any individual from the auction whose behavior is deemed disruptive to the safe and efficient administration of the auction.

19. Any bidder including back-up bidders who refuse to execute their bid for a particular parcel, shall be prohibited from bidding for that same parcel in any subsequent round of bidding for said parcel.

I accept these Terms and Conditions of Sale:

Bidder Number
---------------

\_\_\_\_\_  
Bidder's Printed Name  
Dated: October 17, 2012

\_\_\_\_\_  
Bidder's Signature

C-5186 8/5/12

# Budget, Finance, and Personnel Committee Roll Call

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

Present: 11 Resolution: \_\_\_\_\_ Total: 1 10  
 Absent: 1 Motion: ✓ Yes No  
 Vacant: 0 Abstentions: \_\_\_\_\_

*Amend first Resolved*

*JT / AMAC*

*2012229 suggest a phone call be made to the former owners*  
*9/6/12*

# Budget, Finance, and Personnel Committee Roll Call

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

Present: 11  
 Absent: 1  
 Vacant: 0

Resolution: ✓  
 Motion:     

Total : 10 1  
           Yes      No  
 Abstentions: 0

2012229 PUBLIC AUCTION OF PROPERTIES ACQUIRED BY THE COUNTY THROUGH IN REM PROCEDURE

Date: 9/6/12

# Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Flesland		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Doxsey		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Town of Hyde Park	Perkins		
District 9 - City of Poughkeepsie	White		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 14 - Town of Wappinger	Amparo		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon	Forman		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Sherman		
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:                     
 Absent: 0      Motion:       Yes      No  
 Vacant: 0      Abstentions:       

JT/JD Amend 1<sup>st</sup> Resolved to add after annexed hereto,  
 "that a call be made to all former property owners that  
 have not received signed receipt of certified mail" Legislator Doxsey  
 2012229 withdrew his second. Amendment failed due  
 9/10/12 to lack of a second.

# Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison	✓	
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Flesland		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery		✓
District 1 - Town of Poughkeepsie	Doxsey		✓
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Town of Hyde Park	Perkins		
District 9 - City of Poughkeepsie	White		✓
District 11 - Towns of Rhinebeck and Clinton	Tyner		✓
District 12 - Town of East Fishkill	Weiss		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 14 - Town of Wappinger	Amparo		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon	Forman		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Sherman		
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: 25 ✓      Total: 23      2  
 Absent: 0      Motion:           Yes      No  
 Vacant: 0      Abstentions:     

2012229 PUBLIC AUCTION OF PROPERTIES ACQUIRED BY THE COUNTY THROUGH IN REM PROCEDURE

Date: 9/10/12



RESOLUTION NO. 2012230

RE: QUIT CLAIM DEED, PROPERTY IN THE TOWN OF WAPPINGER  
ASSESSED UNDER THE NAME OF SARIS EMANUEL F  
SARIS STEPHANIE V  
GRID: 135689-6257-01-477981-0000

LEGISLATORS Borchert and Inconorato offer the following and move its adoption:

WHEREAS, unpaid tax on property in the Town of Wappinger assessed to Saris Emanuel F Saris Stephanie V for the levy year 2009 and described as Grid No. 135689-6257-01-477981-0000 amounting to \$7,949.64 was placed on a List of Delinquent Taxes filed in the Dutchess County Clerk's Office on November 1, 2010 for the tax lien year of 2010, and

WHEREAS, Dutchess County instituted an in rem foreclosure proceeding, Index No. 2010/7051 to enforce the collection of delinquent tax liens for the levy year 2009 and the above property was not redeemed within the time prescribed by law, resulting in a judgment of foreclosure and a deed conveying title of the property to Dutchess County, which deed was recorded in the Office of the Dutchess County Clerk on July 6, 2012, Document # 02 2012 2936, and

WHEREAS, the sum of \$18,271.65 was tendered to the Dutchess County Commissioner of Finance in payment of all right, title and interest which the County may have acquired in and to the above property by reason of the above deed, and in payment of all unpaid taxes and all other charges due and owing, now, therefore, be it

RESOLVED, that the County Executive and Clerk of the Legislature be and they are hereby authorized, empowered and directed to make, execute and deliver in the name of the County of Dutchess and of the Legislature of said County, a quitclaim deed to Emanuel F. Saris and Stephanie V. Saris, 52 Lake Oniad Drive, Wappingers Falls, NY 12590 of any and all interest which the County of Dutchess may have acquired in and to the said parcel by reason of the above deed.

CA-129-12  
PB:CM:deb/ca  
8/10/2012  
Fiscal Impact: None

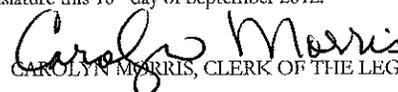
APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 9/12/2012

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 10<sup>th</sup> day of September 2012, 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 10<sup>th</sup> day of September 2012.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# Budget, Finance, and Personnel Committee Roll Call

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

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

2012230 QUIT CLAIM DEED, PROPERTY IN THE TOWN OF WAPPINGER  
 ASSESSED UNDER THE NAME OF SARIS EMANUEL F  
 SARIS STEPHANIE V  
 GRID: 135689-6257-01-477981-0000

Date: 9/6/12

# Roll Call Sheets

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

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

2012230      QUIT CLAIM DEED, PROPERTY IN THE TOWN OF WAPPINGER  
 ASSESSED UNDER THE NAME OF SARIS EMANUEL F  
 SARIS STEPHANIE V  
 GRID: 135689-6257-01-477981-0000

Date: 9/10/12

RESOLUTION NO. 2012231

RE: QUIT CLAIM DEED, PROPERTY IN THE TOWN OF HYDE PARK  
ASSESSED UNDER THE NAME OF HARRIS WILLIAM  
HARRIS AUDREY H  
GRID: 133200-6263-04-515372-0000

LEGISLATORS Borchert and Perkins offer the following and move its adoption:

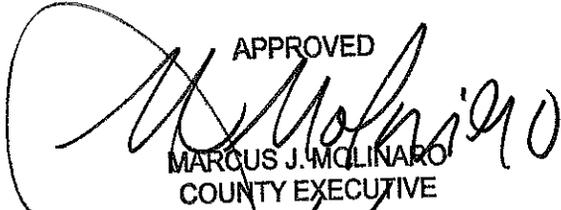
WHEREAS, unpaid tax on property in the Town of Hyde Park assessed to Harris William Harris Audrey H for the levy year 2009 and described as Grid No. 133200-6263-04-515372-0000 amounting to \$3,705.37 was placed on a List of Delinquent Taxes filed in the Dutchess County Clerk's Office on November 1, 2010 for the tax lien year of 2010, and

WHEREAS, Dutchess County instituted an in rem foreclosure proceeding, Index No. 2010/7051 to enforce the collection of delinquent tax liens for the levy year 2009 and the above property was not redeemed within the time prescribed by law, resulting in a judgment of foreclosure and a deed conveying title of the property to Dutchess County, which deed was recorded in the Office of the Dutchess County Clerk on July 6, 2012, Document # 02 2012 2936, and

WHEREAS, the sum of \$10,503.09 was tendered to the Dutchess County Commissioner of Finance in payment of all right, title and interest which the County may have acquired in and to the above property by reason of the above deed, and in payment of all unpaid taxes and all other charges due and owing, now, therefore, be it

RESOLVED, that the County Executive and Clerk of the Legislature be and they are hereby authorized, empowered and directed to make, execute and deliver in the name of the County of Dutchess and of the Legislature of said County, a quitclaim deed to William Harris and Audrey H. Harris, 5 Marshall Drive, Poughkeepsie, NY 12601 of any and all interest which the County of Dutchess may have acquired in and to the said parcel by reason of the above deed.

CA-127-12  
PB:CM:deb/ca  
8/10/12  
Fiscal Impact: None

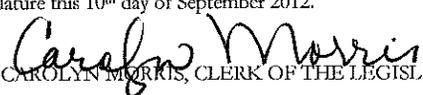
APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 9/12/2012

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 10<sup>th</sup> day of September 2012, 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 10<sup>th</sup> day of September 2012.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

## Budget, Finance, and Personnel Committee Roll Call

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

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

2012231                      QUIT CLAIM DEED, PROPERTY IN THE TOWN OF HYDE PARK  
                                     ASSESSED UNDER THE NAME OF HARRIS WILLIAM  
                                     HARRIS AUDREY H  
                                     GRID: 133200-6263-04-515372-0000

Date: 9/6/12

# Roll Call Sheets

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

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

2012231                      QUIT CLAIM DEED, PROPERTY IN THE TOWN OF HYDE PARK  
                                     ASSESSED UNDER THE NAME OF HARRIS WILLIAM  
                                     HARRIS AUDREY H  
                                     GRID: 133200-6263-04-515372-0000

Date: 9/10/12

RESOLUTION NO. 2012232

RE: QUIT CLAIM DEED, PROPERTY IN THE TOWN OF EAST FISHKILL  
ASSESSED UNDER THE NAME OF GALINDEZ-FRANZESE MARYANN  
GRID: 132800-6459-20-853038-0000

Legislators Borchert and Weiss offer the following and move its adoption:

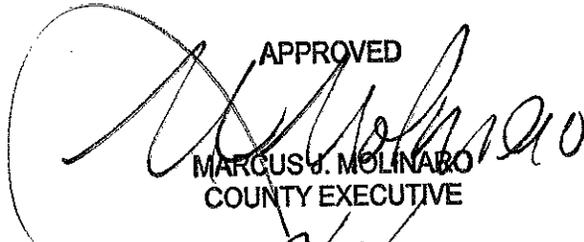
WHEREAS, unpaid tax on property in the Town of East Fishkill assessed to Galindez-Franzese Maryann for the levy year 2009 and described as Grid No. 132800-6459-20-853038-0000 amounting to \$1,017.47 was placed on a List of Delinquent Taxes filed in the Dutchess County Clerk's Office on November 1, 2010 for the tax lien year of 2010, and

WHEREAS, Dutchess County instituted an in rem foreclosure proceeding, Index No. 2010/7051 to enforce the collection of delinquent tax liens for the levy year 2009 and the above property was not redeemed within the time prescribed by law, resulting in a judgment of foreclosure and a deed conveying title of the property to Dutchess County, which deed was recorded in the Office of the Dutchess County Clerk on July 6, 2012, Document # 02 2012 2936, and

WHEREAS, the sum of \$1,230.89 was tendered to the Dutchess County Commissioner of Finance in payment of all right, title and interest which the County may have acquired in and to the above property by reason of the above deed, and in payment of all unpaid taxes and all other charges due and owing, now, therefore, be it

RESOLVED, that the County Executive and Clerk of the Legislature be and they are hereby authorized, empowered and directed to make, execute and deliver in the name of the County of Dutchess and of the Legislature of said County, a quitclaim deed to Maryann Galindez-Franzese, 216 Van Mackey Road, Wappingers Falls, NY 12590 of any and all interest which the County of Dutchess may have acquired in and to the said parcel by reason of the above deed.

CA-130-12  
PB:CM:deb/ca  
8/10/2012  
Fiscal Impact: None

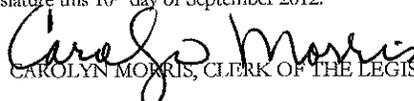
APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 9/12/2012

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 10<sup>th</sup> day of September 2012, 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 10<sup>th</sup> day of September 2012.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# Budget, Finance, and Personnel Committee Roll Call

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

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

2012232      QUIT CLAIM DEED, PROPERTY IN THE TOWN OF EAST FISHKILL ASSESSED UNDER THE NAME OF GALINDEZ-FRANZESE MARYANN  
 GRID: 132800-6459-20-853038-0000

Date: 9/6/12

# Roll Call Sheets

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

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

2012232      QUIT CLAIM DEED, PROPERTY IN THE TOWN OF EAST  
 FISHKILL ASSESSED UNDER THE NAME OF  
 GALINDEZ-FRANZESE MARYANN  
 GRID: 132800-6459-20-853038-0000

Date: 9/10/12

RESOLUTION NO. 2012233

RE: QUIT CLAIM DEED, PROPERTY IN THE TOWN OF LAGRANGE  
ASSESSED UNDER THE NAME OF SENDZIMIR BERTHE  
GRID: 133400-6460-03-338270-0000

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

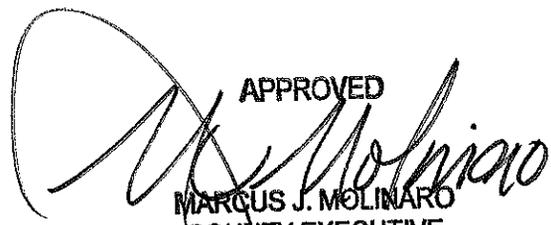
WHEREAS, unpaid tax on property in the Town of LaGrange assessed to Sendzimir Berthe (Now deceased) for the levy year 2009 and described as Grid No. 133400-6460-03-338270-0000 amounting to \$3,865.70 was placed on a List of Delinquent Taxes filed in the Dutchess County Clerk's Office on November 1, 2010 for the tax lien year of 2010, and

WHEREAS, Dutchess County instituted an in rem foreclosure proceeding, Index No. 2010/7051 to enforce the collection of delinquent tax liens for the levy year 2009 and the above property was not redeemed within the time prescribed by law, resulting in a judgment of foreclosure and a deed conveying title of the property to Dutchess County, which deed was recorded in the Office of the Dutchess County Clerk on July 6, 2012, Document # 02 2012 2936 and

WHEREAS, the sum of \$40,866.65 was tendered to the Dutchess County Commissioner of Finance in payment of all right, title and interest which the County may have acquired in and to the above property by reason of the above deed, and in payment of all unpaid taxes and all other charges due and owing, now, therefore, be it

RESOLVED, that the County Executive and Clerk of the Legislature be and they are hereby authorized, empowered and directed to make, execute and deliver in the name of the County of Dutchess and of the Legislature of said County, a quitclaim deed to Estate of Berthe Sendzimir, c/o Stanley Sendzimir, Ancillary Administrator, 216 Weekepeemee Rd, Bethlehem, CT 06751 of any and all interest which the County of Dutchess may have acquired in and to the said parcel by reason of the above deed.

CA-128-12  
PB:CM:deb/ca  
8/10/2012  
Fiscal Impact: None

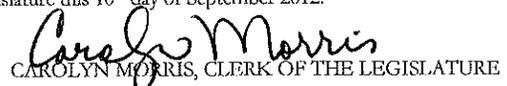
APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 9/12/2012

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 10<sup>th</sup> day of September 2012, 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 10<sup>th</sup> day of September 2012.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

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

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

Present: 11  
 Absent: 1  
 Vacant: 0

Resolution: ✓  
 Motion:     

Total : 11 0  
 Yes No  
 Abstentions: 0

2012233 QUIT CLAIM DEED, PROPERTY IN THE TOWN OF LAGRANGE  
 ASSESSED UNDER THE NAME OF SENDZIMIR BERTHE  
 GRID: 133400-6460-03-338270-0000

Date: 9/6/12

# Roll Call Sheets

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

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

2012233      QUIT CLAIM DEED, PROPERTY IN THE TOWN OF LAGRANGE  
 ASSESSED UNDER THE NAME OF SENDZIMIR BERTHE  
 GRID: 133400-6460-03-338270-0000

Date: 9/10/12

RESOLUTION NO. 2012234

RE: QUIT CLAIM DEED, PROPERTY IN THE TOWN OF LAGRANGE  
ASSESSED UNDER THE NAME OF SENDZIMIR BERTHE  
GRID: 133400-6460-03-362099-0000

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

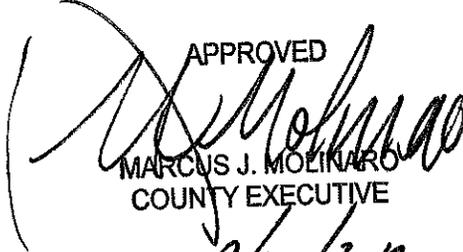
WHEREAS, unpaid tax on property in the Town of LaGrange assessed to Sendzimir Berthe (Now deceased) for the levy year 2009 and described as Grid No. 133400-6460-03-362099-0000 amounting to \$817.44 was placed on a List of Delinquent Taxes filed in the Dutchess County Clerk's Office on November 1, 2010 for the tax lien year of 2010, and

WHEREAS, Dutchess County instituted an in rem foreclosure proceeding, Index No. 2010/7051 to enforce the collection of delinquent tax liens for the levy year 2009 and the above property was not redeemed within the time prescribed by law, resulting in a judgment of foreclosure and a deed conveying title of the property to Dutchess County, which deed was recorded in the Office of the Dutchess County Clerk on July 6, 2012, Document # 02 2012 2936, and

WHEREAS, the sum of \$7,258.44 was tendered to the Dutchess County Commissioner of Finance in payment of all right, title and interest which the County may have acquired in and to the above property by reason of the above deed, and in payment of all unpaid taxes and all other charges due and owing, now, therefore, be it

RESOLVED, that the County Executive and Clerk of the Legislature be and they are hereby authorized, empowered and directed to make, execute and deliver in the name of the County of Dutchess and of the Legislature of said County, a quitclaim deed to Estate of Berthe Sendzimir, c/o Stanley Sendzimir, Ancillary Administrator, 216 Weekepeemee Rd, Bethlehem, CT 06751 of any and all interest which the County of Dutchess may have acquired in and to the said parcel by reason of the above deed.

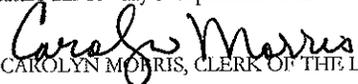
CA-131-12  
PB:CM:deb/ca  
8/10/2012  
Fiscal Impact: None

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 9/17/2012

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 10<sup>th</sup> day of September 2012, 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 10<sup>th</sup> day of September 2012.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# Budget, Finance, and Personnel Committee Roll Call

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

Present: 11  
 Absent: 1  
 Vacant: 0

Resolution: ✓  
 Motion:     

Total : 11 0  
 Yes No  
 Abstentions: 0

2012234 QUIT CLAIM DEED, PROPERTY IN THE TOWN OF LAGRANGE  
 ASSESSED UNDER THE NAME OF SENDZIMIR BERTHE  
 GRID: 133400-6460-03-362099-0000

Date: 9/6/12

# Roll Call Sheets

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

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

2012234                      QUIT CLAIM DEED, PROPERTY IN THE TOWN OF LAGRANGE  
                                     ASSESSED UNDER THE NAME OF SENDZIMIR BERTHE  
                                     GRID: 133400-6460-03-362099-0000

Date: 9/10/12

## RESOLUTION NO. 2012235

RE: ERRONEOUS TAXES, TOWN OF WAPPINGER  
 ASSESSED TO: CORNELL, MICHAEL D.  
 GRID NUMBER: 135689-6459-03-021071-0000

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

WHEREAS, the Receiver of Taxes of the Town of Wappinger has returned unpaid to this office County, Town, Special District Taxes and re-levied School Taxes based on the 2009, 2010 & 2011 tax rolls against grid number 135689-6459-03-021071-0000, and

WHEREAS, it has been determined by the Real Property Tax Service Agency that the assessment is erroneous due to the property having been acquired by the Town of Wappinger on April 6, 2006, subsequent to taxable status date and prior to the levy of taxes and should be exempt, and

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

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

		<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>TOTAL</u>
A342	Allow. For Uncollect. Taxes	\$102.50	\$112.10	\$67.22	\$281.82
A430.5689	Town of Wappinger	22.29	27.14	29.83	79.26
A430.5689	Grinell Library	2.40	2.64	2.90	7.94
A440.5689 (999AM)	Ambulance Town Wide	1.96	2.15	2.35	6.46
A4530.5689 (HF036)	New Hackensack Fire	5.10	5.44	5.93	16.47
A440.1A	Arlington School	202.38	236.70	252.71	691.79
	TOTAL:	<u>\$336.63</u>	<u>\$386.17</u>	<u>\$360.94</u>	<u>\$1,083.74</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 lien.

CA-125-12  
 CM/djw  
 8/2/12  
 Fiscal Impact: None

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 10<sup>th</sup> day of September 2012, 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 10<sup>th</sup> day of September 2012.

*Marcus J. Molinaro*  
 APPROVED  
 MARCUS J. MOLINARO  
 COUNTY EXECUTIVE  
 Date 9/17/2012  
*Carolyn Morris*  
 CAROLYN MORRIS, CLERK OF THE LEGISLATURE

## Budget, Finance, and Personnel Committee Roll Call

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

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

2012235      ERRONEOUS TAXES, TOWN OF WAPPINGER  
 ASSESSED TO: CORNELL, MICHAEL D.  
 GRID NUMBER: 135689-6459-03-021071-0000

Date: 9/6/12

# Roll Call Sheets

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

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

2012235      ERRONEOUS TAXES, TOWN OF WAPPINGER  
 ASSESSED TO: CORNELL, MICHAEL D.  
 GRID NUMBER: 135689-6459-03-021071-0000

Date: 9/10/12

RESOLUTION NO. 2012236

RE: AUTHORIZING A WORKFORCE ADJUSTMENT INCENTIVE PROGRAM FOR 2012 AND TO PAY FOR EMPLOYEE BENEFIT PAYOUTS AND INCENTIVE PAYMENTS

Legislators BORCHERT, FLESLAND, FORMAN, HORTON, HUTCHINGS, INCORONATO, MICCIO, ROLISON, ROMAN, SERINO, SHERMAN, SURMAN, THOMES, TRAUDT, WEISS, WILKINSON, PERKINS offer the following and move its adoption:

WHEREAS, the County Executive has advised that Dutchess County Government, as with all local governments across New York State, is facing severe fiscal challenges for 2013 and these challenges could extend for years into the future, and

WHEREAS, Dutchess County faces a potential 2013 budget gap of up to \$40 million, the reduction of which is complicated by a limited fund balance, underfunded state mandates, a property tax cap, and the continuing uncertainties of our national, state and local economy, and

WHEREAS, in order to weather the multi-year impact of expenses relating to the costs of our human resources, the size of Dutchess County Government must be reduced, and

WHEREAS, the County Executive has proposed a voluntary Workforce Adjustment Incentive Program which is designed to reduce the size of the County's workforce, reduce payroll and fringe benefit expenditures and streamline County Government while continuing to provide essential services to our residents, and

WHEREAS, the Incentive Program will provide an opportunity for eligible County employees to apply for a one-time \$20,000 cash benefit to voluntarily resign from County service no later than November 30, 2012, and

WHEREAS, in order to achieve the necessary savings to the County, either the position of the employee approved for the incentive program or a corresponding position in County government will be deleted from the budget, and

WHEREAS, since the County has a limited amount of time to effectuate the plan, by November 30, 2012, it is proposed that the ninety (90) day waiting period for changing health coverage status be reduced to thirty (30) days, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby approves the Workforce Adjustment Incentive Program for 2012, and be it further

RESOLVED, that the ninety (90) day waiting period for health coverage status be reduced to thirty (30) days.

CA-142-12 JMF/ca/P-1383 9/7/12

Fiscal Impact: See attached Attachment

APPROVED  
*[Signature]*  
WALTON J. MOLNARO  
COUNTY EXECUTIVE  
Date 9/17/2012

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 10<sup>th</sup> day of September 2012, 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 10<sup>th</sup> day of September 2012.

*[Signature]*  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

## APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Potential 2013 savings from deleted positions (salary & fringe): \$ 4.6 million  
Potential 2012 cost for incentive payments & benefit payouts: \$ 1.4 million  
Potential net savings for Incentive Program (2012 & 2013): \$ 3.2 million

Note: Figures above reflect the maximum potential cost & savings if all 79 eligible applicants are approved for the incentive.

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

Identify Line Items(s): In an effort to minimize the appropriation of fund balance, existing 2012 vacancy factor savings and other identified savings in departments will be used to pay a portion of the cost with the balance to come from General Contingency in November.

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

Anticipated Savings to County: See above

Net County Cost: See above

Over Five Years: Maximum potential of \$24 million in savings (salary & fringe)

Additional Comments/Explanation: The figures above reflect the projected cost & savings for all 79 eligible employees who submitted applications for the Workforce Adjustment Incentive for a maximum potential fiscal impact. Applicants are not obligated to take the incentive and some departments may not be in a position operationally to delete an offsetting position to achieve the required savings. Therefore, the actual savings is likely to be less. Once all final decisions are made and the actual cost & savings are known, that information will be provided to the Legislature.

Prepared by: Valerie J. Sommerville, Budget Director

234

## Budget, Finance, and Personnel Committee Roll Call

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

Present:	<u>12</u>	Resolution:	<u>✓</u>	Total :	<u>11</u>	<u>1</u>
Absent:	<u>0</u>	Motion:	<u>—</u>		Yes	No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

2012236

AUTHORING A WORKFORCE ADJUSTMENT INCENTIVE PROGRAM FOR 2012 AND TO PAY FOR EMPLOYEE BENEFIT PAYOUTS AND INCENTIVE PAYMENTS

Date: 9/10/12

# Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison	✓	
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Flesland		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Doxsey		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Town of Hyde Park	Perkins		
District 9 - City of Poughkeepsie	White		
District 11 - Towns of Rhinebeck and Clinton	Tyner		✓
District 12 - Town of East Fishkill	Weiss		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 14 - Town of Wappinger	Amparo		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon	Forman		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Sherman		
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: 24      1  
 Absent: 0      Motion: —      Yes      No  
 Vacant: 0      Abstentions: 0

2012236

AUTHORING A WORKFORCE ADJUSTMENT INCENTIVE PROGRAM FOR 2012 AND TO PAY FOR EMPLOYEE BENEFIT PAYOUTS AND INCENTIVE PAYMENTS

Date: 9/10/12



## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

### APPROPRIATION RESOLUTIONS

*(To be completed by requesting department)*

Total Current Year Cost \$ 343,433

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):

Appropriation of fund balance (A.9998.95990) to replenish General Contingency account (A.1990.4007) is required to fund the PBA arbitration decision.

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

Nature/Reason:

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

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

#### Additional Comments/Explanation:

The PBA contract for the period 2009 and 2010 was forced to binding arbitration based on state law. The binding arbitration resulted in the following percentages of salary increase and effective dates:

Jan 1st 2009- 1%  
July 1st 2009- additional 1.6%  
Jan 1st 2010- additional 1%  
July 1st 2010- additional 2%

The total effect of the binding arbitration raised the salary schedule by 5.6%.

Prepared by: Valerie J. Sommerville, Budget Director

## Budget, Finance, and Personnel Committee Roll Call

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

Present: \_\_\_  
 Absent: \_\_\_  
 Vacant: \_\_\_

Resolution: \_\_\_  
 Motion: ✓

Total : 11 Yes 1 No  
 Abstentions: 0

DB/JF

"Call the Question"

9/10/12

237

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

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

Present: <u>12</u>	Resolution: <input checked="" type="checkbox"/>	Total :	<u>12</u>	<u>0</u>
Absent: <u>6</u>	Motion: <input type="checkbox"/>		Yes	No
Vacant: <u>0</u>		Abstentions:	<u>0</u>	

2012237

AMENDING THE 2012 ADOPTED COUNTY BUDGET AS IT PERTAINS TO GENERAL CONTINGENCY

Date: 9/10/12

# Roll Call Sheets

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

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

2012237                      AMENDING THE 2012 ADOPTED COUNTY BUDGET AS IT PERTAINS TO GENERAL CONTINGENCY

Date: 9/10/12

RESOLUTION NO. 2012238

RE: AMENDING THE 2012 ADOPTED COUNTY BUDGET  
REGARDING THE COMPULSORY INTEREST ARBITRATION  
AWARD BETWEEN THE DUTCHESS COUNTY DEPUTY  
SHERIFF'S POLICE BENEVOLENT ASSOCIATION AND  
DUTCHESS COUNTY AND THE DUTCHESS COUNTY SHERIFF

Legislators MICCIO, ROMAN, FLESLAND, BORCHERT, WILKINSON,  
and PERKINS offer the following and move its adoption:

WHEREAS, Dutchess County, the Sheriff and the Dutchess County Deputy Sheriff's Police Benevolent Association, Inc. (the "PBA") began negotiations in February 2009 for a successor collective bargaining agreement to the collective bargaining agreement they had previously negotiated (January 1, 2005 through December 31, 2008), and

WHEREAS, the parties were unable to negotiate a successor agreement and had to resort to the impasse procedures of the Public Employee's Fair Employment Act (the Taylor Law) to resolve their differences, and

WHEREAS, pursuant thereto the parties engaged in mediation and when mediation failed proceeded to interest arbitration, and

WHEREAS, the Interest Arbitration Panel conducted a hearing on June 21, 2011, the parties submitted briefs in August of 2011, and the Interest Arbitration Panel issued its Opinion and Award on July 23, 2012, which, pursuant to law, is binding upon the parties and

WHEREAS, a copy of the Opinion and Award is attached, and

WHEREAS, the Award increases the salary schedule by approximately 5.6% over the two (2) year term as set forth below:

**"AWARD ON SALARY**

1. The 2008 salary schedule will be increased by 1.0% effective January 1, 2009, and 1.6% effective July 1, 2009.
2. The July 1, 2009 salary schedule will be increased by 1.0% effective January 1, 2010 and 2.0% effective July 1, 2010." and

WHEREAS, the Award denied various other PBA demands including those for changes to steps and longevities, the pension plan and retiree health insurance, and rejected others, and

WHEREAS, since pursuant to the Taylor Law the Award is for the two (2) year term commencing January 1, 2009 and terminating on December 31, 2010, the parties must return to the bargaining table for a collective bargaining agreement to commence January 1, 2011, and

WHEREAS, pursuant to the Opinion and Award it is now necessary to amend the 2012 Adopted County Budget to reflect the fiscal changes resulting from the Opinion and Award, now therefore be it

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to amend the 2012 Adopted County Budget as follows to implement the Opinion and Award:

APPROPRIATIONS

Increase

A.3110.25.1010	Positions	\$1,381,249
A.3110.25.8200	Pymts to State Soc Sec	105,666
A.3110.25.8100	Pymts to Retire System	297,822
A.1980.4668	MTA Payroll Tax	4,696
		<u>\$1,789,433</u>

Decrease

A.1990.4007	General Contingency	<u>\$1,789,433</u>
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CA-140-12  
kvh/P-1108  
08/31/12  
Fiscal Impact: See attached statement

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 9/17/2012

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 10<sup>th</sup> day of September 2012, 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 10<sup>th</sup> day of September 2012.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

### APPROPRIATION RESOLUTIONS

*(To be completed by requesting department)*

Total Current Year Cost \$ 1,789,433

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):

General Contingency Account A.1990.4007

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

Nature/Reason:

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

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

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

#### Additional Comments/Explanation:

The PBA contract for the period 2009 and 2010 was forced to binding arbitration based on state law. The binding arbitration resulted in the following percentages of salary increase and effective dates:

Jan 1st 2009- 1%

July 1st 2009- additional 1.6%

Jan 1st 2010- additional 1%

July 1st 2010- additional 2%

The total effect of the binding arbitration raised the salary schedule by 5.6%.

Prepared by: Valerie J. Sommerville, Budget Director

STATE OF NEW YORK  
PUBLIC EMPLOYMENT RELATIONS BOARD

In the Matter of the Compulsory Interest Arbitration

-between-

DUTCHESS COUNTY DEPUTY SHERIFF'S POLICE  
BENEVOLENT ASSOCIATION

Employee Organization,

-and-

DUTCHESS COUNTY AND THE DUTCHESS COUNTY SHERIFF  
Joint Public Employers,

**OPINION**

**AND**

**AWARD**

PERB Case No. IA2010-012; M2010-018

BEFORE: Jay M. Siegel, Esq.  
Public Panel Member and Chairman

Richard P. Bunyan, Esq.  
Employee Organization Panel Member

William M. Wallens, Esq.  
Public Employer Panel Member

APPEARANCES:

For the Dutchess County Deputy Sheriff's Police Benevolent Association  
Bunyan & Baumgartner  
By: Joseph Baumgartner, Esq., Of Counsel

For Dutchess County & the Dutchess County Sheriff  
Roemer Wallens Gold & Mineaux LLP  
Elayne G. Gold, Esq., Of Counsel

**BACKGROUND**

Pursuant to the provisions contained in Section 209.4 of the Civil Service Law, the undersigned Panel was designated by the Chairperson of the New York State Public Employment Relations Board ("PERB") to make a just and reasonable determination of a

dispute between the Dutchess County Deputy Sheriff's Police Benevolent Association (PBA) and Dutchess County and the Dutchess County Sheriff (collectively referred to as "County").

The County is a municipal corporation that is located in the mid-Hudson Valley. Its southernmost part is approximately 55 miles north of New York City. It is contiguous with Putnam County to the south, Orange County and Ulster County to the west, Columbia County to the north and the State of Connecticut to the east. The County's population is nearly 300,000 as reflected in the 2010 census.

The Sheriff's office operates on a 24/7 basis. The deputy sheriffs provide patrol provide other police services to the municipalities in the County that do not have their own police force. They provide backup and specialized police services to other police agencies in the County.

The PBA is the exclusive bargaining agent for all full-time patrol deputies, detectives, school resource officers, detective sergeants, sergeants and lieutenants. At the present time, the PBA represents approximately 100 bargaining unit members.

Two other bargaining units have contractual relationships with the County. Both of the units have agreements in place for all or part of the period covering this Award. Both agreements were reached prior to 2008, i.e., prior to the local, State and national recession that occurred in the fall of 2008 and continued for quite some time thereafter.

The County's agreement with the Civil Service Employees Association general unit, which covers all unionized County employees except for members of the deputy sheriffs unit and members of the correction officers unit, calls for wage increases of 4% effective January 1, 2009. The County's agreement with the correction officers unit

represented by the Communications Workers of America (CWA) calls for wage increases of 3.9%, January 1, 2009 and 4.0%, effective January 1, 2010. However, the County achieved significant financial concessions in the last agreement with its correction officers. These included a reduced starting salary for new hires and eliminating a benefit that provided correction officers with the right to free meals provided by the County during work time.

County employees who are not represented by a Union received a wage increase of 3.9% in 2008 and an additional wage increase of 3.9% in 2009. However, they received no wage increase in 2010 and 2011.

The last collective bargaining agreement between the parties covered the period January 1, 2005 through December 31, 2008. In February 2009, the parties began negotiations for a successor contract but the negotiations were unsuccessful. Thereafter, acting pursuant to the rules of procedure of PERB, a PERB-appointed mediator met with the parties. Mediation was unsuccessful and on July 27, 2010, the PBA filed a Petition for Interest Arbitration pursuant to Section 209.4 of the Civil Service Law.

The County filed a Response to said Petition on August 12, 2010. Thereafter, the undersigned Public Arbitration Panel was designated by PERB, pursuant to Section 209.4 of the New York State Civil Service Law, for the purpose of making a just and reasonable determination of this dispute.

A hearing was conducted before the Panel at the offices of the County on June 21, 2011. The parties were represented by counsel at the hearing. Both parties were afforded the opportunity to present evidence, call witnesses and to cross-examine adverse witnesses. Both parties submitted numerous and extensive exhibits and documentation, as

well as extensive arguments on their respective positions. The parties submitted written briefs on the outstanding issues in August 2011.

Thereafter, the Panel fully reviewed all data, evidence, arguments and issues submitted by the parties. The Panel engaged in frequent discussions and deliberations during numerous Executive Sessions and telephone conference calls among Panel members between September 2011 and May 2012. The Panel was unable to reach a consensus or even have a simple majority during much of this time period. During virtually all of this time period, the County was demanding wage freezes for both years while the PBA was demanding wage increases of approximately 4% per year. Neither outcome was acceptable to the Panel Chair. In late May 2012, the Panel Chair reached agreement with the PBA panel member on the salary terms of this Interest Arbitration Award. The Award is a compromise. It does not fulfill the wishes of either party. However, all references to "the Panel" in this Award shall mean the Panel Chairman and at least one other concurring Panel Member.

The positions taken by both parties are quite adequately specified in the Petition, the Response, numerous hearing exhibits, and post-hearing written submissions, which are all incorporated by reference into this Award. Such positions will be merely summarized for the purposes of this Opinion and Award. Accordingly, set out herein is the Panel's Award as to what constitutes a just and reasonable determination of the parties' contract for the period January 1, 2009 through December 31, 2010.

In arriving at such determination, the Panel has specifically reviewed and considered the following factors, as detailed in Section 209.4 of the Civil Service Law:

- a) comparison of the wages, hours and conditions of employment of the employees involved in the arbitration proceeding with the wages, hours and conditions of employment of other employees performing similar services or requiring similar skills under similar working conditions and with other employees generally in public and private employment in comparable communities;
- b) the interests and welfare of the public and the financial ability of the public employer to pay;
- c) comparison of peculiarities in regard to other trades or professions, including specifically, 1) hazards of employment; 2) physical qualifications; 3) educational qualifications; 4) mental qualifications; 5) job training and skills;
- d) the terms of the collective agreements negotiated between the parties in the past providing for compensation and fringe benefits, including, but not limited to, the provisions for salary, insurance and retirement benefits, medical and hospitalization benefits, paid time off and job security.

### **COMPARABILITY**

Section 209.4 of the Civil Service Law requires that in order to properly determine wages and other terms and conditions of employment, the Panel must engage in a comparative analysis of terms and conditions with “other employees performing similar services or requiring similar skills under similar working conditions and with other employees in generally in public and private employment in comparable communities.”

#### **PBA Position**

The PBA contends that its members should be compared primarily with other municipal police officers in geographical proximity to where the Dutchess deputies are employed. It justifies its universe of comparables by asserting that employees in this universe constitute the labor market that competes for skills and services of individuals in the unit. They also have the same job description, similar skills and similar training.

Furthermore, they face similar tax burdens and housing costs. As such, the PBA maintains that it is not relevant to compare Dutchess deputies with police officers working for Saratoga County as those officers are not working in comparable communities.

The PBA stresses that the factors long considered by interest arbitration panels to define comparable communities includes items such as population, geographical proximity, size of department, property valuations, income levels and nature of the police force (24/7, full or part-time). It argues that this is precisely why police officers working in comparably sized police departments in Dutchess that have full-time police forces are the most appropriate comparables. It contends that police officers in these jurisdictions render the same services as the Dutchess deputies and that they do so on a 24/7 basis.

The PBA notes that the job duties and qualifications is the same for Dutchess deputies and the police officers in its list of comparables. The PBA asserts that they frequently work side by side with one another. Their training and hazards of employment are identical as is their demographic and economic factors. The deputies and the police officers in the comparable communities often back each other up. In the PBA's estimation, this is why, pursuant to the statutory criteria, the police department bargaining units in the City of Poughkeepsie, the City of Beacon, the Town of Poughkeepsie and the Town of East Fishkill are the most appropriate comparables.

The PBA insists that this Panel should follow the criteria established for deputy sheriffs in the Interest Arbitration Award for the Tomkins County Deputy Sheriff's Association issued in August 2010 and the Putnam County Police Benevolent Association issued in February 2007. The PBA stresses that in both of these cases, the

panels concluded that the primary comparables should be other full-time municipal police departments in the county rather than other area deputy sheriff bargaining units.

In the PBA's view, the universe of comparables within Dutchess County will give the Panel a meaningful sample to do a comparability analysis. The PBA asserts that since there is no difference between the job of a deputy sheriff and that of a police officer in the comparable jurisdictions, it is abundantly clear that the Panel should not go outside Dutchess County.

The PBA objects to the County's claim that the uniqueness of county government requires the Panel to only compare Dutchess deputies with other deputy sheriff units. The PBA insists that this assertion is flawed because it is premised on a misreading and misapplication of the Taylor Law. The PBA contends that if the Panel were to accept the County's proposed comparables it would be failing to make the required statutory comparisons between Dutchess deputies and those who are similarly situated, i.e., other police officers employed in comparable departments in Dutchess.

The PBA maintains that the County's logic is also flawed because all forms of government have unique elements to them. For example, even though city government differs in many ways from towns and villages the fact remains that interest arbitration panels routinely cross governmental lines when doing a comparability analysis. In the PBA's estimation, city police officers are often compared to town police officers in jurisdictions that are in close geographical proximity. Village officers are often compared to town officers that are in close geographical proximity.

For all of these reasons, the PBA contends that the Panel should find the universe of comparables to be the cities of Poughkeepsie and Beacon and the towns of Poughkeepsie and East Fishkill.

**County Position**

The County contends that the counties of Ulster, Orange, Putnam, Albany and Saratoga should be the universe of comparables because they are located in close proximity to Dutchess County and because they are comparable in terms of population, median household income, median home sale price, self-sufficiency measures and Deputy Sheriff unit size.

The County disagrees with the PBA's request to have the cities of Beacon and Poughkeepsie and the towns Poughkeepsie and East Fishkill in their universe of comparables. The County stresses that while there may be little difference between the job of a deputy sheriff and that of a municipal police officer, this is not the sole or determining factor in selecting comparables. Indeed, the County observes that the Interest Arbitration Panel in the September 2006 Opinion and Award for the Onondaga County Deputy Sheriff's Police Association found that the uniqueness of county government and the functions it performs is the most important component framing comparability analysis. That Panel stated:

The most influential component of comparability is the patterns of income and expenditures of the comparing units... The County has mandated expenditures which towns and villages do not have... Counties functions as arms of the State and are required to deliver a significant number of other mandated services with fixed costs.

The County stresses that there are numerous distinctions between county government and cities and towns that should lead the Panel to find that the most

appropriate comparables are county deputy sheriff units. According to the County, unlike cities and towns, which generally find public safety to be the largest component of their budgets, in counties it is the social service programs that comprise the largest portion of their budgets. Unlike towns and cities, it is counties that have the responsibility to collect taxes for municipalities within its borders and go after delinquencies. The County avers that these differences constitute a compelling reason for the Panel to go outside Dutchess to find more appropriate comparables. The County notes that this is precisely what the Panel in the Onondaga County Sheriff's Department Police Association Interest Arbitration Award did citing a Fulton Deputy Sheriff's PBA award. The Onondago County Panel held:

The Panel also observes that the logical choice of comparables must be other County road patrol units. It is common knowledge that, particularly under contemporary conditions, counties in New York State face unique fiscal challenges that are not necessarily of the kind and degree faced by other municipalities in the State. Common sense also supports the conclusion that the best source of comparison is the same type of municipality.

The County observes that the PBA has failed to provide any information concerning the income and expenditures of the municipalities they have selected. There is no information in the record as to the time when these municipalities reached settlements with their police units. Finally, there was no evidence offered by the PBA demonstrating that the County competes with these municipalities in recruitment and retention. Hence, the County urges the Panel to reject the comparables offered by the PBA and to determine that the comparables submitted by the County are the appropriate comparables.

### **Panel Determination on Comparability**

The Panel Chair finds that the most comparable jurisdiction to Dutchess County is Orange County because they share numerous similarities. Both jurisdictions have a similar number of residents, similar land area size, similar household incomes and are contiguous with one another (i.e., they border each other at the Hudson River). Both jurisdictions have urban, suburban and rural characteristics. Dutchess has the small cities of Poughkeepsie and Beacon while Orange has the small cities of Newburgh and Middletown. Dutchess has the suburban areas of East Fishkill and the Town of Poughkeepsie while Orange has the suburban areas of the Town of Newburgh and the Monroe-Woodbury area. Dutchess has the rural farm areas toward the eastern and northern part of the county while Orange has its rural farm areas in the south and western parts of its county. Both jurisdictions have a large cadre of individuals who commute long distances each day from their homes to Westchester and New York City. Finally, both jurisdictions have a similar bargaining unit size. Deputy sheriffs in both bargaining units deal with a wide variety of law enforcement issues that run the gamut from urban to suburban to rural. While Ulster County and Putnam County border Dutchess, both counties have a number of characteristics that distinguish them from Dutchess County. For example, the population of Dutchess is three times greater than Putnam County. Ulster County is further away from New York City and more rural in nature than Dutchess. For this reason, although the counties of Ulster and Putnam should be considered a comparable because they share a number of similar characteristics with Dutchess, they should be given less weight than Orange County for comparability purposes.

The Panel Chair finds that the counties of Albany and Saratoga should not be considered in the universe of comparables. Both jurisdictions have been rejected by the Panel because they are not in the same labor market as Dutchess County and because there are more appropriate comparables that border Dutchess.

Finally, the Panel determines that the cities of Beacon and Poughkeepsie and the Towns of East Fishkill and Poughkeepsie should be accorded some weight as comparable jurisdictions. The police officers in these municipalities share similar working conditions, share the same jurisdiction and have the same housing market as the County's deputies. They face similar daily challenges. They have urban and suburban aspects to them. The fact that they are a different form of government makes them distinguishable to the point where these municipalities should not be considered the most significant comparable. However, they should be considered as a comparable.

Accordingly, the Panel Chair finds that pursuant to the statutory criteria, the comparable having the greatest influence over the Panel is Orange County. The Panel Chair finds that the jurisdictions of Ulster County, Putnam County, the City of Beacon, the City of Poughkeepsie, the Town of East Fishkill and the Town of Poughkeepsie also should be accorded some weight as they share some similarities that make them comparable with Dutchess County.

### **ABILITY TO PAY**

#### **PBA Position**

The PBA asserts that the evidence presented conclusively establishes that the County has the ability to pay for a fair and reasonable increase. According to the PBA, there are numerous aspects of the County's budget and its economic data that show that

the County is in much better financial shape than it claims it is in. According to the PBA, its best evidence is the former County Executive's admission in his 2011 State of the County that the County is in excellent financial condition,

Dutchess County government continues to stand out statewide. Dutchess taxes its residents 24% less per capita and spends 25% less per capita than the statewide county average. Our indebtedness per capita is an impressive 66% below the statewide average. Dutchess County's outstanding indebtedness represents a mere 4% of the constitutional debt limit. Of particular importance to Dutchess County property taxpayers, the county property tax levy totals only 16% of the county's constitutional taxing limit.

The PBA stresses that this is not the only evidence of the County's strong financial condition. The PBA notes that the latest information from the *Business Council's Policy Institute* and the *Empire Center for New York State Policy* notes that Dutchess County has been ranked among the lowest of all 57 New York counties for spending and taxes per resident and that its debt has been and continues to be one of the lowest statewide.

The PBA insists that the November 2010 Aa1 bond rating from *Moody's Investor Service* is further evidence of the County's ability to pay. The PBA observes that the Aa1 rating is the second highest available. Indeed, only two other counties in the State have a higher bond rating than Dutchess. Thus, in the PBA's view, the County remains in sound financial condition despite the economic challenges facing all New York counties over the past few years.

The PBA asserts that this was the precise message from Kevin Decker, its financial expert. The PBA maintains that the evidence offered through Mr. Decker conclusively establishes that the County has the ability to pay for its economic demands. According to the PBA, Mr. Decker's presentation should be accorded great weight

because his testimony was logical and in line with generally accepted practices in his profession. Among other things, Mr. Decker found that:

- The County's real property is more valuable than real property in the counties of Orange and Ulster. However, its average full value tax rate is less than the counties of Orange and Ulster.
- The County has been using approximately 15.8% of its constitutional tax limit, which puts it well below its legal limit.
- The County's revenues from sales taxes are showing stability and recent strength. Mr. Decker presented a chart showing that County's sales tax revenue was \$125 million in 2008 and that its 2010 sales tax revenue was approximately \$125 million in 2010. In the PBA's view, this shows that the County had weathered the recession by the end of 2010. Equally important, the PBA notes that Mr. Decker found that in 2011, Dutchess saw its sales tax revenue grow to \$134 million. The PBA maintains that this is unmistakable evidence that the County is out of the recession and the economic forecasts should be optimistic.
- The County's recent history of general fund fiscal operations shows that Dutchess is in sound financial shape. Although the PBA concedes that the County operated a deficit in two of the past five years, it stresses that its ran a solid surplus of over \$5 million in 2011. The more relevant fact is that the bond rating agencies recommend that 5 to 15% of a municipality's budget be held in fund balance and that the County had a fund balance of

more than \$50 million at the end of 2010, which is 14.20%. In other words, it was well within the recommended range.

- The total cost of salary, FICA and pension for all sworn members of the Department was approximately \$10 million. This means that every one percent salary increase will cost the County \$100,000. Thus, in the PBA's view, the County clearly has the ability to pay for its proposals.
- Mr. Decker stated in his report that the County bond rating represents high grade, high quality bonds.

The PBA acknowledges that Mr. Decker conceded that Dutchess was negatively impacted by the downturn. However, it asserts that Mr. Decker demonstrated that the downturn has eased for Dutchess County and that it has the ability to pay for a fair and reasonable increase.

### **County Position**

The County insists that the Panel cannot ignore the fact that the County is suffering the effects of one of the greatest economic recessions in this country's history. The County contends that the recession had an extremely adverse effect on several important revenue streams. In the County's view, the testimony of Valerie Sommerville, its Budget Director for the past 8 years, demonstrates that the County does not have the ability to pay for an award that includes any of the economic proposals submitted by the PBA.

The County stresses that Director Sommerville testified that the fund balance of the County's general fund decreased from \$37.1 million in 2007 to \$17.5 million in 2010 as a result of the 2008 financial crisis and the many reverberations from it that are still

felt today. According to the County, its 2010 fund balance fell to below 5% of its overall budget, which is below the recommended fund balance by virtually all municipal finance experts.

The County contends that it has struggled to bring in revenue because its residents are struggling. The County observes that unemployment has risen from 4% in 2007 to 7.3% at the beginning of 2011. At the same time, foreclosures have risen from 1,184 in 2007 to 1,337 in 2010, a 13% increase. In addition, the median home sale price of a home in Dutchess has dropped from \$324,740 in 2007 to \$278,250 in 2011, a dip of 14%.

The County asserts that the County has lost significant revenue in a variety of areas. For example, unpaid real property taxes have increased by 137% from 2003 to 2010. Mortgage tax revenues have declined during the past few years and sales tax revenues have declined. Indeed, the County maintains that the sales tax declines between 2007 and 2009 resulted in a cumulative loss of \$60 million from what had been projected. Other revenues such as transportation aid, interest income and OTB revenue have also declined over the past few years.

To make matters worse, the County has seen its federal stimulus money dry up. Whereas the County received \$23.4 million dollars in federal stimulus funds in 2009 and 2010, this amount decreased to \$3.9 million in 2011 and will decrease to \$0 in 2012. When these stark revenue declines are coupled with the 2% property tax cap, it becomes abundantly clear that the County is unable to significantly increase its revenues.

In the County's estimation, its economic challenges are even greater because its expenditures have soared as its revenues have declined. The County stresses that there has been an 8.6% increase in mandated spending from 2007 to 2011 and a dramatic 110%

increase in state pension costs. Indeed, the County asserts that its pension costs have increased from \$8.4 million in 2009 to more than \$21 million in 2012. Health insurance benefits have doubled over the past ten years and have recently increased despite the County's switch to a less expensive health insurance plan. At the same time, the increase in countywide unemployment has required the County to spend more money to meet its residents' needs. Indeed, the County has seen a 57% increase in social service clients since 2007. In 2007, the County had 28,354 social service clients. In 2011, that number had risen to 44,636.

The County stresses that the dramatic dip in the economy, coupled with unanticipated expenditures required the County to have budget shortfalls in 2008 and 2009. In the County's view, this has required it to use its fund balance and reduce costs in order to operate in a fiscally sound manner. The County asserts that it has significantly reduced operational expenses such as overtime, travel, training, equipment and supplies in order to remain on some semblance of solid financial footing. This has even included reductions in the total County workforce as the County reduced its workforce by 4.5% in 2011.

The County emphasizes its respect for the dedication and hard work of the members of the deputy sheriffs bargaining unit. It maintains that it has provided salaries and benefits that are comparable with other deputies in the comparative counties. The County contends that its precarious financial condition does not allow it to afford the salary and benefit proposals made by the PBA. It urges the Panel to determine that the PBA's proposals cannot be granted.

### **Panel Determination on the County's Ability to Pay**

The Panel recognizes that during the term of this Award, the national, New York State and local economy went into a tailspin unlike anything seen in recent memory. Revenues went down and unemployment substantially increased. The housing market significantly dipped for the first time in years and numerous companies went out of business or struggled to stay afloat. New York and its municipalities have clearly been affected by the uncertainties caused by this recession.

On the other hand, the Panel finds that the record establishes that the County has done an excellent job of managing its resources. The County has an excellent bond rating. This is of significant note to the Panel as it demonstrates that a neutral agency has confidence in the County's fiscal future. The Panel also observes that while County revenue dipped during the recession, revenues have recovered in a number of areas and are starting to show some noteworthy improvement. The County's sales tax revenues are demonstrative. The County's sales tax was approximately \$125 million in 2008. This number dipped to approximately \$115 million in 2009 due to the recession. However, revenues recovered in 2010 as they nearly hit \$125 million. Most importantly, revenues significantly grew in 2011 as they were approximately \$134 million in 2011.

The Panel is confident that the County's fiscal management has allowed it to maintain a fiscally solvent position despite the difficult economy. The Panel finds that the County does not have the ability to pay for the entire package of PBA proposals as they would shift too many resources away from other areas. However, when the Panel considers the County's overall fiscal position in terms of revenues, expenses, its bond ratings and the objective evidence showing recent improvements in the economy, it

becomes clear that the County has the ability to pay for the wage increases set forth in this Award. Thus, the Panel finds that the wage increases awarded herein constitute a fair and reasonable Award.

### **THE INTERESTS AND WELFARE OF THE PUBLIC**

#### **PBA Position**

The PBA argues that there is no question that the work performed by members of the unit positively impacts the interests and welfare of the public. It asserts that its deputies protect life and property by fighting crime and preserving the peace in the County.

The PBA stresses that the County taxpayers benefit from having a professional, well trained Sheriff's office. The PBA insists that its deputies provide valuable law enforcement coverage that ensures that the residents of the County are well protected. It provides primary law enforcement coverage for large swaths of the County and works in concert with to provide law enforcement coverage with all of the municipalities that provide police coverage. The PBA maintains that wages and benefits for its deputies must be increased and brought in line with comparable jurisdictions so that the County can attract and retain quality officers. The PBA opines that the Panel must issue an Award that allows its members to remain competitive with other officers in the universe of comparables so as to assure that its offers will not leave the County for other positions in the area.

#### **County Position**

The County stresses that the Panel is obligated to consider the fact that its Award will directly affect the citizens and taxpayers of the County and the economic future of

the County for years to come. The County observes that the Panel must consider the fact that it is allocating one aspect of the County's limited resources. The revenue needed by the County to pay for this Award competes with other municipal services and the wages and benefits provided to other municipal employee groups. Since the Panel's Award will undoubtedly affect the agreements made between the County and other employee groups, the Panel must exercise its power with great caution. It must consider the fact that citizens in the County earn less on average than County deputies. It must also consider the fact that citizens in the County are struggling with increased unemployment, increased tax burdens and declining values of their homes. These considerations, along with the fact that the economy is still struggling overall, mandate that the Panel exercise its power with great care and caution while fashioning its Award.

**Panel Determination on Interests and Welfare of the Public**

The Panel has given serious consideration to the arguments of the parties relative to the interests and the welfare of the public. In looking at this specific issue, the Panel finds that the PBA's argument that the public benefits by having a competitively compensated police force must be given some credence. It influences the Panel's determination on the issues of the overall wage adjustment. In other words, the Panel's Award in the area of salary is premised on the recognition that it is prudent for the County and beneficial to the public for its officers to remain competitively compensated.

At the same time, the Panel has rejected the PBA's demand for many of the economic increases proposed by the Union because it is concerned about the detrimental effect that any increases in this area can have on the public. The County's taxpayers would be exposed to several hundred thousand dollars of additional financial burdens

each year if the Panel awarded the PBA's economic proposals that go beyond the general wage adjustment. This is not in the interest of the public. All of the PBA's economic proposals besides the base wage adjustment were rejected by the Panel primarily for this reason.

### **CONSIDERATION OF PECULIARITIES OF THE POLICE PROFESSION**

The Panel notes that it has also given consideration to a comparison of the police profession with other trades or professions. The PBA asserts that the police profession is so unique that no other useful comparison can be made with other trades or professions. It asserts that its deputies are engaged in extremely dangerous work and that they work each and every shift with the possibility that they could be gravely injured or killed. They are required to have certain physical abilities, educational requirements and significant job training.

The PBA stresses that deputies face that same dangers, stress and pressures as those faced by the cities and towns in the PBA's proposed comparables. It contends that its members respond to calls and provide backup police service in these exact communities.

The parties do not dispute the fact that appropriate weight must be given to the especially hazardous nature of police work and the unique training, skills and pressures that deputy sheriffs face each day. The Panel finds that the peculiarities of the profession mandate direct comparison with deputy sheriffs and other police officers. However, the Panel will also give some consideration to the County's handling of negotiations with its other non-police municipal workers because the County's historical treatment of those

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workers compared to the raises historically provided to deputy sheriffs influences the Panel's determination on wages.

### **BASE SALARY, CHANGES TO STEPS AND LONGEVITY**

#### **PBA Position**

As in almost every interest arbitration, the appropriate salary increase is at the heart of the dispute. The PBA has three different proposals to increase base compensation. It proposes a 7% salary increase in each year to the existing schedule. It also proposes that Steps 1-5 be eliminated and that Steps 6-10 become the new Steps 1-5. Finally, it seeks a new longevity payment after 5 years of service. The current CBA begins longevity payments after 10 years of service.

The PBA insists that the base wage and longevity comparison it produced shows that Dutchess County's deputies receive far less compensation than all of the officers of the universe of comparables. The PBA maintains that its proposals should be awarded to allow its members to be competitively compensated vis-à-vis other police officers in the labor market that provide 24/7 police protection.

The PBA contends that its wage comparison shows that Dutchess County deputy salaries are behind all other jurisdictions employing full time around the clock police coverage both when longevity payments are excluded and when they are factored in. It notes that Dutchess County pays its deputies the lowest in the universe of comparables. According to the PBA, this is the case when considering the PBA salary rankings at Year 5, 10, 15, 20 or 25. In the PBA's estimation, this needs to be rectified because its deputies

are doing the exact same police work as the officers in all of the neighboring jurisdictions.

The PBA notes that police officers in neighboring jurisdictions have received healthy salary increases during the time of this Award. For example, officers in the City of Beacon received a 4.5% in 2009. Officers in the Town of East Fishkill received a 4% raise in 2009 followed by a wage freeze in 2010 and a 3.5% increase in 2011. Officers in the City of Poughkeepsie received a wage freeze in 2009. However, this was followed by a 3% wage increase in 2010 and a 4.125% increase in 2011. Finally, officers in the Town of Poughkeepsie received 3.5% salary increases for 2009, 2010 and 2011. The PBA stresses that its members must receive greater salary increases than those received by officers in the universe of comparables. Otherwise, their wages will be even less competitive than they already are.

The PBA asserts that its proposal is also supported by the fact that its deputies always receive at least the same salary increase as is received by the other bargaining units in the County. Indeed, the PBA notes that the County submitted data to the Panel showing that since 2000 its members have almost always received a higher wage increase than members of the corrections unit and members of the large CSEA county wide unit that represents a majority of the titles in County service. With this in mind, the PBA maintains that the Panel must award salary increases of at least 4% per year for both years of the award. This is the case because the corrections unit received wage increases of 3.9% in 2009 and 4% in 2010. The CSEA unit received an increase of 4% in 2009.

The PBA finds the County's demand for a wage freeze to be woefully inadequate and completely unfair to its officers. The PBA stresses that the other two bargaining units

in the County received healthy wage increases during the term of this Award. In the PBA's estimation, since the County has a longstanding pattern of providing its deputies with at least the same salary increases that it provides to its other unionized employees, this shows that the County was well aware that it would be making the same commitment to its deputies when it settled the other labor agreements. The PBA also asserts that this shows that the County's claim that it has no money for wage increases is completely unsupported by the parties' history of pattern bargaining and should be rejected. The PBA insists that its officers should not be required to forego raises just so the County can maintain its fund balance.

The PBA is particularly distressed that it is being asked to forego raises and sacrifice after other bargaining units received salary increases. The PBA notes that it is contrary to fundamental fairness and the parties' longstanding respect for pattern bargaining for the County to ask one group to sacrifice and leave others unscathed.

The Union argues that its proposals on changing the salary schedule and increasing longevity are also warranted because they will help in closing the compensation gap between the salaries received by members of this bargaining unit and officers working in the universe of comparables.

For all of the reasons above, the PBA contends that the Panel should grant its proposals on salary, changing the salary schedule, and longevity.

### **County Position**

The County wholly rejects the PBA's economic proposals. The County asserts that common sense suggests that it should not be forced to tax its citizens to the highest legal limit. The County stresses that it should not be forced to jeopardize its financial

future by meeting the PBA's demands. This will overextend the County and could very well lead to layoffs and reduced services.

The County notes that the fiscal crisis of the county, state and nation cannot be ignored. It notes that when the parties began negotiations New York State and the nation was in a fiscal collapse unlike anything seen in recent memory. Financial institutions collapsed, the housing market collapsed and foreclosures went through the roof. The County stresses that all economic indicators continued to show downward trends in 2009. The County saw its sales tax revenues fall while social security and pension costs increased. To make matters worse, the demand for its services increased.

The County asserts that the Union's proposals are completely unreasonable. It notes that they cumulatively would cost the County more than \$1.5 million in 2009 and 2010 alone. The County maintains that this is not reasonable given the County's fiscal constraints.

In the County's view, the Union's demands for 7% annual increases are also unreasonable in light of the salaries received by the other bargaining units in the County. The County avers that all of the wage increases negotiated with other bargaining units were far less than what the PBA is demanding. Moreover, the County notes that management employees have had their performance awards suspended and have agreed to pay a contribution toward their health insurance benefits. The County stresses that this is more emblematic of reality than the wage increases that were agreed to with the other unions well before the economy started to struggle. The County maintains that as the economy faltered and its economic condition worsened, the availability of funds for increases no longer exists.

The County insists that exhibits introduced by both parties demonstrate that County deputy sheriffs and sergeants are competitively compensated. It maintains that the PBA's arguments for higher increases are based on a faulty premise, namely, that they should be compared only to other police officers in Dutchess County jurisdictions. The County rejects this notion. It asserts that the correct universe of comparables is that of deputies in five surrounding counties. When this comparison is done it shows that deputies in Dutchess receive a higher maximum base salary than four of the five surrounding counties.

With respect to longevity, the County insists that this proposal must be rejected because it is prohibitively expensive. The County argues that this proposal would cost the County more than \$445,000 in 2009 and 2010. This is simply unaffordable in this economic climate.

The County states that it recognizes the dedication and hard work of the deputies. It says that it employs a knowledgeable and well-trained staff of deputies.

However, the County maintains that it has an obligation to the taxpaying public and that it cannot sustain any additional costs at this time. It notes that it has seen its revenues decline and its expenses increase to the point where it has absolutely no additional monies to support any salary increases. It notes that its unreserved fund balance has shrunk by several million dollars in the past few years. This steady decrease in fund balance has left the County in a precarious position. The County stresses that its overall economic picture is precisely why it offered no salary increase to the deputies and precisely why the Panel should not award a salary increase.

### **Panel Determination on Salary, Step Changes and Longevity**

Salary is the most important element in any labor agreement. Employees have the utmost concern about the wages they will receive and salary represents a very significant expenditure for the County. The Panel has focused, after considering all of the statutory criteria, on balancing the reasonable economic needs of County deputy sheriffs with the obligations of the County in the context of what is fair and reasonable in the changed economy.

The record contains data that supports both parties' positions. The County faces genuine economic concerns. It has had to contend with recent decreases in revenue and an economy that is more fragile than has been seen in this area and country for many years. The stock market crash and the federal government bailouts of so many international companies, coupled with the skyrocketing unemployment rate, are genuine issues that cannot be ignored.

The general state of the economy and the difficult tax burden faced by taxpayers, whose burden has increased substantially in recent years, lead the Panel to conclude that the base wage proposal made by the Union must be significantly moderated and that all of the other wage proposals made by the Union must be rejected.

The Panel is not awarding the PBA's proposal to modify the salary schedule by eliminating the first five steps and having Steps 6-10 become the new Steps 1-5 because that proposal alone would cost nearly \$200,000. This is prohibitively expensive in this economic climate.

The Union's base wage proposal of 7% per year also needs to be significantly moderated because it is not reasonable in this economic climate. There are simply no

settlements with any of the comparables or between the County and any of its other employee groups that are anywhere near the percentage proposed by the PBA. In addition, the Consumer Price Index for the relevant time period has been modest. Finally, the County does not have the resources to devote such a significant portion of money to salaries of one bargaining unit while it is struggling to preserve services to its residents.

When considering base wages, the Panel finds clear support for its determination that a fair increase in wages is justified in order to keep deputy sheriffs at or near their present position vis-à-vis the universe of comparables. The adjustments of 1.0% effective January 1, 2009 and 1.6% effective July 1, 2009 followed by raises of 1.0% effective January 1, 2010 and 2.0% effective July 1, 2010 are necessary in order to allow Union members' base wages to remain competitive. The Panel believes the increases granted will help the deputies remain competitive with the comparables.

A consideration of the statutory criteria also allows the Panel to take into consideration the County's settlements with other bargaining units. This has been the most difficult issue in this round of interest arbitration. The evidence establishes that the County agreed to healthy increases with the other units for the time period covering this Award. The settlements occurred prior to the downturn in the economy. The increases during the relevant time period are 4% for the CSEA unit in 2009 and a 3.9% increase in 2009 followed by a 4% increase in 2010 for the corrections unit.

The County strenuously argued that these increases are irrelevant because they occurred prior to the economic downturn. It has also argued that the corrections settlement was agreed to in exchange for other cost cutting measures, including the

elimination of meals for correction employees and the establishment of a new entry level salary grade that lowered the wages of new employees.

While the Panel Chair sees some credence with the County's arguments, the parties' historical approach toward their collective bargaining cannot be ignored. The evidence establishes that the County has a very real and very obvious pattern in the way it negotiates its labor agreements with the various bargaining units. Indeed, between 2000 and 2008, the County has always negotiated settlements with all of the units that are within the range of each other. When one delves deeper into the details, it becomes evident that the PBA has consistently received salary increases that are the same or slightly higher than the amounts received by the other two bargaining units. For example, in 2000, the PBA and corrections unit received increases of 3.25% while CSEA received a 3.0%. In 2002, the PBA received a 3.4%, while the corrections unit and CSEA received a 3.0%. In 2003, the PBA received a 3.6% while the corrections and CSEA unit received a 3.0%. In 2006, the PBA received a 4.0% while the corrections unit received a 3.75% and the CSEA unit received a 3.6%.

The Panel Chair has reviewed dozens of interest arbitration awards that emphasize the value of pattern bargaining and the importance of adhering to patterns. These awards emphasize the benefit the public receives by maintaining the pattern because it provides stability in wage adjustments, maintains labor stability and employee morale.

Over the strenuous objection of the PBA, the Panel Chair is deviating from the parties' history of pattern bargaining due to the changes in the economy that occurred between the time of the corrections and CSEA settlement and the time of this Award. The

Panel Chair finds that deviation is warranted due to the unique and unprecedented changes that occurred in the economy. He is also deviating from the correction officers' salary increase because in many ways this award is still pattern conforming. The Panel Chair reaches this conclusion, because, although the corrections unit received higher wage increases during the relevant time period, they paid for some of the raises through the concessions they agreed to with the County. Since the Panel Chair is not awarding similar concessions in this award, the lesser salary increases being awarded to the PBA make this award pattern conforming. Under the totality of the circumstances, the Panel Chair reaches the conclusion that this award is fair and appropriate.

Finally and probably most importantly is the fact that the Panel determines that the County has the ability to pay for this award. The Panel's deferral of some of the 2009 and 2010 wage increases will significantly reduce the impact of the back pay costs for the increases since the higher amounts of the raises will only be provided in the second half of the year in both years. The Panel finds that these salary increases are reasonable and will have a modest impact on the County's fund balance.

In making the salary determination herein, the Panel has carefully considered all of the financial data and arguments presented by both parties, and have applied such data to the criteria mandated by statute as specified in Section 209.4 of the Civil Service Law.

Accordingly, and after consideration of the extensive exhibits, documentation, and testimony presented herein; and, after due consideration of the criteria specified in Section 209.4 of the Civil Service Law, the Panel makes the following:

**AWARD ON SALARY**

1. The 2008 salary schedule will be increased by 1.0% effective January 1, 2009 and 1.6% effective July 1, 2009.
2. The July 1, 2009 salary schedule will be increased by 1.0% effective January 1, 2010 and 2.0% effective July 1, 2010.

RB  
Concur  
Richard Bunyan

\_\_\_\_\_  
Dissent

\_\_\_\_\_  
Concur

mmw (Su...)  
Dissent  
William Wallens

**AWARD ON CHANGES TO STEPS AND LONGEVITY**

1. The PBA's proposal to eliminate Steps 1-5 and to have Steps 5-10 become the new Steps 1-5 is rejected.
2. The PBA's longevity proposal is rejected.

\_\_\_\_\_  
Concur  
Richard Bunyan

RB  
Dissent

mmw  
Concur  
William Wallens

\_\_\_\_\_  
Dissent

**PANEL CHAIR'S COMMENTS, DETERMINATION AND AWARD**

**REGARDING THE PBA's PENSION AND RETIREE HEALTH INSURANCE**

**PROPOSALS**

The PBA has put a great deal of time and emphasis in trying to persuade the Panel Chair that its proposals to improve retiree health insurance coverage and to improve the deputies' retirement plan are critical issues that must be awarded. The PBA has submitted evidence showing that the County provides less of a contribution to its deputies than police officers in several of the comparable jurisdictions receive. The PBA has also

presented evidence showing that officers in several comparable jurisdictions have the ability to receive a full pension after 20 years of service while Dutchess deputies may access a full pension only if they work at least 25 years.

Health insurance and pension costs are undoubtedly the most difficult and contentious labor-management issues because of their importance to employees and their families and because the costs have grown so dramatically over the past several years.

The fact is that are several jurisdictions in the universe of comparables that provide better pension and retiree health insurance benefits than are received by the Dutchess deputies. This important fact has been given serious consideration to the Panel Chair as the statute mandates that the Panel Chair compare terms and conditions of employment with other employees performing similar skills and services.

The fact of the matter is that the future costs of improving these benefits is so staggering that the Panel Chair does not feel that any improvement to retiree health insurance or the pension plan can be made at this time. In reaching this conclusion, the Panel Chair has considered another criteria required by Section 209.4 of the Civil Service Law, namely, the interests and welfare of the public. Simply stated, the Panel Chair does not feel it is appropriate to make any changes to retiree health insurance or pension plan at this time. However, since Dutchess deputies will continue receiving a less competitive retiree health insurance benefit and pension benefit, it is important that the Dutchess deputies maintain competitive wages. This is one of the reasons why the County's proposal for a two year wage freeze was rejected by the Panel Chair and one of the reasons why the Panel Chair is awarding salary increases in 2009 and 2010.

\_\_\_\_\_  
Concur

RB  
\_\_\_\_\_  
Dissent

JPAW  
\_\_\_\_\_  
Concur

\_\_\_\_\_  
Dissent

Richard Bunyan

William Wallens

### **REMAINING ISSUES**

The Panel has reviewed in great detail all of the demands and proposals of both parties, as well as the extensive and voluminous record in support of said proposals. The fact that these proposals have not been specifically addressed in this Opinion and Award does not mean that they were not closely studied and considered in the context of contract terms and benefits by the Panel members. In interest arbitration, as in collective bargaining, not all proposals are accepted and not all contentions are agreed with. In reaching what it has determined to be a fair result, the Panel has not addressed or made an Award on many of the proposals submitted by each of the parties. The Panel is of the view that this approach is consistent with the practice of collective bargaining.

### **AWARD ON REMAINING ISSUES**

Except for those proposals that are part of this Award, any proposals and/or items other than those specifically modified by this Award are hereby rejected.

### **RETENTION OF JURISDICTION**

The Panel Chair hereby retains jurisdiction of any and all disputes arising out of the interpretation of this Award.

**DURATION OF CONTRACT**

Pursuant to the provisions of Civil Service Law Section 209.4(c)(vi) (Taylor Law), this Award provides an Agreement for the period commencing January 1, 2009 and ending December 31, 2010.



\_\_\_\_\_  
JAY M. SIEGEL, ESQ.  
Public Panel Member and Chairman



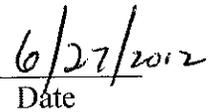
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Date

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WILLIAM M. WALLENS, ESQ.  
Employer Panel Member

\_\_\_\_\_  
Date



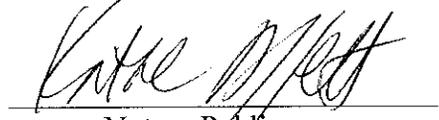
\_\_\_\_\_  
RICHARD P. BUNYAN, ESQ.  
Employee Organization Panel Member



\_\_\_\_\_  
Date

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

On this <sup>3<sup>rd</sup></sup> day of <sup>July</sup> ~~June~~ 2012 before me personally came and appeared Jay M. Siegel, Esq., to be known and known to me to be the individual described in the foregoing Instrument, and he acknowledged the same to me that he executed the same.

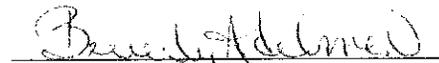


Notary Public  
KATHLEEN DUFFETT  
Notary Public, State of New York  
No. 02DU6128192  
Qualified in Putnam County  
Commission Expires 06/06/2013

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

On this <sup>19<sup>th</sup></sup> day of <sup>July</sup> ~~June~~ 2012 before me personally came and appeared William M. Wallens, Esq. to be known and known to me to be the individual described in the foregoing Instrument, and he acknowledged the same to me that he executed the same.

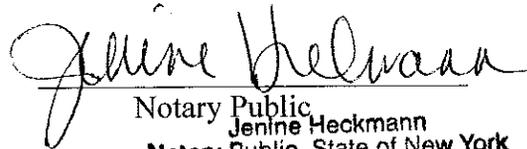
BEVERLY ADELMAN  
Notary Public, State of New York  
No. 01AD6155385  
Qualified in Saratoga County  
Commission Expires November 13, 2014



Notary Public

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

On this <sup>27<sup>th</sup></sup> day of June 2012 before me personally came and appeared Richard P. Bunyan, Esq. to be known and known to me to be the individual described in the foregoing Instrument, and he acknowledged the same to me that he executed the same.



Notary Public  
Jenine Heckmann  
Notary Public, State of New York  
No. 01HE6209463  
Qualified in Rockland County  
Commission Expires July 27, 2013



their dedicated service to the taxpayers and residents of the County. That, however, is not the issue in this proceeding. The issue is what can the County, and ultimately the taxpayers, afford to pay.

In applying the statutory criteria of comparability the Panel, at page 11 of the Award, concludes that “the comparable having the greatest influence over the Panel is Orange County.” The Panel’s analysis discounting Ulster County as a comparable jurisdiction is flawed. On page 9 of the Award the Panel states that “Ulster County is further from New York City than Dutchess County and more rural”. It is submitted that Ulster County is not further away from New York City than Dutchess and, is in fact, connected to Dutchess County in the South and the North by two Hudson River bridges. Ulster, like Dutchess County with Poughkeepsie, has a large city population in Kingston. There is no evidence in the record to support the conclusion that Ulster County is “more rural” than Dutchess County. Both counties have rural areas and expanding suburban communities. The failure to give appropriate weight to Ulster County and the comparison of the terms and conditions of employment between the Deputies of Dutchess County and Ulster County is evidence of a the flaw in this Award.

The Chairman and the PBA Member also gave weight to the City of Beacon, the City of Poughkeepsie, the Town of East Fishkill and the Town of Poughkeepsie. This is further evidence that the Panel failed to grasp the reality of what is and what is not a “comparable community.” The fact that these communities are within Dutchess County is not controlling to this Panel Member. The mission and the services that these other communities provide are in no way comparable to that

of a county, such as Dutchess. The Panel ignores the mandates to and needs of the County in providing social services, health services, and mental health services to the County's residents. The Panel ignores the fact that these mandated services that the County must provide are without appropriate revenues provided by the State of New York which mandates the provision of these services. These facts in and of themselves are evidence that a city and a town cannot be deemed to be a "comparable community" to a county. The cities and towns referenced by the Panel have a primary obligation and responsibility to provide public safety to their residents as evidenced if one simply reviews their respective budgets. They are able to apply a significant percentage of their revenues to public safety. The County does not have such a luxury. The majority of the County's revenues are applied to a totally different mission and, in most cases are mandated. Cities and Town's cannot say the same.

By ignoring these basic differences the Panel's analysis is flawed.

### **The Ability to Pay**

With respect to the Panel's (Chairman and PBA Panel Member) determination and analysis of the ability to pay, it is submitted that the Panel is merely giving "lip service" to the evidence in the record.

I will not repeat verbatim the Panel's citing of Budget Director Summerville's testimony, which testimony sets forth the dire condition of the County. The following, however, is a summary

of the County's fiscal condition and what has transpired since the unprecedented down turn in the economy since 2008.

The tax base of the County has continued to decline. Since 2008 it has declined 17% or \$6.5 billion dollars from \$38.4 billion in 2008 to \$31.89 billion in 2011. This is a result of the down turn in the residential and commercial construction market. This reduction in the County's tax base affects its ability to raise taxes and impacts upon the application and affect of the State mandated 2% property tax cap.

The median sale price for a single family home has decreased by 14% since 2007. Foreclosures have increased.

The unemployment rate in Dutchess County has remained over 7%, significantly higher than the annual average of 4% for 2007 prior to the economic recession. Current statistics show that the Dutchess County labor force is down 6,000 jobs from October 2006 and that there are 10,300 fewer people currently employed compared to the 2005 annual averages.

The economic recession has caused County sales tax revenues to decline more than \$11 million dollars over the 2008/2009 time period. Though there was some moderate growth and sales tax in 2010 and 2011, sales tax revenues dropped significantly in the second and third quarters of 2011 and down 12.5% growth at the end of the first quarter of the year 2011 to 2.5% in October. The 2011 year end sales tax forecast is over \$1 million below that which was anticipated in the

adopted 2011 budget. It is projected that in 2012 there will be further decline in hotel tax, interest earnings and transportation aid revenue.

Mandatory contributions into the State Retirement System for employee pensions have increased from \$8.4 million in 2009 to \$21.2 million dollars in 2011, despite a reduction in the County work force.

Health insurance costs have increased from \$18.4 million in 2007 to \$25 million despite a reduced work force.

Since 2008 the County has eliminated more than 173 government positions.

As noted in the former County Executive's 2011 Budget Message, operational costs have been cut since 2007, such as: employee travel and training cut 37%, equipment purchases cut 79%, communication costs cut 33%, supplies cut 16%.

While the County has done its job and satisfied its responsibility in constraining its spending, the cost of mandated programs have grown by nearly \$7.3 million dollars since 2007.

In order to stay within the 2% tax cap, the 2012 County budget appropriated \$24.9 million dollars of the County's 2011 year end general fund balance; the Fund Balance was \$29.9 million dollars at the end of the 2010 fiscal year. A remaining balance of \$5 million dollars is only 1.3% of the County's budget; this is well below the State Comptroller's recommended 5% minimum for fund balance as a percentage of budget. These are the real facts which give a true indication of the current economic condition in Dutchess County and support its inability to pay wage increases.

The Panel places significant weight on the County's bond rating to justify this Award. The Panel states that the County has "done an excellent job of managing its resources". (Award p. 17) The County should not be punished for its good fiscal management. The message that the Panel is sending is that an employer is better off with mismanagement, wasteful spending and poor planning for future unexpected events. "This Panel is saying if you mismanage, we (the Arbitration Panel) will not award wage increases."

Although the Panel gives "significant note" (Award p. 17) to the County's bond rating, the bond rating is truly irrelevant as to whether the County has the ability to pay the money put forth in the Awards, and the Award's long term compounding impact. Is the Panel suggesting that the County can or should borrow to pay the Award? That would merely lead to future debt. That could be irresponsible. Bonding for the Award would not be permissible. Thus, the County's bond rating is of no import.

Though the Panel recognizes that there is a 2% tax cap that has been imposed by New York State Legislature, the Panel does not seem to give any thought to the impact of this cap. Though the Award is for 2009 and 2010, its impact continues every year thereafter. The Panel ignores this compounding impact. The Panel gives no long term analysis or thought as to how the Award is to be funded in the years to come. The Panel's Award for 2009 and 2010, without even considering the compounding impact, is short sighted.

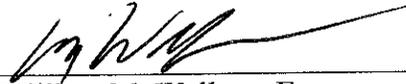
The Panel Awards increases of 1% effective January 1, 2009; 1.6% effective July 1, 2009, followed by raises of 1% effective January 1, 2010 and 2% effective July 1, 2010. The Panel attempts to justify this Award by referring to the fact that CSEA received 4% for 2009 and that the Corrections unit received 3.9% for 2009 and 4% for 2010. As the Panel noted on page 27 of its Award the County objected and argued that these increases were irrelevant due to the fact that these contracts were negotiated prior to the economic down turn and that there were "cost cutting" measures bargained for in the Correction's settlement.

Though the Panel states that it gave "some credence" (Award p. 28) to the County's argument, it ultimately ignored the County's position. The Panel then goes on to reviewing the pattern of wage settlements between 2000 and 2008 noting that the PBA generally received the same or higher amounts than those received by the two other bargaining units. This is evidence that when the County has the ability to pay it negotiates fair and reasonable settlements with all of its bargaining units and in fact has negotiated higher settlements with the PBA in good fiscal times. Now that the economy has turned, referring to past settlements is irrelevant. To make any reference to the term "pattern" must take into account the facts which existed at the time of the prior settlements. Prior settlements negotiated in a healthy economy can serve no basis for a "pattern" in a sick economy. The Panel, at page 29 of the Award, attempts to justify its excessive Award by stating "the Panel's deferral of some of the 2009 and 2010 wage increases will significantly reduce the impact of the back pay costs for the increases since the higher amounts of the raises will only be

provided in the second half of the year in both years.” This analysis is flawed. Regardless of the split and regardless of how the Panel attempts to “spin” its Award, it cannot be ignored that the Award amounts to a 2.6% wage adjustment in 2009 and compounded and that’s a 3% in 2010. Though splitting the wage increases may have an impact on the retroactive payment for those years, the compounding effect of the Award is 5.7% on the salary schedule which must be paid in 2011, 2012, 2013 and beyond. When the County has a depleted fund balance, still has underfunded and unfunded mandates, has increasing pension and health insurance costs and has a 2% property tax cap, the splitting of the wage increases has little significant impact on future liability. The reality is that Arbitrators who do not live within Dutchess County can agree upon an award which must be paid for and funded by the taxpayers of Dutchess County. This is nothing more than another unfunded mandate imposed upon the residents, citizens and taxpayers of Dutchess County.

Based upon the foregoing, I must respectfully dissent.

Dated: July 19, 2012

  
\_\_\_\_\_  
William M. Wallens, Esq.  
Employer Panel Member

238

# Budget, Finance, and Personnel Committee Roll Call

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

Present: 12  
Absent: 0  
Vacant: 0

Resolution: ✓  
Motion:     

Total : 12 0  
Yes No  
Abstentions: 0

2012238 AMENDING THE 2012 ADOPTED COUNTY BUDGET REGARDING THE COMPULSORY INTEREST ARBITRATION AWARD BETWEEN THE DUTCHESS COUNTY DEPUTY SHERIFF'S POLICE BENEVOLENT ASSOCIATION AND DUTCHESS COUNTY AND THE DUTCHESS COUNTY SHERIFF

Date: 9/10/12

# Roll Call Sheets

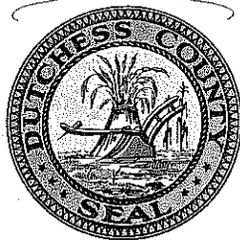
District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison	/	
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Flesland		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery		
District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

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

2012238                      AMENDING THE 2012 ADOPTED COUNTY BUDGET REGARDING  
 THE COMPULSORY INTEREST ARBITRATION AWARD  
 BETWEEN THE DUTCHESS COUNTY DEPUTY SHERIFF'S POLICE  
 BENEVOLENT ASSOCIATION AND DUTCHESS COUNTY AND  
 THE DUTCHESS COUNTY SHERIFF

Date: 9/10/12

# Dutchess County Legislature



Proclamation: Designating September 9 - 15, 2012, as  
"Suicide Prevention Week in Dutchess County"

Legislator MacAVERY offers the following and moves its adoption:

*Whereas*, over 36,000 people in the United States die by suicide every year, and

*Whereas*, a person dies by suicide about every 15 minutes in the United States; it is the fourth leading cause of death for adults between the ages of 18 and 65 years also the third leading cause of death among those 15-24 years old, and

*Whereas*, the elderly are also highly susceptible to suicide because of depression stemming from loneliness, neglect, and feelings of insignificance, and

*Whereas*, it is estimated that 4.73 million people in the United States are survivors, having lost a loved one to suicide, and

*Whereas*, mental illness and suicide may often be stigmatized, discouraging at-risk people from seeking the help they desperately need, and

*Whereas*, Dutchess County residents can show compassion for neighbors and loved ones by learning to notice and respond to indicating factors for suicide such as depression, loneliness, alcoholism, drug use, and domestic violence, and can impart hope to others by strengthening their sense of worth and belonging and encouraging open communication, and

*Whereas*, organizations such as the Hudson Valley Chapter of the American Foundation for Suicide Prevention and the Dutchess County Department of Mental Hygiene, are dedicated to reducing the frequency of suicide attempts and deaths, and the pain of survivors affected by suicides of loved ones, through educational programs, research projects, intervention services, and bereavement services, now, therefore be it

**Resolved**, that the Dutchess County Legislature does hereby proclaim September 9 through September 15, 2012, as "Suicide Prevention Week in Dutchess County"

STATE OF NEW YORK  
SS:  
COUNTY OF DUTCHESS

Resolution No. 2012239

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 10<sup>th</sup> day of September, 2012 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 10<sup>th</sup> day of September, 2012

*Carolyn Morris*  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# Dutchess County Legislature



## **Commendation: The Friends of the Beekman Library**

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

**Whereas**, the Beekman Library Fund-Raising Committee was established in the Town of Beekman in 1989 with three (3) fundraising members, and

**Whereas**, the Beekman Library's Fundraising Committee became known as the "Friends of the Beekman Library" in the year 2000, and

**Whereas**, the Committee has been operating continuously for 23 years, and

**Whereas**, there are now twelve (12) members of the Friends of the Beekman Library, and

**Whereas**, since 2000, the Friends of the Beekman Library have raised approximately \$66,000 on behalf of the Beekman Library, and

**Whereas**, they have spent over 500 hours annually saving the Library \$14,000 per year since the year 2000, valued at approximately \$155,000, and

**Whereas**, that the funds raised by the Friends of the Beekman Library have purchased computers for patrons to use, library furnishings, supported children's programs, including the Summer Reading Program and the teen program, and

**Whereas**, the combined total of volunteer hours and funds raised have saved the taxpayers of the Town of Beekman approximately \$221,000 since 2000, now, therefore, be it

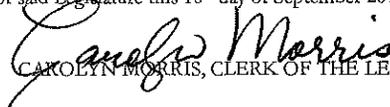
**Resolved**, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby congratulate and commend the Friends of the Beekman Library for their vital support to the Beekman Library and the community.

STATE OF NEW YORK  
COUNTY OF DUTCHESS

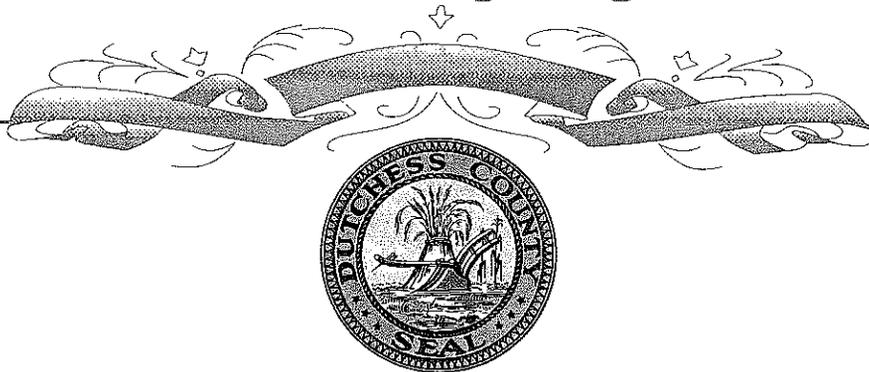
ss: Resolution No. 2012240

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 10<sup>th</sup> day of September 2012, 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 10<sup>th</sup> day of September 2012.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# Dutchess County Legislature



## ***Commendation: Dr. Daniel and Nancy Aronzon***

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

***Whereas***, Dr. Daniel and Nancy Aronzon moved to Dutchess County in 1979. Prior to that Dr. Daniel Aronzon received his medical degree from New York Medical College and served on the faculty of the New York University School of Medicine after completing his residency in pediatric medicine at Albert Einstein College of Medicine in New York City, and

***Whereas***, Dr. Aronzon began a pediatric practice in 1979, which became Children's Medical Group, one of the largest children practices in the Northeast. He was the Senior Vice-President for Medical Affairs at Vassar Brothers Medical Center in Poughkeepsie, while serving concurrently as Chief Medical Officer for Health Quest. Dr. Aronzon, thereafter served as President and CEO of Vassar Brothers Medical Center until his retirement in 2011, and

***Whereas***, Dr. Aronzon has contributed great amounts of time and talent to many civic organizations he has participated in; he has been indispensable as a longstanding member of the Poughkeepsie Rotary Club, where he has organized a Childhood Immunization Program, which has received statewide recognition; he has served on the Boards of the Mid-Hudson Chapter of the March of Dimes; Rehabilitation Programs, Inc.; the American Cancer Society and the American Heart Association; he currently chairs Marist College's Pre-Health Advisory Board and is a past chair of the United Way of the Mid-Hudson Valley. He sits on the boards of the United Way, Pattern for Progress and the Society of Poughkeepsie Arts, Restaurants and Culture (SPARC), and

***Whereas***, in 2009, Dr. Aronzon was the inaugural recipient of the Bernard Handel Community Leadership Award, for his many roles in the not-for-profit community. He has also been honored for his community service by the Child Abuse Prevention Center, Mill Street Loft, the Jewish Community Center, the Children's Dream Foundation, the Juvenile Diabetes Foundation and Healing of Children, and

***Whereas***, Nancy Aronzon has worked for the past 19 years at Marist College, the last 9 years as Director of the Center for Advising, and

**Whereas,** Nancy has served on the boards of the Poughkeepsie Ballet Theater and Dutchess Outreach, where she remains active on the fundraising committee, and

**Whereas,** Nancy has spent many years volunteering for Healing the Children Northeast, she has traveled on three (3) medical missions to Santa Maria, Columbia and served on the fundraising gala committee. Additionally, Nancy volunteers weekly at Acts of Kindness in Pleasant Valley. She also enjoys playing tennis, the cello, and singing with the New Paltz Community\College Choir, and

**Whereas,** Dr. Daniel and Nancy Aronzon have raised their three children here in Dutchess County, and

**Whereas,** Dr. Daniel and Nancy Aronzon are being honored at this year's Community Foundations of the Hudson Valley's Annual Garden Party, now, therefore, be it

**Resolved,** that the Dutchess County Legislature, on behalf of all the people of Dutchess County, hereby extends to, Dr. Daniel and Nancy Aronzon, its deep and sincere appreciation for their many years of public service, it is further

**Resolved,** that the Dutchess County Legislature, does hereby extend to Dr. Daniel and Nancy Aronzon, its best wishes in all of their future endeavors.

Resolution No. 2012241

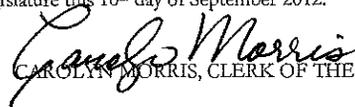
STATE OF NEW YORK

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 10<sup>th</sup> day of September 2012, 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 10<sup>th</sup> day of September 2012.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# Dutchess County Legislature



## *Commendation: William and Matilda Davenport*

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

*Whereas*, William and Matilda Davenport are lifelong residents of Ulster County, they where married in 1963 and have raised three sons here in the Mid-Hudson Valley, and

*Whereas*, William served in the U.S. Army and Army Reserve, he is a graduate of Colgate University and the Owner-Manager Program at Harvard Business School, and

*Whereas*, William joined the family heating business in 1959 and later became President and CEO of Walter Davenport and Sons, Inc.; he is currently co-owner and Board Chair of Heritagenergy, a petroleum business based out of the Hudson Valley, and

*Whereas*, William has served on several Boards in the Hudson Valley including, Benedictine Hospital and currently Chairs the Hospital's Health Foundation; Friends of the Hudson Valley, Mid-Hudson Family Health Institute and the Stone Ridge Library; William has also served on the Boards of the City of Kingston Laboratory, and

*Whereas*, Matilda Cordts Davenport graduated in 1961 from Dumbarton College of Holy Cross in Washington, D.C. and did her graduate work at George Washington University; she has also attended Ulster Community College, SUNY New Paltz, the University of Virginia and Harvard Business School, and

*Whereas*, Matilda has taught in the Washington, D.C. public school district, as well as schools in Kingston and Port Ewen, and

*Whereas*, Matilda has served as Human Resource Program Coordinator at Ulster Community College's Development Center for Business, and

*Whereas*, Matilda has served on many Boards over the years such as, the Community Rehabilitation Center Foundation, the Senate House, Benedictine Hospital, Stone Ridge Library and the Junior League of Kingston; she was the President of the Stone Ridge Library Board and the Ulster Garden Club and served on the Marbletown Historic Preservation Commission from 2004 to 2010, and

**Whereas**, William and Nancy Davenport are being honored at this year's Community Foundations of the Hudson Valley's Annual Garden Party, now, therefore, be it

**Resolved**, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, hereby extends to, William and Nancy Davenport, its deep and sincere appreciation for their many years of public service, it is further

**Resolved**, that the Dutchess County Legislature, does hereby extend to William and Nancy Davenport, its best wishes in all of their future endeavors.

Resolution NO. 2012242

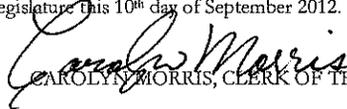
STATE OF NEW YORK

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 10<sup>th</sup> day of September 2012, 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 10<sup>th</sup> day of September 2012.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

On motion by Legislator Kelsey, duly seconded by Legislator Forman 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 on the lack of transparency in government relating to September 11, 2001.

Amanda Meads, Beacon, spoke in support of banning the use of fracking wastewater.

Alison Rich, Beacon, spoke in support of banning brine for the use of deicing roads.

No one wishing to speak, on motion by Legislator Miccio, duly seconded by Legislator Kelsey and carried, the Regular Order of Business was resumed.

There being no further business, the Chairman adjourned the meeting at 8:35 p.m. subject to the call of the Chair.