Regular Meeting

of the

Dutchess County Legislature

Monday, September 13, 2010

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

Roll Call by the Clerk of the Legislature

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

ABSENT: 0

PRESENT, LATE: 0

Quorum Present.

Pledge of Allegiance to the Flag.

The invocation was given by Father John Bida of Immaculate Conception Church in Bangall, New York followed by a moment of silent meditation.

COMMENDATIONS/PROCLAMATIONS

Commendation: Bridge Builders
Proclamation: "Once-a-Day" for Local Farm Products

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

No one wishing to be heard, the Chairman entertained a motion to resume the Regular Order of Business.

Chairman Rolison entertained a motion to approve the minutes of August 9, 2010.

On motion by Legislator Flesland duly seconded by Legislator Thomes the August 9, 2010 minutes were approved.

COMMUNICATIONS RECEIVED FOR THE SEPTEMBER 2010 BOARD MEETING

RECEIVED from NYS Office of Real Property Tax Services, List of Certified 2010 State Equalization Rates.

RECEIVED from NYS Department of Environmental Conservation, permit for Dutchess County Airport to excavate within federal wetlands in conjunction with the construction of a new landfill cover.

Public Works & Capital Projects Committee

RESOLUTION NO. 2010226, 2010

BOND RESOLUTION DATED SEPTEMBER 13, 2010.

A RESOLUTION AUTHORIZING THE ISSUANCE OF $3,456,600 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY THE COST OF THE PURCHASE AND INSTALLATION LIFE SAFETY, SECURITY AND COMMUNICATION EQUIPMENT AT THE COUNTY JAIL, IN AND FOR SAID COUNTY.

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

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

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

Section 1. The purchase and installation of life safety, security and communication equipment at the County Jail, including original equipment and incidental improvements and expenses in connection therewith, in and for said County, to replace existing obsolete sliding gate controls, electronic security and communication systems to reconstruct portions of same, are hereby authorized at a maximum estimated cost of $3,456,600.

Section 2. It is hereby determined that the plan for the financing of the aforesaid specific object or purpose is by the issuance of $3,456,600 serial bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is 5 years, pursuant to subdivision 32 of paragraph a of Section 11.00 of the Local Finance Law.

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

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

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

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

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

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

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or

are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

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

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

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

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

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

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

* * * * *

Newspaper and/or other news media	Date given
Southern Dutchess News	9-9-10
Poughkeepsie Journal	9-9-10

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

Designated Location(s) of posted notice	Date of Posting
22 Market, Street, 6th Floor, County Office Building, Poughkeepsie, New York	9-9-10

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 14th day of September, 2010.

Patricia J. Hohmann
Clerk, County Legislature

(CORPORATE SEAL)

VETO
9-24-10

OVERRIDDEN
10-13-10

DC Jail Security & Communications System

$3,456,600 @ 1.65%

Year	PRIN O/S	PRIN PAYMENT	INTEREST	TOTAL
1	$3,456,600	$691,320	$57,034	$748,354
2	2,765,280	691,320	45,627	736,947
3	2,073,960	691,320	34,220	725,540
4	1,382,640	691,320	22,814	714,134
5	691,320	691,320	11,407	702,727
	TOTAL	$3,456,600	$171,102	$3,627,702
	AVG. PER YEAR	$691,320	$34,220	$725,540

FISCAL IMPACT STATEMENT

TOTAL PRINCIPAL	$3,456,600	
ANTICIPATED INTEREST RATE		1.65%
TERM	5 YEARS. TOTAL ANTICIPATED FEES:	$34,000
ANTICIPATED ANNUAL COST (PRIN + INT):		$725,540
TOTAL PAYBACK (ANNUAL COST x TERMS):		$3,627,702

PREPARED BY PAMELA BARRACK

DC Jail Security & Communications System

	Line No.	Description	Increase	Decrease
Appropriations:				
	H0422.1620.3150	Building- Renovation	3,422,600	
	H0422.1620.3900	Bond Issuing Costs	34,000	
			3,456,600	
Revenue:				
	H0422.1620.57100	Serial Bonds	3,456,600	

Dutchess County Executive

William R. Steinhaus
County Executive

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

DUTCHESS COUNTY LEGISLATURE

2010 SEP 24 P 4:56

Memorandum

To: All Legislators

From: William R. Steinhaus
Dutchess County Executive

Re: Resolution Numbers 2010226 and 2010254

Date: September 24, 2010

I have directed the Commissioner of Finance to forward a $75 million bond to the Dutchess County Legislature next week for the construction of a new 300 cell county jail to meet the needs of his operation identified by Sheriff Adrian "Butch" Anderson.

Year after year, Sheriff Anderson has been unable to manage his corrections organization within the monies provided by the County Legislature. Management and staff issues continue to challenge the Sheriff including this week's tragic inmate suicide. For more than two years, Sheriff Anderson has not fully staffed the jail despite authorization and funding to fill 14 correction officer positions left vacant. This has caused huge sums to be spent on avoidable overtime and has placed increased stress workloads on the existing correction officers.

The federal court case regarding possible violations by the Sheriff's jail staff continues; consuming huge sums of tax dollars. Repeated overruns of the Sheriff's corrections budget are the norm with no accountability required from the County Legislature. A lack of willingness by the Sheriff to publicly and loudly challenge the NYS Commission on Corrections has left local property taxpayers funding millions of wasted tax dollars.

The County Legislature appears to be consumed by one issue which is only one percent of the county operating budget – the disposal cost of all the garbage county wide for 300,000 residents and the entire business and commercial infrastructure. But no "work group," no "task force," no legislative standing committee, no one individual legislator or group of legislators yet appears to be concerned that nearly 10 percent of our budget costs are spent in the largest net to county cost of our government – the Sheriff's jail operation.

This past week the DC Legislature, with but only a few minutes of consideration, chose to allocate and spend another $4.4 million dollars for Sheriff Anderson's use to run the county jail.

The 2011 county operating budget will be the most daunting and challenging since the county fought its way through the financial tsunami that hit this government caused in 1993-94 by the then massive IBM downsizing.

However, the coming county budget and policy decisions faced by legislators will be made in the context of a five year national recession, with little to no confidence by many that it won't last several years into the future in this state. That would mean there will be no meaningful relief for county government in the foreseeable few years.

The DC Legislature cannot, and should not, consider decisions for the 2011 Operating Budget, or the 2011 Capital Plan, without the Legislature and Sheriff Anderson together finding a solution and making *conclusive* Legislative policy decisions regarding the endless budget overruns and escalating costs at the DC Jail.

Due to the national recession, coupled with the cascading impact on local governments from the dysfunctional state government, this county government like many across the nation and state must make spending cuts. County government will need to shrink its size, shrink its services, shrink its overhead and expenses, shrink its payroll, all of which will necessitate a corresponding shrinkage in the number of county workers - to meet the realities of diminished county finances and the property taxpayer who has been leaned on to the breaking point.

The County Legislature and Sheriff Anderson need to once and for all decide quickly what it plans to do for a solution to jail costs before it can decide how to pay for the remaining other important county government services in 2011 – most of which are but a fraction of the jail expenses.

It is for these reasons the Commissioner of Finance will forward a $75 million bond for legislative consideration for a new 300 cell jail to meet the needs of Sheriff Anderson.

Let there be no misunderstanding – **I am not "proposing" this $75 million jail bond, nor am I advocating it.** Sheriff Anderson, under the state constitution, is the individual responsible for the inmates and management of the county jail – the Sheriff and jail are **not** in the Executive Branch of this county government. It is my hope the delivery of the bond resolution will prompt the Legislature and Sheriff to make the necessary policy decision that **ONLY** the Legislature, not the Executive, can make with 17 votes to adopt a bond.

Resolution Numbers 2010226 and 2010254 adopted September 13, proposing the expenditure of $4.45 million dollars for county jail facility improvements and higher 2010 operating expenses, are **vetoed** with the hope and expectation the Legislature and Sheriff will reach conclusive policy decisions.

I believe a "yes" or "no" vote on the adoption of the jail bond, or alternative solutions, needs to be made before adopting the 2011 Budget at the end of November.

Throwing good taxpayer money after bad at the Dutchess County Jail makes no sense and cannot be justified to our taxpayers.

The decisions facing Sheriff Anderson and the Legislature now are:

- build a new 300 cell county jail costing an estimated $75 million {actually $113 million including debt service interest costs}; hire and pay the larger additional staff to run and operate a jail that large; pay the new operating, energy and maintenance costs to run it.
- OR continue to allocate year after year new taxpayer money to Sheriff Anderson for the jail overruns that have become common place.
- OR hold the Sheriff accountable like other county departments to find innovative, creative solutions with the NYSCOC to manage his inmate population, and live within his means and within the money provided in his annual operating budget.

Lastly, since the operating costs for the county jail are **ten times** the budget cost to fund solid waste removal for all Dutchess County, and the new debt service for a new 300 cell county jail is **almost as much as the debt** the county currently carries for all prior projects , I am hopeful the County Legislature will give the proportionate time, energy and commitment to develop jail solutions as it has the much lesser issue of the issue for solid waste disposal at one tenth the cost.

I would respectfully recommend the Legislature convene as many special committee meetings, meetings of the whole, and special full board meetings over the next ten weeks to enable you to make these critical decisions.

Thank you for your attention to this issue.

The Commissioner of Finance will forward the $75 million bond resolution next week so the Legislature can begin review and debate immediately.

cc: Patricia Hohmann, Clerk of the Legislature
Sheriff Adrian Anderson

Background To Bond

Lock & Security Control System Improvements

Dutchess County Correctional Facility

August 5, 2010

LABELLA Associates, P.C.

INTRODUCTION

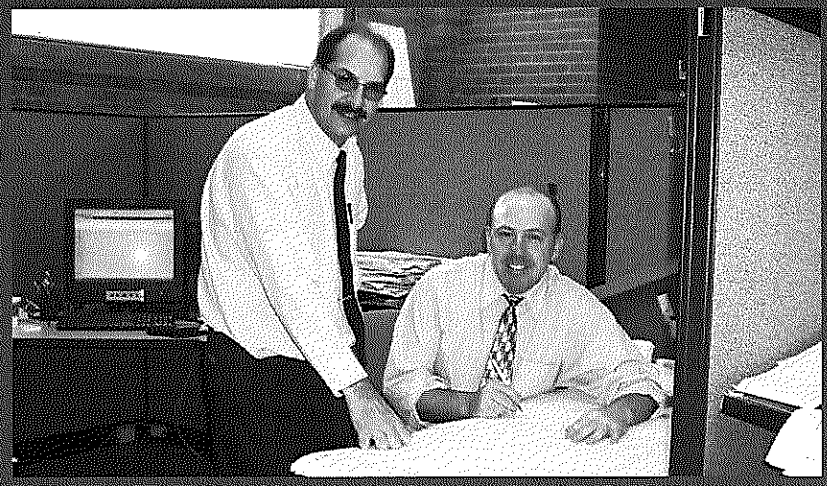
Existing Sliding Door Locks and Security Control Systems:

- **Existing systems are in disrepair and cannot be fixed.**
- **Existing systems need to be replaced and upgraded to meet current industry standards.**
- **Existing systems are liabilities that represent a significant risk to the county.**

LABELLA
Associates, P.C.

LaBella Associates, P.C.

- 30 Years of Client Service
- 140+ Employees in Rochester, Hornell, & Coudersport, PA
- Full Service Firm including:
  - ✓ Architecture
  - ✓ MEP
  - ✓ Structural
  - ✓ Environmental
  - ✓ Civil
  - ✓ Transportation & Survey



- Completed 19 new NYS County Correctional Facility projects and 22 addition/renovation projects
- Respected Relationship with the NYS Commission of Correction
- Thorough Knowledge of all Requirements, Codes, and Classification Requirements

LABELLA
Associates, P.C.

PROJECT SCOPE

- Evaluation & Assessment
- Identify & Design Improvements
- Contract Documents for Bidding
- Construction Administration

LABELLA
Associates, P.C.

PERSPECTIVE

Dutchess County

Correctional Facility constructed in two phases

1984

1995

LABELLA
Associates, P.C.

EXISTING CONDITIONS

Detention Sliding Door Locks

- **(44) Existing Openings**

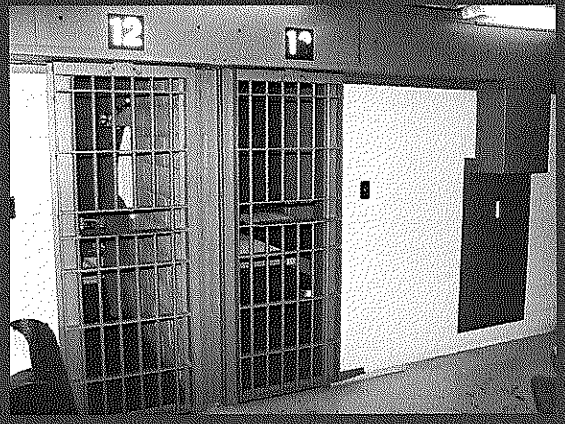
Security Control Systems

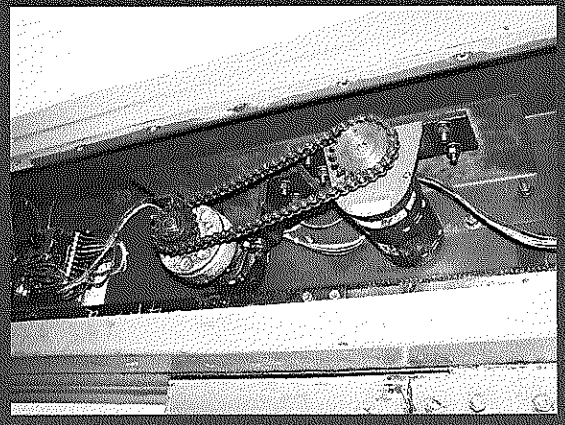
- **Door Control & Monitoring**
- **Video Surveillance & Recordings**
- **Intercom & Paging**

LABELLA
Associates, P.C.

EXISTING CONDITIONS

SLIDING DOOR LOCKS – 1984 BUILDING





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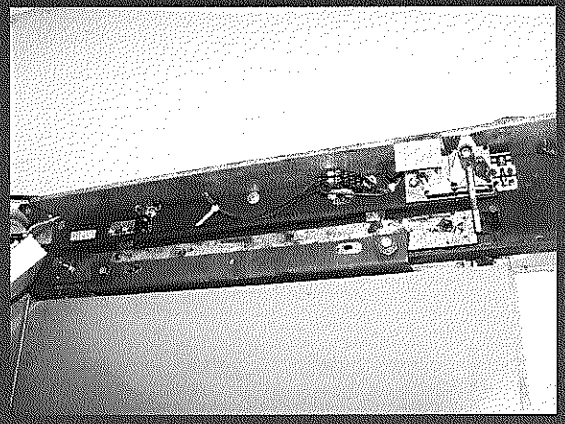
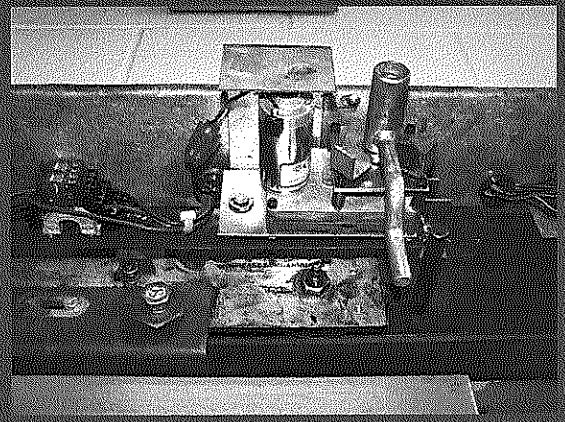
EXISTING CONDITIONS

SLIDING DOOR LOCKS – 1995 BUILDING





LABELLA
Associates, P.C.

EXISTING CONDITIONS

CENTRAL CONTROL:

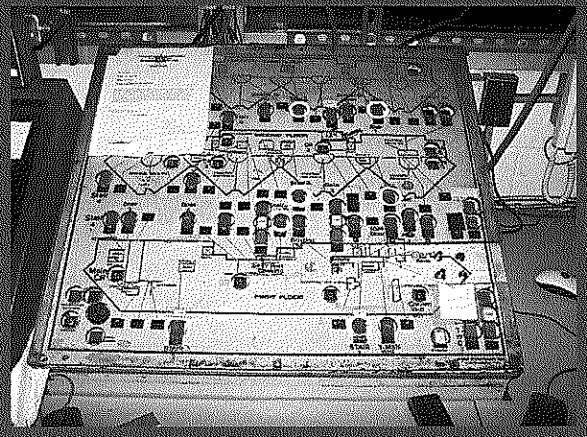
- **Facility Communication**
- **Facility Movement**
- **Emergency Response**
- **Perimeter Security**
- **Staff Safety**

LABELLA
Associates, P.C.

EXISTING CONDITIONS

SECURITY CONTROL SYSTEM - CENTRAL CONTROL

- Stand Alone Subsystems



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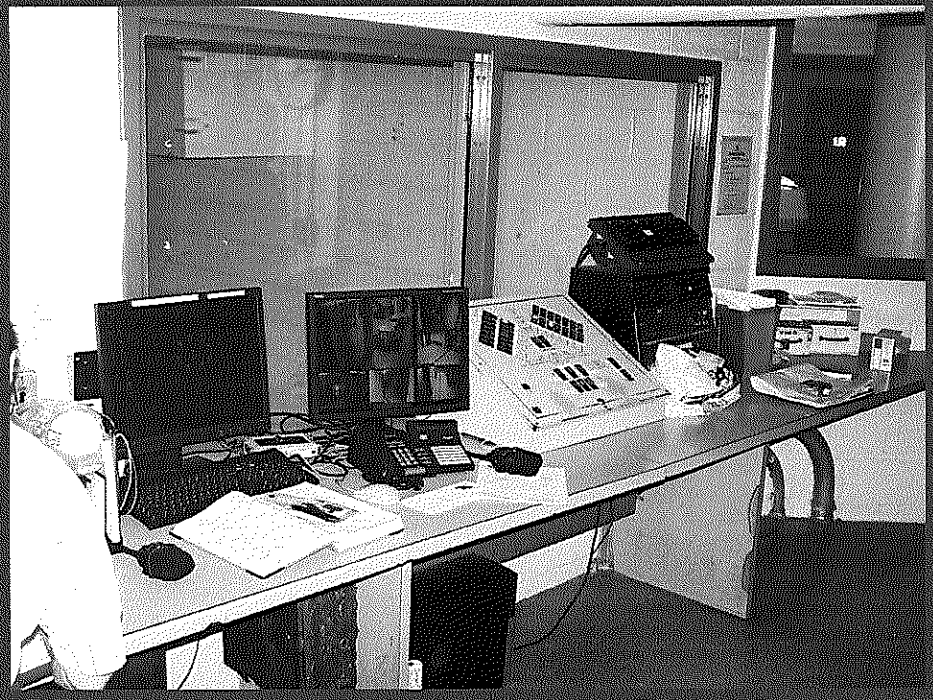
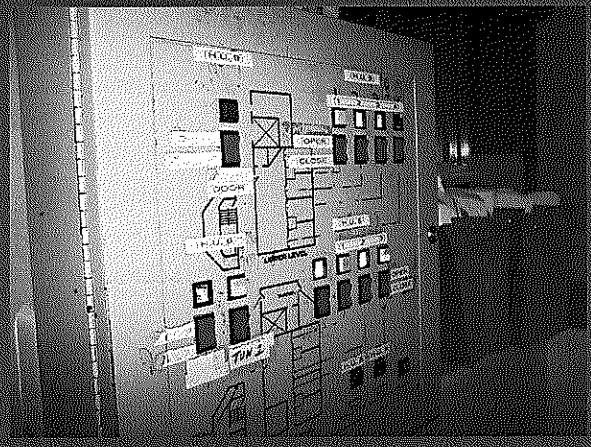
EXISTING CONDITIONS

SECURITY CONTROL – HOUSING

- **Stand Alone Subsystems**



1984



1995

LABELLA
Associates, P.C.

DESIGN APPROACH

- Customized design to fit the needs of the County
- Based on sound technology
- Integrated security & control approach
- Designed for accountability
- Ease of operation
- Expandable
- Value

LABELLA
Associates, P.C.

REQUIREMENTS

Correctional Facilities must comply with codes, rules and regulations stipulated by the NYS COC and NYS Building Code.

- Doors Must Open / Life Safety
- Doors Must Close / Security

Correctional Facilities must provide a competent degree of life safety, security and operational integrity consistent with industry standards.

- Control
- Custody
- Care

LABELLA Associates, P.C.

DESIGN

DETENTION SLIDING DOOR LOCKS:

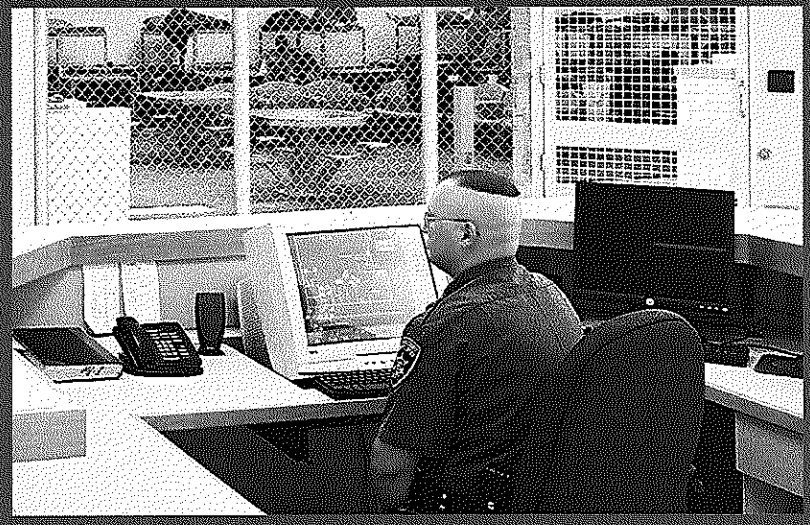
- Replace and upgrade (44) sliding door locks with current lock technology.
- Utilize manufacturers with a long standing presence in the industry.

LABELLA
Associates, P.C.

DESIGN

INTEGRATED SECURITY CONTOL SYSTEM:

- Door Control / Monitoring
- Video Surveillance and Recording
- Intercom and Paging
- Duress and Body Alarm
- Logging System
- Single Operating System



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Associates, P.C.

PROJECT BUDGET

Replace and upgrade sliding door locks / operators.

- **Subtotal - $1,060,000**

Replace and upgrade security control systems.

- **Subtotal - $2,365,000**

Total Project Budget: $3,425,000

- **Construction Cost**
- **Soft Cost**
- **Contingencies**

LABELLA
Associates, P.C.

RECOMMENDATIONS

- Act now to reduce liability/ risk to the County.
- Implement the work under one renovation project.
- Require pre-purchase of systems and equipment before contractors work on site.
- Phased Construction to minimize inmate displacement.

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PROJECT SCHEDULE

Lock and Security & Control System Upgrades

LABELLA
Associates, P.C.

Questions & Answers

1984

1995

LABELLA
Associates, P.C.

Resolution No. 2010226 was introduced at the August Committee Meeting for discussion only and considered at this time.

Roll call vote on the foregoing Resolution No. 2010226 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

The County Executive vetoed the foregoing resolution on September 24, 2010. At the October 13, 2010 Regular Board Meeting Legislator Cooper moved to override the veto of Resolution No. 2010226 duly seconded by Legislator Jeter-Jackson. The foregoing motion was adopted with Legislator Kelsey casting a no vote.

The foregoing Resolution No. 2010229 entitled, "ESTABLISHING PLAN TO INCREASE RECYCLING IN DUTCHESS COUNTY" was pulled by sponsor and considered at the October 13, 2010 Regular Board Meeting.

RESOLUTION NO. 2010246

RE: DECLARING DUTCHESS COUNTY LEAD AGENCY AND ADOPTION OF NEGATIVE DECLARATION FOR THE PURCHASE OF 3.62 ACRE PARCEL AT 170 WASHINGTON STREET, POUGHKEEPSIE, NEW YORK AND CONSTRUCTION OF THE COUNTY'S MEDICAL EXAMINER'S OFFICE THEREON

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

WHEREAS, Dutchess County is considering authorizing a capital bond to purchase a 3.62 acre parcel with a building and improvements thereon located at 170 Washington Street, Poughkeepsie, New York currently leased by the County for records storage, and

WHEREAS, in addition, the bond would provide for the construction of a 5,000 square foot addition to the structure to house the County's Medical Examiner's Office, and

WHEREAS, these are unlisted actions pursuant to the State Environmental Quality Review Act, and

WHEREAS, the Dutchess County Department of Public Works has prepared a Short Environmental Assessment Form and based thereon concluded the proposed purchase and construction is an unlisted action which will not have a significant adverse impact on the environment, and

WHEREAS, it is the purpose of this Legislature, in adopting this Resolution, to establish Dutchess County as the lead agency in an uncoordinated review for this project and to adopt the Short Environmental Assessment Form and Negative Declaration, attached hereto, which sets forth the basis for its conclusion that the purchase and construction will not have a significant adverse impact on the environment, now, therefore, be it

RESOLVED, Dutchess County hereby assumes lead agency status with respect to the above referenced project, adopts and confirms the Short Environmental Assessment Form and Negative Declaration attached hereto concluding the proposed purchase of 170 Washington Street, Poughkeepsie, New York and construction of a 5,000 square foot Medical Examiner's Office thereon will not have a significant adverse impact on the environment.

CA-146-10
ADR/ca/R-0633
8/13/10
Fiscal Impact: See attached statement

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☑ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ _____

Total Current Year Revenue $ _____
and Source

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

Identify Line Items(s):

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:

Prepared by: Roman Yasiejko, DPW - Buildings Division

617.20

Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR	2. PROJECT NAME
County of Dutchess	Purchase 170 Washington St. & construct 5,000 sq.ft. addition

3. PROJECT LOCATION:
Municipality Poughkeepsie County Dutchess

4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)
170 Washington Street, Poughkeepsie, NY 12603
(Attached is a property card for the involved parcel)

5. PROPOSED ACTION IS:
☑ New ☑ Expansion ☐ Modification/alteration

6. DESCRIBE PROJECT BRIEFLY:
The County of Dutchess intends to purchase the 3.62 acre parcel, located at 170 Washington Street in the City of Poughkeepsie. There is an existing one story, 19,375 sq. ft. warehouse building on the site, which is currently leased by the County for record storage. The County intends to construct a 5, 000 sq. ft. addition to the structure to house a Medical Examiner's Office.

7. AMOUNT OF LAND AFFECTED:
Initially 3.62 acres Ultimately 3.62 acres

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

9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?
☑ Residential ☑ Industrial ☑ Commercial ☐ Agriculture ☑ Park/Forest/Open Space ☑ Other
Describe:
The property is located on Washington Street in the City of Poughkeepsie, adjacent to an assisted living facility and Community Park. The area consists of mixed uses (residential on the east side and mixed commercial and industrial on the west.

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

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

12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?
☐ Yes ☑ No

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

Applicant/sponsor name: County of Dutchess Date: August 11, 2010

Signature: Bradford A Barry

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

Reset

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

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

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

C. COULD ACTION RESULT IN **ANY** ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

See addendum

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

See addendum

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

No, the site is an existing developed property in the City of Poughkeepsie, currently leased by the County for record storage. A 5,000 sq. ft. addtion would be added.

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

The project involves a minor addition (5,000 sq. ft.) to an existing 19, 375 sq.ft. building and the intended use is allowed in the involved zoning district (Medical Laboratories)

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

No, the project is being developed to house existing governmental programs.

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

There will be short-term impacts (traffic, noise, dust) associated with the construction of the 5,000 sq. ft. addition.

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

There will be a slight increase in energy used on the site by the medical examiner's office.

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

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

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

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

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

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

County of Dutchess	August 11, 2010
Name of Lead Agency	Date
Roman Yasiejko	Director of Physical Facilities
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (If different from responsible officer)

Reset

Addendum to the Short Form EAF for Purchase of 170 Washington Street,
located in the City of Poughkeepsie,
and Construction of a 5,000 Sq.ft. addition to house the
Dutchess CountyMedical Examiner's Office.

C1. The purchase of the 3.62 acre property and subsequent change of ownership will not involve any change of use for the existing 19,375 sq. ft. warehouse structure, as the County already leases the property and will continue its use of the existing structure, as a records management facility.

The construction of the 5,000 sq.ft. addition to the building to house the Medical Examiner's Office will cause minor increases in impervious surfaces for additional parking and traffic generation on the site. The existing 3.62 acres has adequate space for the additional parking and any associated stormwater facilities required to prevent any additional runoff from the site. The site's location on Washington Street provides adequate access to handle the minor amount of traffic generated by the additional use.

The site has existing service to the Community's water and sewer facilities, which are adequate for the existing use and the offices associated with the Medical Examiner's office. The laboratory facility portion of the Medical Examiner's office would operate as a separate closed facility, with respect to HVAC systems, chemical usage, and medical wastes to prevent any exposure to the environment of contaminants.

C2. As stated above, the use of the existing 19,375 sq. ft. warehouse structure would remain the same. The 5,000 sq. ft. addition would be added to the rear of the existing structure, which will have no adverse impact on the surrounding neighborhood. There is a significant vegetative buffer to the rear of the property and between the adjacent park property and the facility, which would be maintained.

12-12-79 (3/99)-9c

SEQR

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number

Date: August 11, 2010

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

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

Name of Action:

Dutchess County's Purchase of 170 Washington Street in the City of Poughkeepsie and construction of a 5,000 sq. ft. addition to house the Dutchess County Medical Examiner's office.

SEQR Status: Type 1 ☐
Unlisted ☑

Conditioned Negative Declaration: ☐ Yes
☑ No

Description of Action:

The County of Dutchess intends to purchase the 3.62 acre parcel, located at 170 Washington Street in the City of Poughkeepsie. There is an existing one story, 19,375 sq. ft. warehouse building on the site, which is currently leased by the County for record storage. This use will continue. The County intends to construct a 5, 000 sq. ft. addition to the involved structure to house the Dutchess County Medical Examiner's Office.

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

170 Washington Street, City of Poughkeepsie, NY 12603

Reasons Supporting This Determination:
(See 617.7(a)-(c) for requirements of this determination ; see 617.7(d) for Conditioned Negative Declaration)

The purchase of the 3.62 acre property and subsequent change of ownership will not involve any change of use for the existing 19,375 sq. ft. warehouse structure, as the County already leases the property and will continue its use of the existing structure, as a records management facility.

The construction of the 5,000 sq.ft. addition to the building to house the Medical Examiner's Office will cause minor increases in impervious surfaces for additional parking and traffic generation on the site. The existing 3.62 acres has adequate space for the additional parking and any associated stormwater facilities required to prevent any additional runoff from the site. The site's location on Washington Street provides adequate access to handle the minor amount of traffic generated by the additional use.

The site has existing service to the Community's water and sewer facilities, which are adequate for the existing use and the offices associated with the Medical Examiner's office. The laboratory facility portion of the Medical Examiner's office would operate as a separate closed facility, with respect to HVAC systems, chemical usage, and medical wastes to prevent any exposure to the environment of contaminants.

The 5,000 sq. ft. addition would be added to the rear of the existing structure, which will have no adverse impact on the surrounding neighborhood. There is a significant vegetative buffer to the rear of the property and between the adjacent park property and the facility, which would be maintained. Medical Laboratories are an allowed use in the zoning district that the site is located in.

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

For Further Information:

Contact Person: Roman Yasiejko

Address: County Office Building, 22 Market Street, City of Poughkeepsie NY 12601

Telephone Number: (845) 486-2121

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

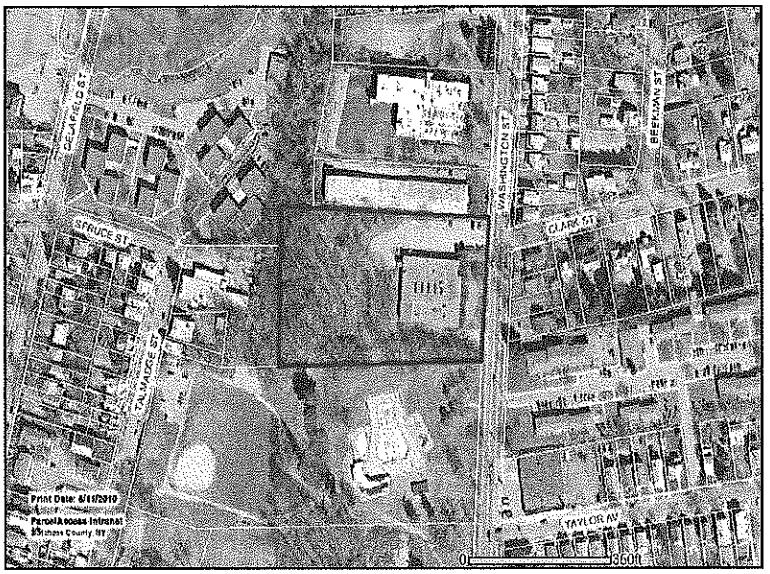
Chief Executive Officer , Town / City / Village of

Other involved agencies (If any)

Applicant (If any)

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

ParcelAccess
Dutchess County, NY



8/11/2010

Parcel Grid Identification #:
131300-6062-60-986466-0000

Parcel Location
170 Washington St
City of Poughkeepsie

Owner Information
Sherman Family Ltd Partnership, *(P)*

Primary *(P)* Owner Mail Address
44 Alden Rd
Poughkeepsie NY 126030000

Parcel Details

Size (acres):	3.62 Ac (d)	Land Use Class:	(449) Commercial: Storage, Warehouse and Distribution Facilities: Other Storage, Warehouse and Distribution Facilities
File Map:		Agri. Dist.:	(0)
File Lot #:		School District:	(131300) Poughkeepsie City School District
Split Town			

Assessment Information
*** 2011 assessments not yet established ***

Last Sale/Transfer

Sales Price:	Sale Date:	Deed Book:	Deed Page:	Sale Condition:	No. Parcels:
$0	0	1989	0375	( )	0

Site Information:
Site Number: 1

Water Supply:	Sewer Type:	Desirability:	Zoning Code:	Used As:
(3) Comm/public	(3) Comm/public	(2) Typical	R-D	(F05) Row storage

Commercial/Industrial/Utility Building Information:
Site Number: 1
Bldg Sec.: 1 Bldg. Number: 1

Year Built:	No. Stories:	Gross Floor Area:	Boeck Model	Const. Qual.:
1954	1	19375	(0833) 1 sty warehouse steel 10% wood OHD	(1) Average -

Air Cond. %:	Sprinkler %:	Alarm %:	No. Elevator:	Basement sf.:
0	0	0	0	0

Number Identical:	Condition Code:
0	3

Commercial Rental Information:
Site Number: 1
Use Number: 1
Used As: (F05) Row storage

Unit Code:	Total Rent Area:	Area 1 Bdrms Apts	Area 2 Bdrms Apts	Area 3 Bdrms Apts
( )	19375	0	0	0

Total Units:	No. 1 Bdrms Apts	No. 2 Bdrms Apts	No. 3 Bdrms Apts
0	0	0	0

Improvements:
Site Number: 1
Improvement Number: 1

Structure Code:	Dim 1:	Dim 2	Quantity	Year Built
(FC4) Shed-finishd	0	0	1	1950

Condition:	Grade	Sq. Ft.
(2) Fair	D	48

Site Number: 1
Improvement Number: 2

Structure Code:	Dim 1:	Dim 2	Quantity	Year Built
(LP4) Pavng-asphlt	0	0	0	1950

Condition:	Grade	Sq. Ft.
(2) Fair	D	40000

Special District Information:
Special District: GP000

Primary Units:	Value:	Second Units	Spec. Dist. Name:
0	0	0	Greater Pok Lib Dist

ABSOLUTELY NO ACCURACY OR COMPLETENESS GUARANTEE IS IMPLIED OR INTENDED. ALL INFORMATION ON THIS MAP IS SUBJECT TO CHANGE BASED ON A COMPLETE TITLE SEARCH OR FIELD SURVEY.

This report was produced with ParcelAccess Intranet on 8/11/2010. Developed and maintained by OCIS - Dutchess County, NY.

Resolution No. 2010246 entitled, "Declaring Dutchess County Lead Agency and Adoption of Negative Declaration for the Purchase of 3.62 Acre Parcel at 170 Washington Street, Poughkeepsie, New York and Construction of the County's Medical Examiner's Office Thereon" was introduced at Public Works & Capital Projects Committee meeting this month but not discussed.

RESOLUTION NO. 2010247

BOND RESOLUTION DATED SEPTEMBER 13, 2010.

A RESOLUTION AUTHORIZING THE ISSUANCE OF $4,328,458 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY A PORTION OF THE COST OF THE ACQUISITION OF A PARCEL OF LAND AND THE BUILDING THEREON LOCATED AT 170 WASHINGTON STREET, IN POUGHKEEPSIE, NEW YORK, AND CONSTRUCTION OF AN ADDITION THERETO, IN AND FOR SAID COUNTY.

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

WHEREAS, Dutchess County has been presented with an opportunity to purchase the 170 Washington Street site which the county currently leases for the Records Management Division of Central Services;

WHEREAS, the county also has a need to relocate the Dutchess County Medical Examiners Office temporarily housed for the past seven years at Vassar Brothers' Medical Center, which currently has space constraints with the need to meet their own demand resulting in the Medical Center's inability to not include the Dutchess County Medical Examiner's Office in its recently announced expansion plans;

WHEREAS, this opportunity will allow the county to purchase the existing Records Management facility and develop the Medical Examiner's Office at a significant discount;

WHEREAS, the 170 Washington Street site provides an ideal location to house this modest addition for the long planned Dutchess County Medical Examiner's Office with significant cost savings over 25 years of nearly $3 million.

NOW, THEREFORE,

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

Section 1. The acquisition of a parcel of land and the building thereon located at 170 Washington Street in Poughkeepsie, New York, and the construction of an addition thereto for use for specialized County facilities, including separate heating, ventilating and air-conditioning systems and original equipment, machinery, apparatus, appurtenances, and incidental expenses in connection therewith, is hereby authorized at a maximum estimated cost of $4,967,856.

Section 2. It is hereby determined that the plan for the financing of the aforesaid $4,967,856 maximum estimated cost is as follows:

a) by the issuance of $4,328,458 serial bonds of the County hereby authorized to be issued therefor, pursuant to the provisions of the Local Finance Law; and

b) by the use of $639,398 available monies of the County, which monies of said County are hereby authorized therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is 20 years, pursuant to subdivision 92 of paragraph a of Section 11.00 of the Local Finance Law, based on subdivisions 11(b) and 21(a) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

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

contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

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

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

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

Section 8. All other matters, except as provided herein relating to such bonds including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on

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

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

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

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

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

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

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

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

* * * * *

Acquisition of Land/Building/Construction of Addition

$4,328,458 20 years at 4%

Year	PRIN O/S	PRIN PAYMENT	INTEREST	TOTAL
1	$4,328,458	$216,423	$173,138	$389,561
2	4,112,035	216,423	164,481	380,904
3	3,895,612	216,423	155,824	372,247
4	3,679,189	216,423	147,168	363,590
5	3,462,766	216,423	138,511	354,934
6	3,246,344	216,423	129,854	346,277
7	3,029,921	216,423	121,197	337,620
8	2,813,498	216,423	112,540	328,963
9	2,597,075	216,423	103,883	320,306
10	2,380,652	216,423	95,226	311,649
11	2,164,229	216,423	86,569	302,992
12	1,947,806	216,423	77,912	294,335
13	1,731,383	216,423	69,255	285,678
14	1,514,960	216,423	60,598	277,021
15	1,298,537	216,423	51,941	268,364
16	1,082,115	216,423	43,285	259,707
17	865,692	216,423	34,628	251,051
18	649,269	216,423	25,971	242,394
19	432,846	216,423	17,314	233,737
20	216,423	216,421	8,657	225,078
	TOTAL	$4,328,458	$1,817,952	$6,146,408
	AVG. PER YEAR	$216,423	$90,898	$307,320

FISCAL IMPACT STATEMENT

TOTAL PRINCIPAL	$4,328,458	
ANTICIPATED INTEREST RATE		4.00%
TERM	20 YEARS. TOTAL ANTICIPATED FEI	$42,856
ANTICIPATED ANNUAL COST (PRIN + INT):		$307,320
TOTAL PAYBACK (ANNUAL COST x TERMS):		$6,146,408

PREPARED BY PAMELA BARRACK

HO424 2010 Acquisition 170 Washington Street / MEO

APPROPRIATIONS

Increase

H0424.1620.3102	Building Acquisition	1,175,000
H0424.1620.3100	Building Construction	3,750,000
H0424.1620.3900	Bond Issuing Costs	$42,856
		$4,967,856

REVENUE

Increase

H0424.1620.57100	Serial Bond	4,328,458
H0424.1620.23920*	Debt Service - Other gov't	639,398
		$4,967,856

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

**Note:The Central Dutchess Water Transmission Line capital construction project was completed with a county surplus of just over $2 million which the county had previously borrowed for. Bond counsel has confirmed this surplus can only be used to fund capital projects with a minimum useful life of 20 years and should be spent within a reasonable timeframe to prevent arbitrage issues in the future. Previous resolution 209267 for the Dutchess Rail Trail bridge construction and reconstruction qualified and used $1.34M of that surplus. This project also qualifies having a minimum 20 year useful life. Therefore, the remaining existing surplus funds will be used to offset the cost for the Acquisition 170 Washington Street lowering the new bonding costs in this resolution by approximately $640K.*

Dutchess County Public Works

Dutchess

William R. Steinhaus
County Executive

Charles E. Traver
Commissioner
of Public Works

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

MEMORANDUM

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

FROM: *Charles E. Traver, Commissioner of Public Works* CET

RE: *Request for Acquisition of 170 Washington Street and for Design & Construction of New Medical Examiner's Office*

DATE: *August 16, 2010*

The attached request is for the acquisition of the currently leased property at 170 Washington Street and design and construction for a new Medical Examiner's Office. The net savings to the County to purchase versus continued leasing over 25 years is significant.

Please refer to the attached memo by Roman Yasiejko, Director of Physical Facilities for a cost evaluation and breakdown comparison.

As the cost estimates are based on a 2010 purchase, and design and bidding timeframe in 2011, please place this request on the September 13, 2010 agenda for consideration.

Dutchess County Public Works

William R. Steinhaus
County Executive

Charles E. Traver
Commissioner
of Public Works

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

Memorandum

To: Charles Traver, Commissioner of Public Works

From: Roman Yasiejko, R.A., Director of Physical Facilities

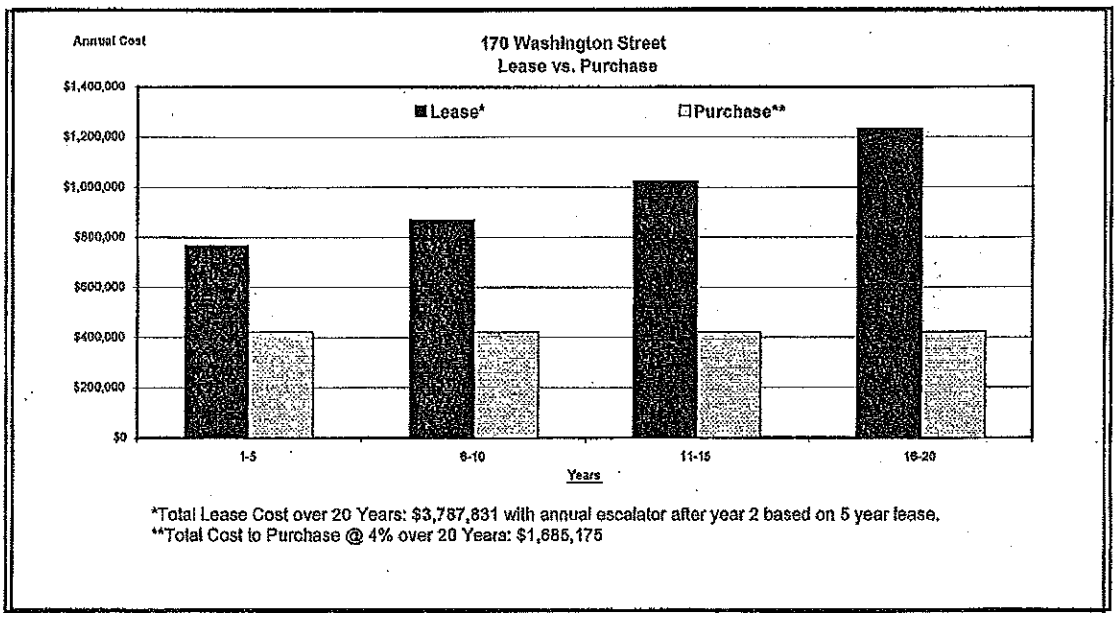
Date: August 16, 2010

Re: **Bond Resolution Request: September 2010**
- Acquisition of 170 Washington Street
- Design & Construction of new Medical Examiner's Office

Dutchess County has been presented with an opportunity to purchase the 170 Washington Street site which the county currently leases for the Records Management Division of Central Services. This site houses nearly 40,000 boxes of records which the county is required by state and local law to store and process for all county departments and agencies.

At the same time, the county has a need to relocate the Medical Examiner's Office (MEO). While the MEO has been temporarily housed at Vassar Hospital, the hospital currently has space constraints with the need to meet their own demand. Therefore, the hospital's recently announced expansion plans do not include the Medical Examiner's Office. With the hospital expansion scheduled to begin in the near future, it's essential we find an appropriate site for the MEO. The county has been looking for several years for the opportunity to have a fully operational MEO, as it is necessary to properly perform all of the tasks required of the MEO. This opportunity will allow us to purchase the existing Records Management facility and develop the Medical Examiner's Office at a significant discount.

We have evaluated the cost of continued leasing at this site versus the cost of purchase, and the analysis shows a clear cost advantage with the purchase option.



The 170 Washington Street site also provides an ideal location to house the modest addition for the long planned Medical Examiner's Office. There is adequate space and screening from the adjacent properties. It is also centrally located to the local hospitals. A 5,000 square foot build-out at 170 Washington Street to house the Medical Examiner's Office provides a cost effective solution with significant cost savings over 25 years:

- The County currently has a 5-year lease for 170 Washington Street with a projected twenty-five year lease cost of $5,247,623.
- The acquisition of the property at the negotiated price of $1,175,000 bonded at an interest rate of 4% over twenty years yielding a principle and interest cost to the County of $1,685,175 (Issuance charge included).
- The projected net savings to the County to purchase versus continued leasing over 25 years is $3,562,448.
- The cost to build a 5,000 sq. ft. addition including equipment and office modifications for the MEO is estimated at $3,750,000 bonded at an interest rate of 4% over twenty years yielding a principle and interest cost to the County of $5,378,250 (issuance charge included).
- The option of leasing a 5,000 sq. ft. facility to house the Medical Examiner's Office including building and equipment costs is estimated at $4,750,123 over twenty-five years. This estimate is a best case scenario and assumes we could find a suitable 5,000 sq. ft. site to renovate.
- The total cost for leasing both 170 Washington Street and a separate second location for the over twenty-five years is projected to be nearly $10 million.
- The total cost of purchasing 170 Washington Street and building a 5,000 sq. ft. MEO is estimated to be $1,685,175 + $5,378,250 = $7,063,425.
- The total savings to the County for purchasing and building vs. leasing two separate locations over 25 years is projected at nearly $3 million.

	20 Year	5 Year (Yr 21-25)	25 Year
Lease Cost for 170 Washington St:	3,787,831	1,459,792	5,247,623
Purchase Cost for 170 Washington St:	1,685,175	0	1,685,175
Savings with Purchase:	**2,102,656**	**1,459,792**	**3,562,448**
Cost for ME Build-Out:	5,378,250	0	5,378,250
Cost to Purchase & Build ME Space:	7,063,425	0	7,063,425
Net Cost: *(Cost to Purchase & Build minus Lease Cost)*	3,275,594	(1,459,792)	1,815,802
Lease Required for ME at Other Location:	3,878,238	871,885	4,750,123
Net Savings Purchase & Build: *(Lease Required for ME at Other Location minus Net Cost to Purchase & Build)*	**602,644**	**2,331,677**	**2,934,321**

Also, important to note the county has invested facility improvements in the 170 Washington Street property and has a continued need for the space. In 2007, Dutchess County invested in operational upgrades to the Records Center by adding a rolling file system to increase its storage capacity and improved the lighting within the facility. The landlord has made numerous recent improvements as well by installing new roof top HVAC units (2007), a new front entrance canopy (2006), cleaned up graffiti and painted the exterior walls (2007), and extended the roof warranty through July 2011.

While the roof currently remains watertight, the possibility of replacing it in the near-to-mid term exists as it reaches the end of its anticipated useful life.

The purchase of the property at 170 Washington Street and the design and construction of the Medical Examiner's Office constitutes an unlisted action under the SEQRA process. The SEQRA is being addressed under a separate Resolution Request.

The total cost for this project is **$4,925,000**, however, bond counsel has confirmed $639,398 remaining from the Central Dutchess Water Transmission Line capital construction project surplus can be used to fund the purchase of this property. Therefore, the bond resolution request is reduced to **$4,328,458** which includes bond issuance costs.

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

The basis for these cost estimates is rooted in a 2010 purchase and a design and bidding timeframe in 2011. In order to achieve this schedule and budget, please place this request on the legislative agenda for discussion and consideration in September anticipating a vote for the same meeting.

Thank you.

Dutchess County Public Works

William R. Steinhaus
County Executive

Charles E. Traver
Commissioner
of Public Works

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

MEMORANDUM

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

FROM: *Charles E. Traver, Commissioner of Public Works*

RE: *Request for Acquisition of 170 Washington Street and for Design & Construction of New Medical Examiner's Office*

DATE: *August 16, 2010*

The attached request is for the acquisition of the currently leased property at 170 Washington Street and design and construction for a new Medical Examiner's Office. The net savings to the County to purchase versus continued leasing over 25 years is significant.

Please refer to the attached memo by Roman Yasiejko, Director of Physical Facilities for a cost evaluation and breakdown comparison.

As the cost estimates are based on a 2010 purchase, and design and bidding timeframe in 2011, please place this request on the September 13, 2010 agenda for consideration.

Dutchess County Public Works

William R. Steinhaus
County Executive

Charles E. Traver
Commissioner
of Public Works

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

Memorandum

To: Charles Traver, Commissioner of Public Works

From: Roman Yasiejko, R.A., Director of Physical Facilities

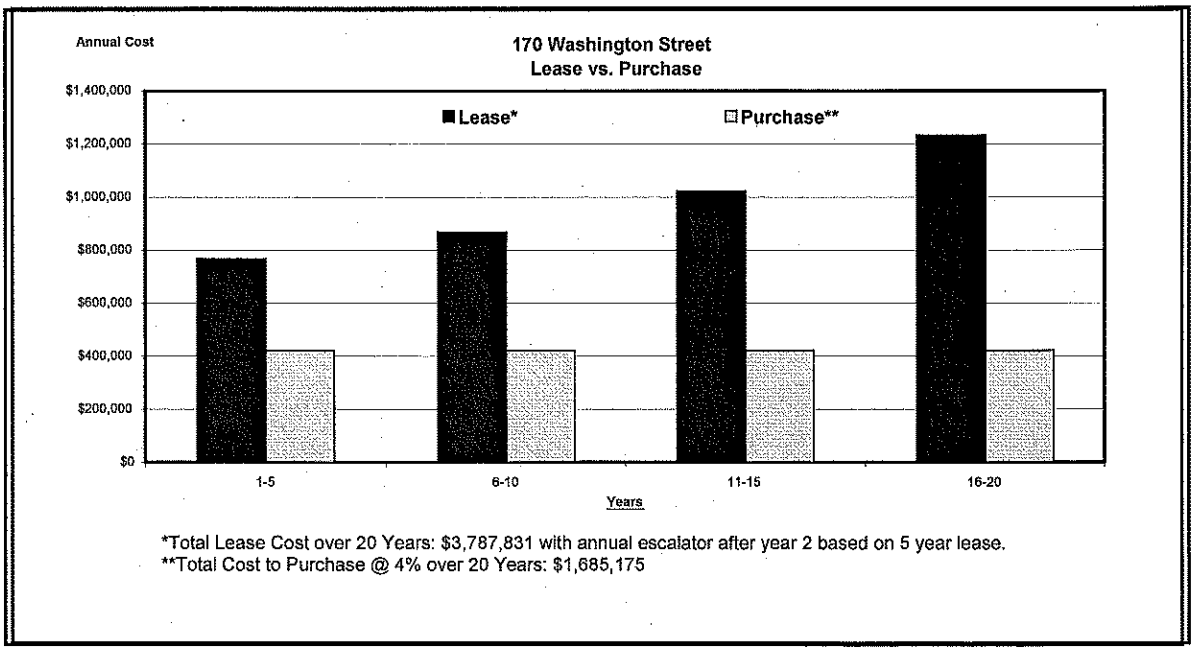
Date: August 16, 2010

Re: **Bond Resolution Request: September 2010**
- Acquisition of 170 Washington Street
- Design & Construction of new Medical Examiner's Office

Dutchess County has been presented with an opportunity to purchase the 170 Washington Street site which the county currently leases for the Records Management Division of Central Services. This site houses nearly 40,000 boxes of records which the county is required by state and local law to store and process for all county departments and agencies.

At the same time, the county has a need to relocate the Medical Examiner's Office (MEO). While the MEO has been temporarily housed at Vassar Hospital, the hospital currently has space constraints with the need to meet their own demand. Therefore, the hospital's recently announced expansion plans do not include the Medical Examiner's Office. With the hospital expansion scheduled to begin in the near future, it's essential we find an appropriate site for the MEO. The county has been looking for several years for the opportunity to have a fully operational MEO, as it is necessary to properly perform all of the tasks required of the MEO. This opportunity will allow us to purchase the existing Records Management facility and develop the Medical Examiner's Office at a significant discount.

We have evaluated the cost of continued leasing at this site versus the cost of purchase, and the analysis shows a clear cost advantage with the purchase option.



*Total Lease Cost over 20 Years: $3,787,831 with annual escalator after year 2 based on 5 year lease.
**Total Cost to Purchase @ 4% over 20 Years: $1,685,175

The 170 Washington Street site also provides an ideal location to house the modest addition for the long planned Medical Examiner's Office. There is adequate space and screening from the adjacent properties. It is also centrally located to the local hospitals. A 5,000 square foot build-out at 170 Washington Street to house the Medical Examiner's Office provides a cost effective solution with significant cost savings over 25 years:

- The County currently has a 5-year lease for 170 Washington Street with a projected twenty-five year lease cost of $5,247,623.
- The acquisition of the property at the negotiated price of $1,175,000 bonded at an interest rate of 4% over twenty years yielding a principle and interest cost to the County of $1,685,175 (issuance charge included).
- The projected net savings to the County to purchase versus continued leasing over 25 years is $3,562,448.
- The cost to build a 5,000 sq. ft. addition including equipment and office modifications for the MEO is estimated at $3,750,000 bonded at an interest rate of 4% over twenty years yielding a principle and interest cost to the County of $5,378,250 (issuance charge included).
- The option of leasing a 5,000 sq. ft. facility to house the Medical Examiner's Office including building and equipment costs is estimated at $4,750,123 over twenty-five years. This estimate is a best case scenario and assumes we could find a suitable 5,000 sq. ft. site to renovate.
- The total cost for leasing both 170 Washington Street and a separate second location for the over twenty-five years is projected to be nearly $10 million.
- The total cost of purchasing 170 Washington Street and building a 5,000 sq. ft. MEO is estimated to be $1,685,175 + $5,378,250 = $7,063,425.
- The total savings to the County for purchasing and building vs. leasing two separate locations over 25 years is projected at nearly $3 million.

	20 Year	5 Year (Yr 21-25)	25 Year
Lease Cost for 170 Washington St:	3,787,831	1,459,792	5,247,623
Purchase Cost for 170 Washington St:	1,685,175	0	1,685,175
Savings with Purchase:	**2,102,656**	**1,459,792**	**3,562,448**
Cost for ME Build-Out:	5,378,250	0	5,378,250
Cost to Purchase & Build ME Space:	7,063,425	0	7,063,425
Net Cost: *(Cost to Purchase & Build minus Lease Cost)*	3,275,594	(1,459,792)	1,815,802
Lease Required for ME at Other Location:	3,878,238	871,885	4,750,123
Net Savings Purchase & Build: *(Lease Required for ME at Other Location minus Net Cost to Purchase & Build)*	**602,644**	**2,331,677**	**2,934,321**

Also, important to note the county has invested facility improvements in the 170 Washington Street property and has a continued need for the space. In 2007, Dutchess County invested in operational upgrades to the Records Center by adding a rolling file system to increase its storage capacity and improved the lighting within the facility. The landlord has made numerous recent improvements as well by installing new roof top HVAC units (2007), a new front entrance canopy (2006), cleaned up graffiti and painted the exterior walls (2007), and extended the roof warranty through July 2011.

While the roof currently remains watertight, the possibility of replacing it in the near-to-mid term exists as it reaches the end of its anticipated useful life.

The purchase of the property at 170 Washington Street and the design and construction of the Medical Examiner's Office constitutes an unlisted action under the SEQRA process. The SEQRA is being addressed under a separate Resolution Request.

The total cost for this project is **$4,925,000**, however, bond counsel has confirmed $639,398 remaining from the Central Dutchess Water Transmission Line capital construction project surplus can be used to fund the purchase of this property. Therefore, the bond resolution request is reduced to **$4,328,458** which includes bond issuance costs.

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

The basis for these cost estimates is rooted in a 2010 purchase and a design and bidding timeframe in 2011. In order to achieve this schedule and budget, please place this request on the legislative agenda for discussion and consideration in September anticipating a vote for the same meeting.

Thank you.

The foregoing resolution was duly put to a vote which resulted as follows:

AYES:

NOES:

ABSENT:

The resolution was thereupon declared duly adopted.

* * * * * *

CERTIFICATION FORM

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

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

That I have compared the annexed extract of the minutes of the meeting of the County Legislature of said County, including the resolution contained therein, held on August ____, 2010, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

I FURTHER CERTIFY that the foregoing resolution as adopted by said County Legislature was duly approved by the County Executive of said County on _____, 2010, in accordance with the provisions of Section 3.02 of the Dutchess County Charter.

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

Newspaper and/or other news media	Date given

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

Designated Location(s) of posted notice	Date of Posting

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

_____

Clerk, County Legislature

(CORPORATE SEAL)

LEGAL NOTICE OF ESTOPPEL

The following entitled bond resolution, a summary of which is published herewith, has been adopted on August ____, 2010, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Dutchess, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is each available for public inspection during regular business hours at the Office of the Clerk of the Legislature for a period of twenty days from the date of publication of this Notice.

Dated: Poughkeepsie, New York,

_____, 2010.

_____

Clerk, County Legislature

RESOLUTION NO. _____, 2010

BOND RESOLUTION DATED AUGUST ____, 2010.

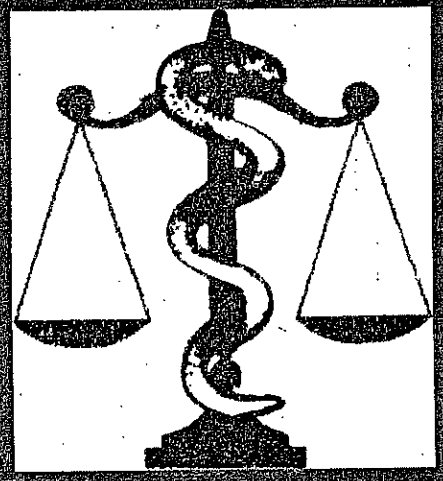
A RESOLUTION AUTHORIZING THE ISSUANCE OF $4,328,458 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY A PORTION OF THE COST OF THE ACQUISITION OF A PARCEL OF LAND AND THE BUILDING THEREON LOCATED AT 170 WASHINGTON STREET, IN POUGHKEEPSIE, NEW YORK, AND CONSTRUCTION OF AN ADDITION THERETO, IN AND FOR SAID COUNTY.

Specific object or purpose:	Acquisition of land/building at 170 Washington Street in Poughkeepsie, NY and construction of addition thereto
Period of probable usefulness:	20 years
Maximum estimated cost:	$4,967,856
Amount of bonds to be issued:	$4,328,458; $639,398 available funds

Background
2010247

DUTCHESS COUNTY
MEDICAL EXAMINER'S OFFICE

CAPITAL PROJECT - 2010



BACKGROUND

2002:

CGR commissioned to examine the ME program.

- Recommendation was to upgrade the ME program, hire new staff, and build a morgue facility.
- Existing morgues deemed inadequate; no possibility of upgrading.

Early 2003:

Conceptual plans and cost estimates drawn up for new ME facility.

BACKGROUND

Summer 2003:

- New medical examiner appointed.
- Upgrading the ME Office was prioritized.
- Temporary morgue established at VBMC.
- ME Office space designated at DC-DOH.

September 2003:

- ME approved by DC legislature.
- MEO becomes operational.
- Expected work load found to be vastly underestimated.

December 2003:

- Chief investigator hired.

BACKGROUND

Winter 2004:

- ME reviewed all cases on file since 1998, finding actual caseload greater than what CGR study reported.
- Data presented to the County Executive with request to hire a deputy ME.

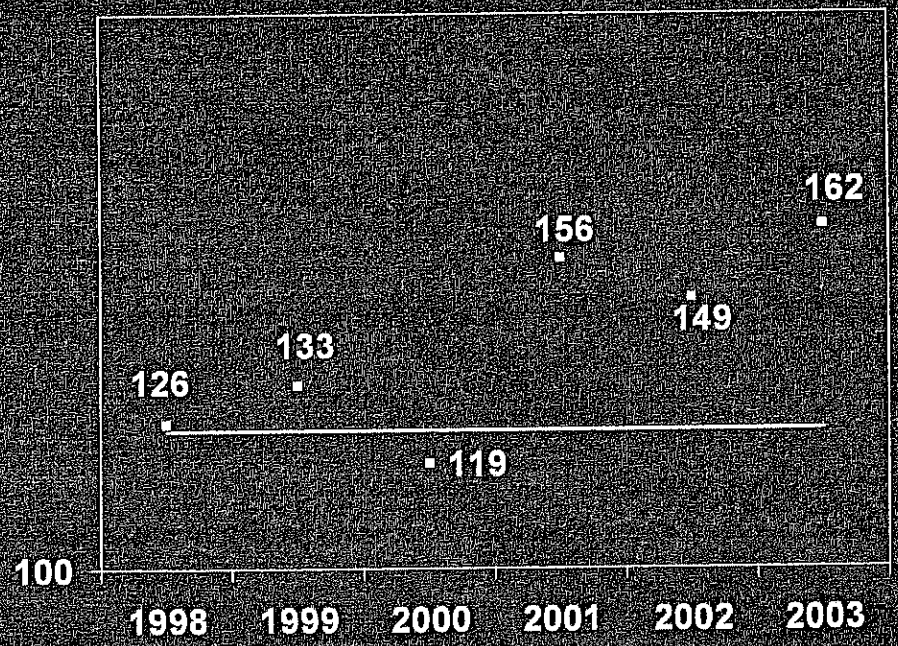
September 2004:

- Data presented to the DC Legislature.

November 2005:

- Deputy ME hired.

Actual ME autopsies 1998 – 2003 vs. CGR prediction



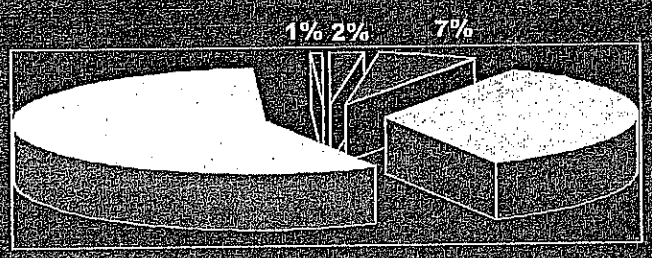
Actual # of autopsies / yr

CGR = 125

Discrepancy: CGR estimate (125) is misleading, as it fails to take into account population and total death rate increases over time.

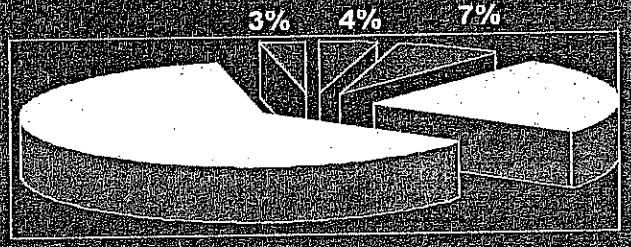
Dutchess County vs. State of New Mexico

N = 232



- Homicides
- Suicides
- Accidents
- Natural
- Undetermined

N = 5,087



- Homicides
- Suicides
- Accidents
- Natural
- Undetermined

BACKGROUND

2006:

- MEO fully staffed, investigating 650 cases/yr.
- Office space at DC-DOH – 460 sq feet
- Morgue at VBMC – Inadequate in 2003; never designed for the volume of cases or type of cases brought in by the ME – 350 sq feet.

Since 2006:

- ME caseload gradually increasing (760 cases investigated & over 370 cases accepted in 2009).
- Storage capacity exceeded; space allocated at 3rd location – 200 sq feet

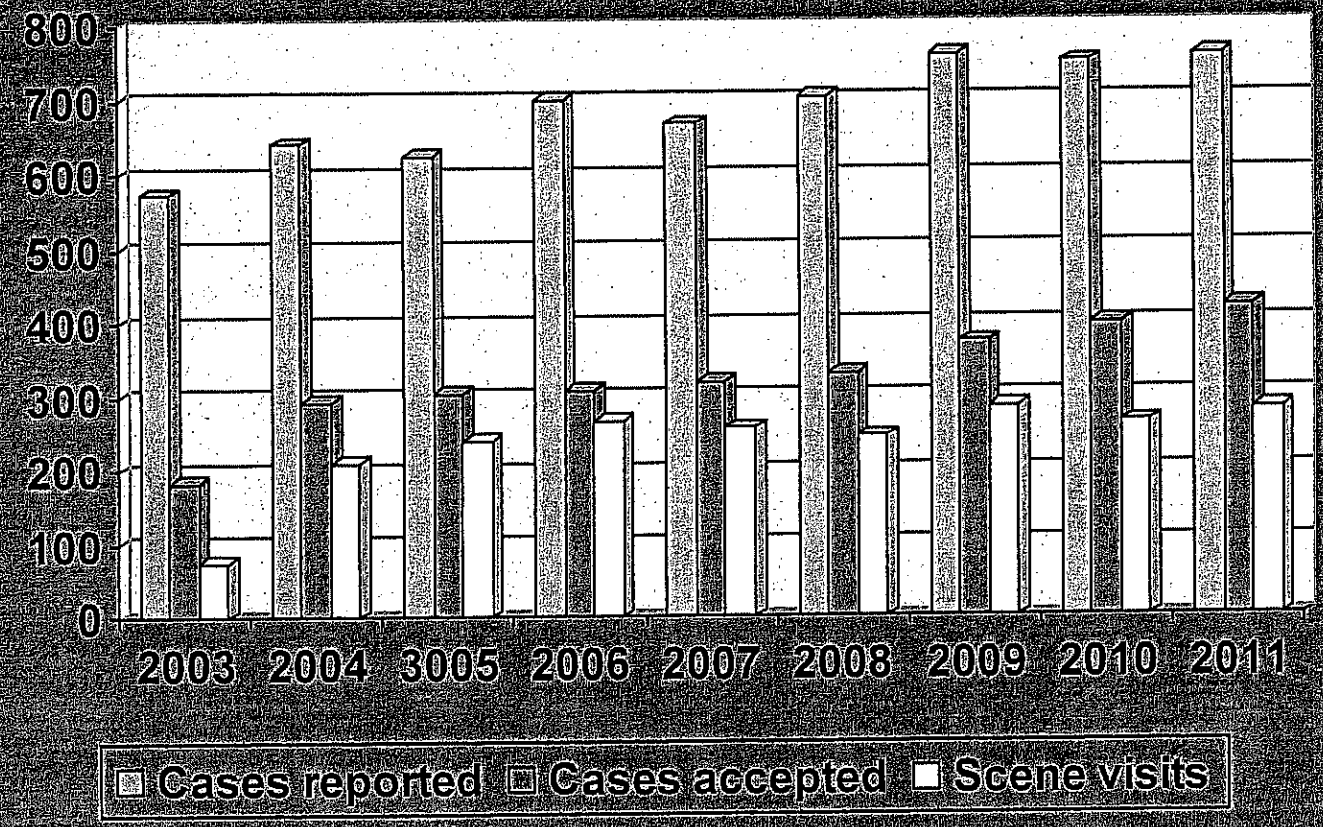
Legal Mandate of the Medical Examiner:

- Sudden, unexpected, and unattended deaths
- Suspicious deaths
- Violent deaths:
  - Homicide
  - Suicide
  - Accident

Medical Examiner's caseload 2003-2009

Cases	03	04	05	06	07	08	09
Total reported	**573**	**641**	**623**	**700**	**668**	**703**	**760**
Declined	390	349	318	393	349	372	386
Accepted	**183**	**292**	**305**	**307**	**319**	**331**	**374**
Autopsies	165	202	190	202	217	204	207
Ext. Exams	8	38	53	41	29	45	61
Certifications	9	45	56	54	53	66	82
Consultations	1	7	6	10	20	16	24

ME CASELOAD – 2003 TO 2011 (est).



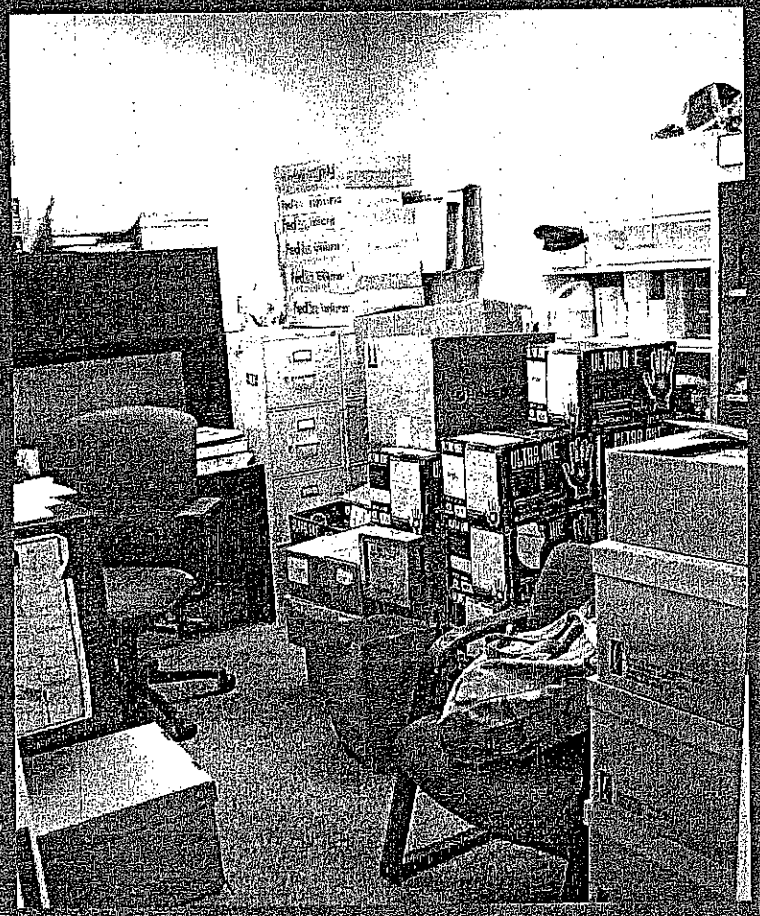
JUSTIFICATION – ME OFFICE

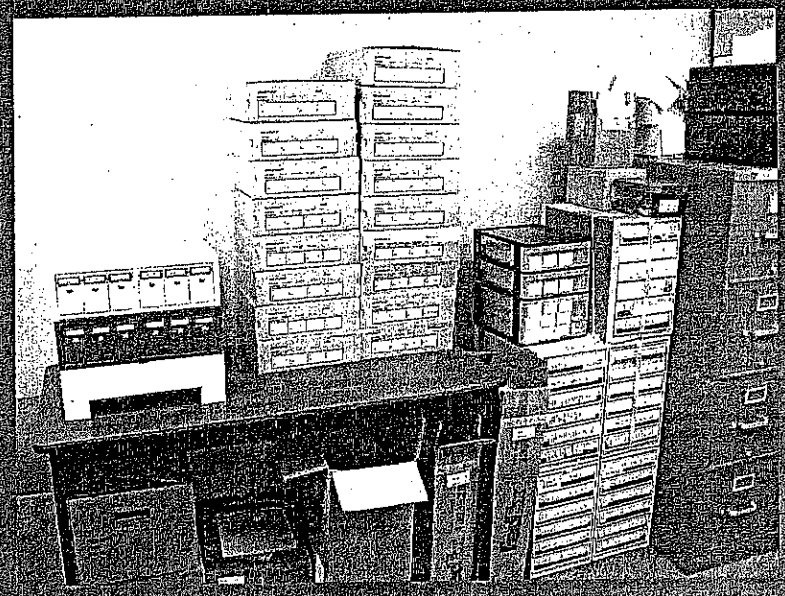
- Inefficient work environment requiring commuting and transporting morgue supplies between 3 locations.

- Inadequate office space:
  - no space to receive grieving families
  - no conference space
  - insufficient storage space for records and supplies
  - inappropriate storage space for autopsy-related evidence.

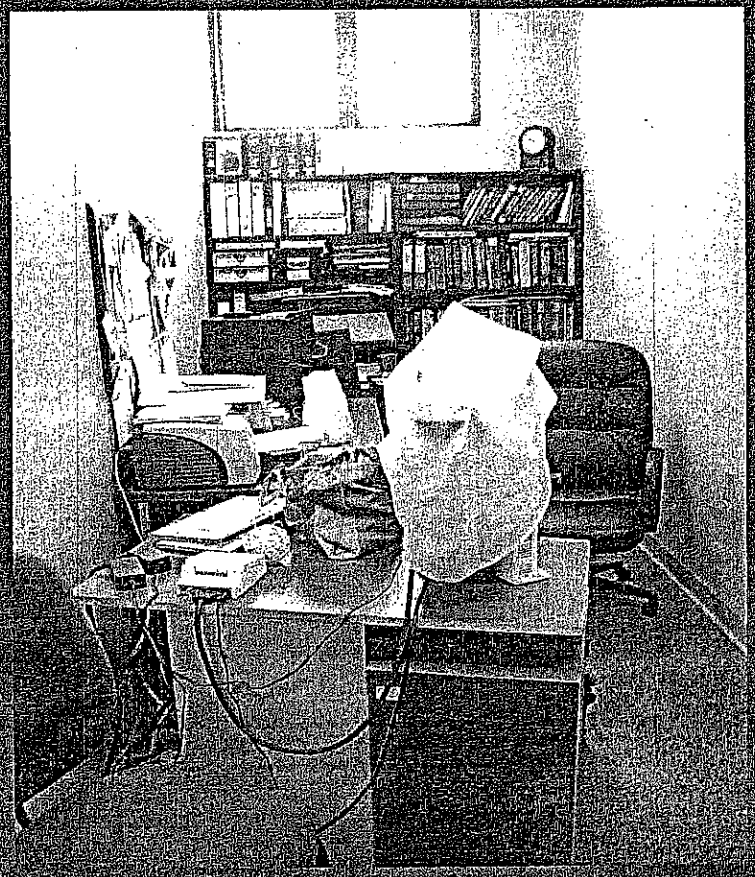
ME OFFICE

ME OFFICE





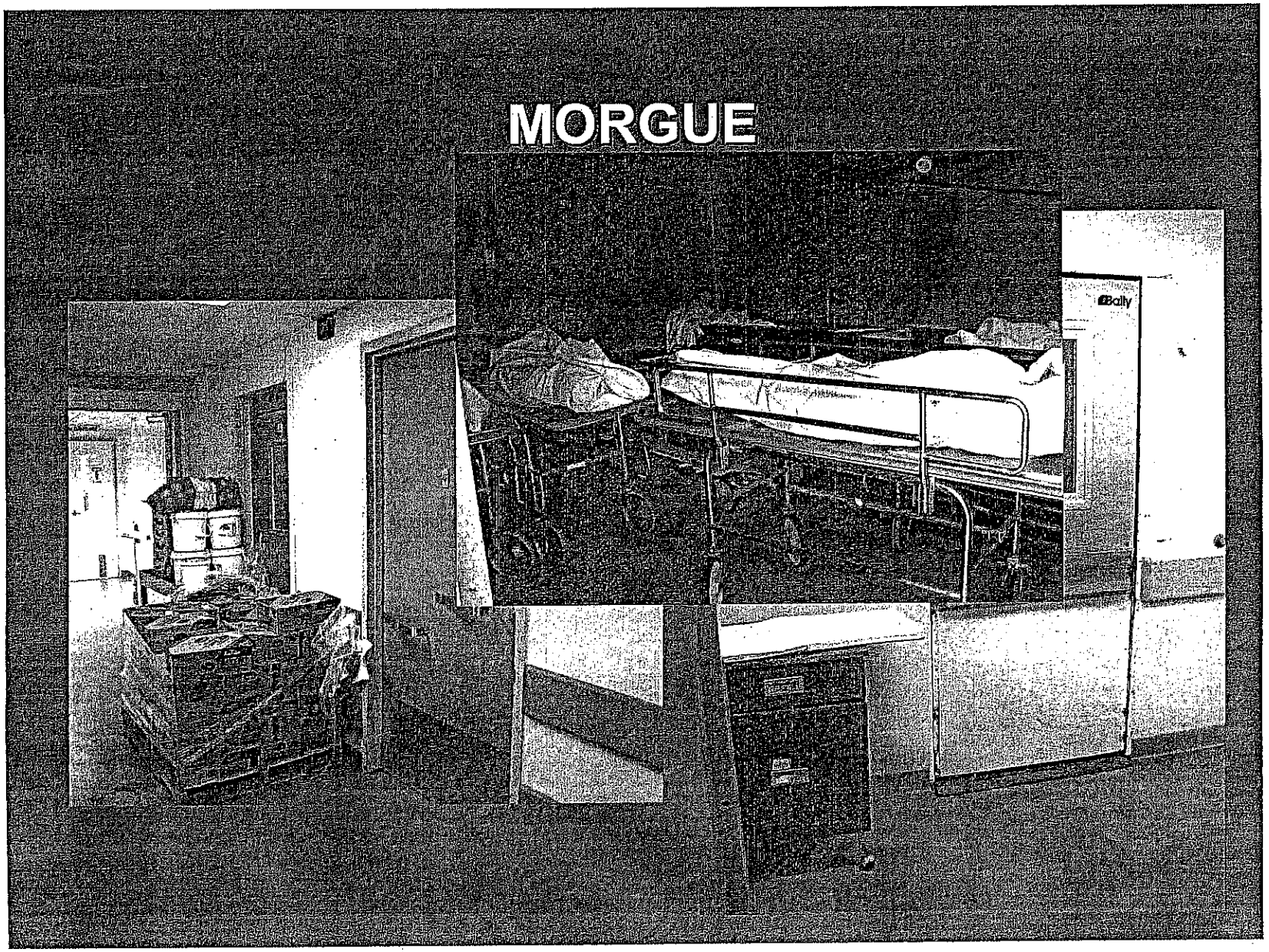
ME OFFICE



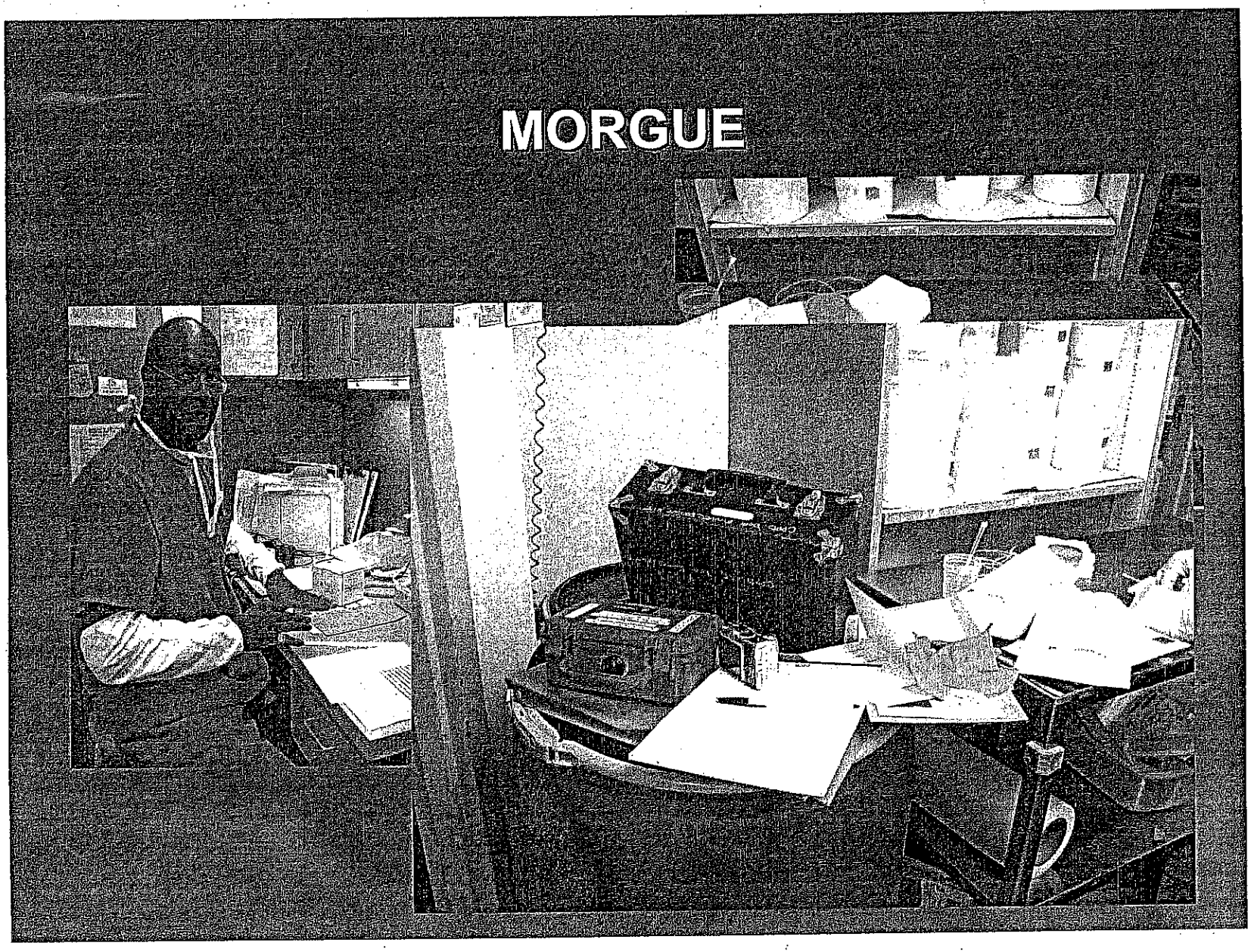
JUSTIFICATION - MORGUE

- Inadequate morgue location; environmental hazard
- Inadequate morgue size
- Inadequate refrigeration capacity
- Inadequate ventilation and plumbing; health hazard
- Inadequate storage space for biological specimens
- Inadequate security
- Risk of contamination of hospital equipment (XRAY)
- Inadequate viewing facility for families
- Conflict of interest and potential legal issues
- Inability to manage a reasonable multiple fatality event

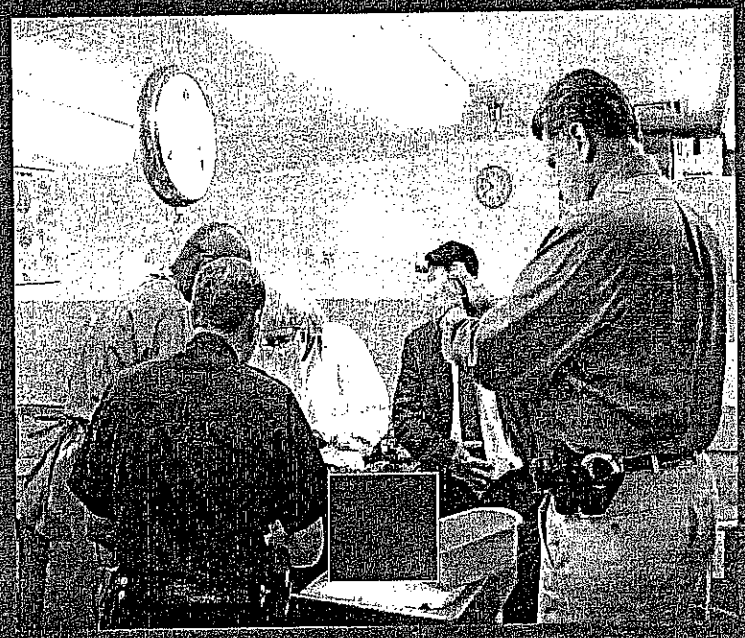
MORGUE



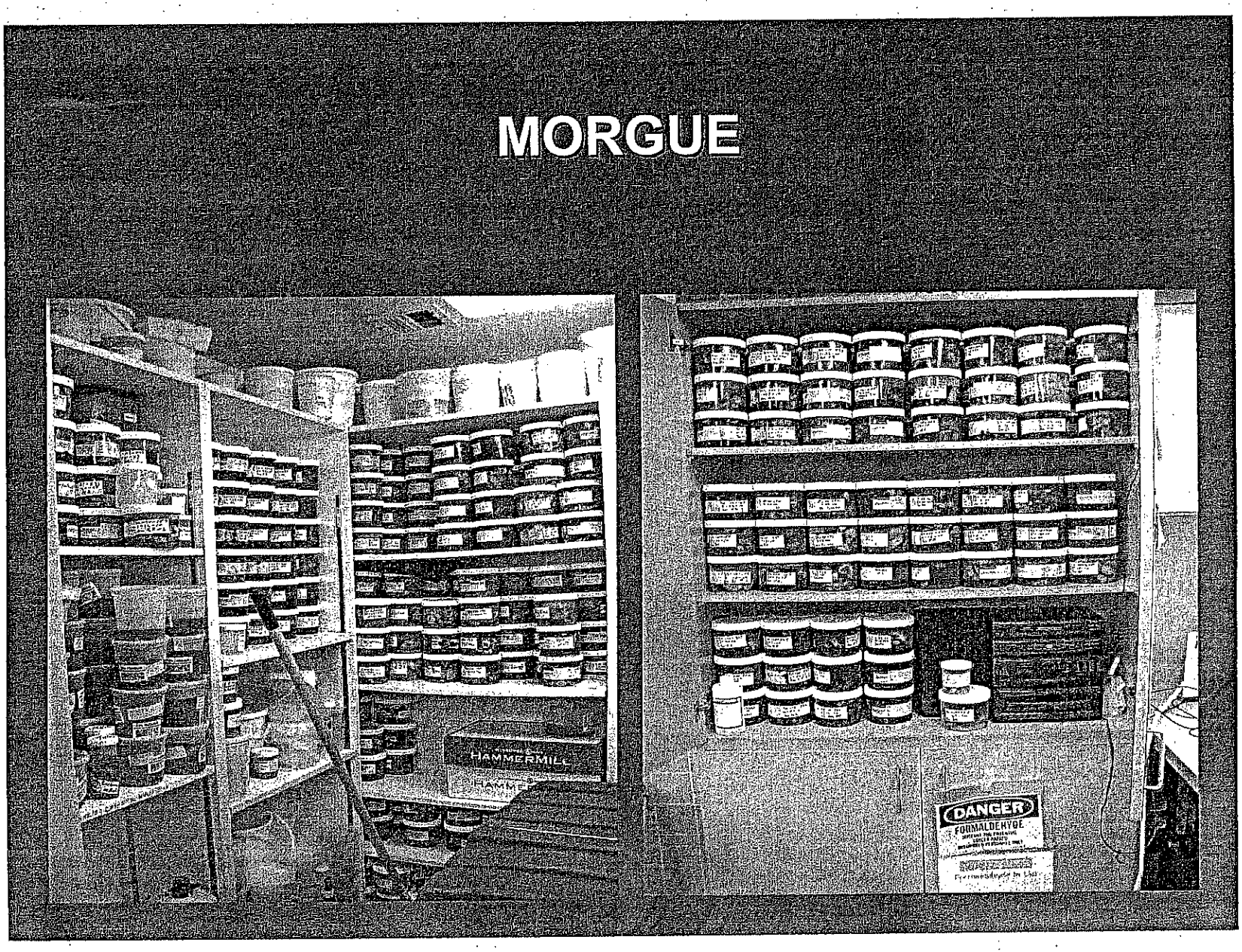
MORGUE



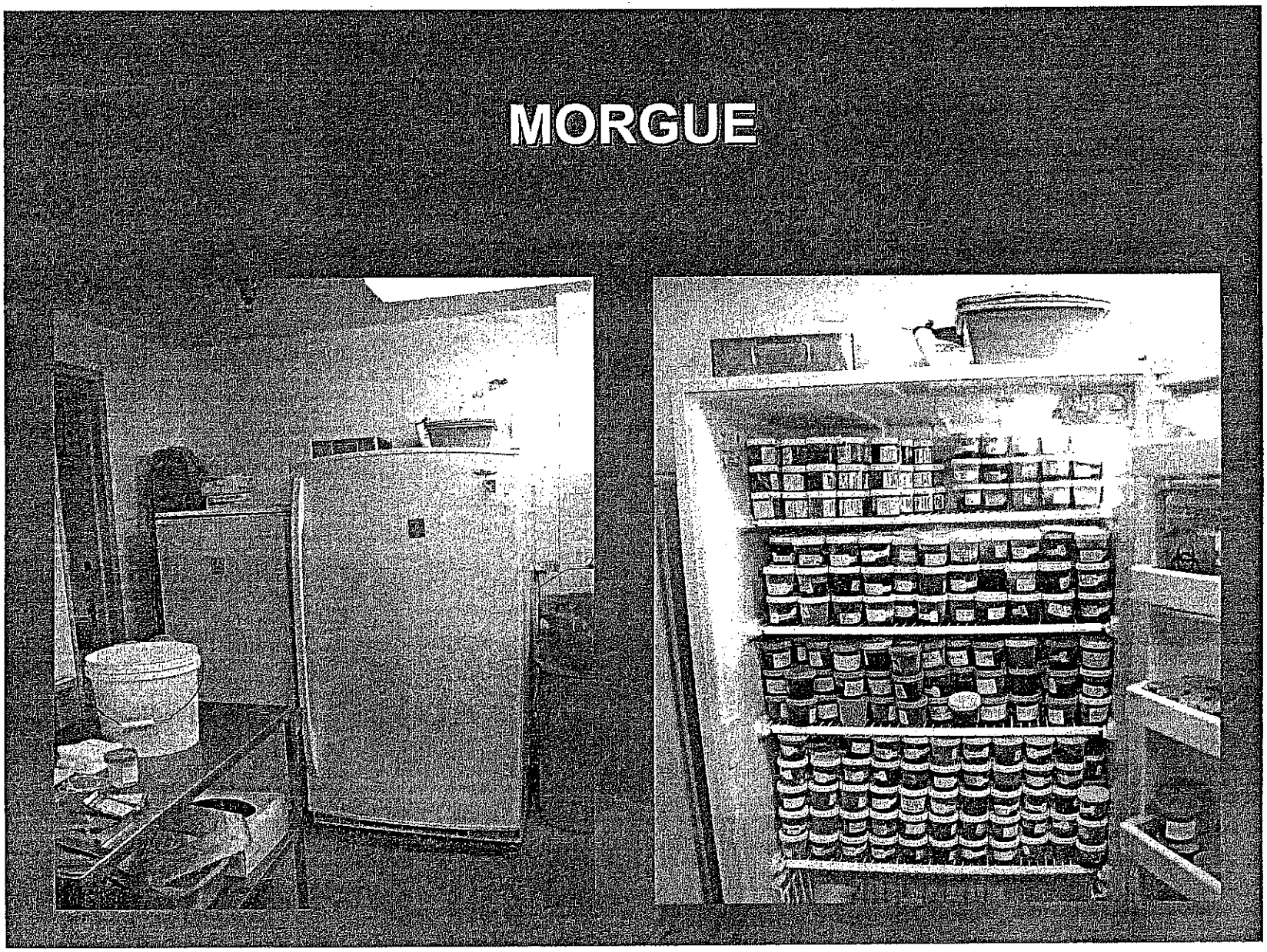
MORGUE



MORGUE



MORGUE



JUSTIFICATION

- Agreement with VBMC never meant to be permanent; space provided at no cost to County
- Increased burden to hospital staff
- Shared space with pathology technicians
- Increasingly insalubrious and hazardous conditions due to number and nature of cases
- New hospital expansion plans do not include laboratory/morgue space

ME CAPITAL PROJECT - ADVANTAGES

- 170 Washington Street, central location
- Independence; no conflict of interest
- Size (5000 sq feet; allows for increased case load; adequate for present and projected needs over the next 20 years)
- Efficient work environment: office + morgue + storage at same location
- Advantage to families
- Security / chain of custody
- Ability to respond to a multiple fatality event
- Accreditation; improved chances to obtain grant money
- Potential future revenue opportunity

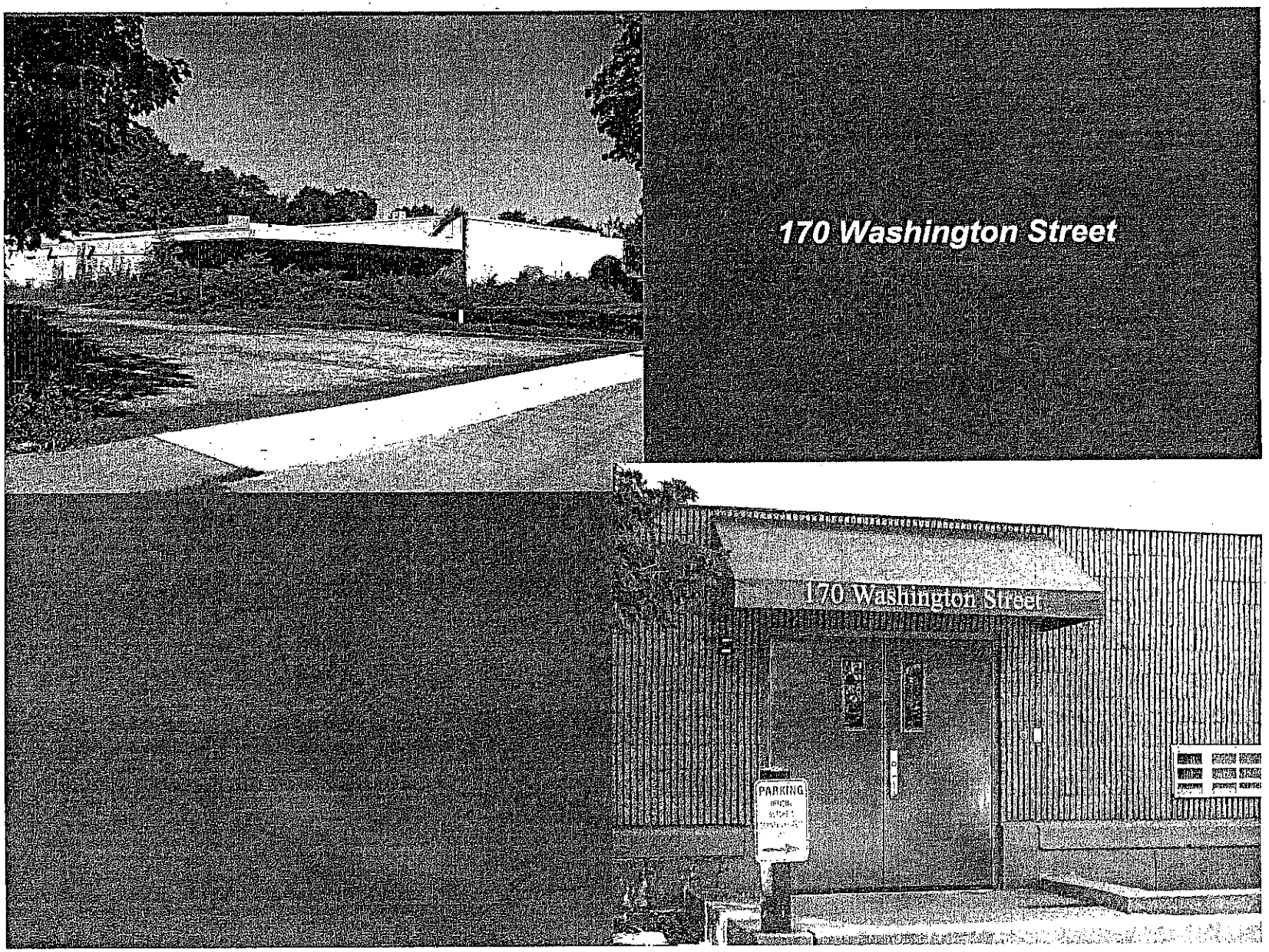
Acquisition of 170 Washington Street

and

Medical Examiner Facility

Build-out

Fiscal Overview


170 Washington Street
170 Washington Street
PARKING

Lease vs. Purchase

170 Washington Street

Lease: $ 5,247,623

Purchase: $ 1,685,175

Savings: $ 3,562,448

Over 25 Years

Purchase & Build-Out

170 Washington Street

Purchase: $ 1,685,175

MEO Build-Out: $ 5,378,250

Total: $ 7,063,425

Debt service over 20 years after which the acquisition and build-out cost is paid in full

Lease Costs

170 Washington Street: $ 5,247,623

2nd Lease Required for MEO: $ 4,750,123

Total Lease Costs: $ 9,997,746

Over 25 Years

25 Year Savings

Purchase vs. Lease

Lease Existing & New: $ 9,997,746

Purchase & Build-out: $ 7,063,425

Total Savings: $ 2,934,321

Funding Request

Purchase of 170 Washington Street:	$ 1,175,000
Build-Out for Medical Examiner's Facility:	$ 3,750,000
Total Project Cost:	**$ 4,925,000**
Remaining CDWL Surplus Used to Offset Costs:	($ 639,398)
Balance:	$ 4,285,602
1% Bond Issuing Costs:	$ 42,856
Total Bond Request:	**$ 4,328,458**

Thank you

Resolution No. 2010247 entitled, "A Resolution Authorizing the Issuance of $535,000 Serial Bonds of the County of Dutchess, New York, to Pay a Portion of the Cost of the Acquisition of a Parcel of Land and the Building Thereon Located at 170 Washington Street, in Poughkeepsie, New York and Construction of an Addition Thereto, in and for Said County" was introduced at Public Works & Capital Projects Committee meeting for discussion only.

Public Works & Capital Projects
Revised 9-7-10

RESOLUTION NO. 2010248

RE: AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE (PIN 8754.02)

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

WHEREAS, a project for Coleman Station Road (CR 58) over Webatuck Creek (BIN 3343410) in the Town of North East, Dutchess County, identified as PIN 8754.02 (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds, and

WHEREAS, the Dutchess County Legislature adopted Resolution No. 413 of 1995 on December 18, 1995, Resolution No. 980364 on November 27, 1998 and Resolution No. 208271 September 29, 2008 which approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering and right-of-way incidental and right-of-way acquisition work, and

WHEREAS, it was subsequently found necessary to undertake additional right-of-way incidental work not contemplated in the original agreement authorized by the previous Resolutions, and

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

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

RESOLVED, that the Dutchess County Legislature hereby authorizes the County of Dutchess to pay in the first instance 100% of the federal and non-federal share of the cost of the additional preliminary engineering right-of-way incidental work, right-of-way acquisition work, construction, construction inspection and construction supervision work for the Project or portions thereof, and it is further

RESOLVED, that the sum of $940,000.00 ($1,078.554.00 minus the original $138,544.00) is hereby appropriated from Capital Project H 0289.5120.3450.213 - 2000 Bridges

(ISTEA/TEA21) and made available to cover the cost of participation in the above phases of the Project, and it is further

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

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

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

RESOLVED, that this resolution shall take effect immediately.

CA-143-10 **amended 9/7/10**
CAB/ca/C-4478
8/12/10
Fiscal Impact: See attached statement

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date Sept. 14, 2010

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2010248 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

Public Works & Capital Projects
Pulled per County Attorney

RESOLUTION NO. 2010249

RE: AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE (PIN 8754.02)

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

WHEREAS, a project for Coleman Station Road (CR 58) over Webatuck Creek (BIN 3343410) in the Town of North East, Dutchess County, identified as PIN 8754.02 (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds, and

WHEREAS, the Dutchess County Legislature adopted Resolution No. 413 of 1995 on December 18, 1995, Resolution No. 980364 on November 27, 1998 and Resolution No. 208271 September 29, 2008 which approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering and right-of-way incidental and right-of-way acquisition work, and

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

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

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

RESOLVED, that the sum of $885,000 is hereby appropriated and made available pursuant to Bond H 0289.5120.3450.213 – 2000 Bridges (ISTEA/TEA21) to cover the cost of participation in the Construction and Construction Inspection phase of the Project, and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, this Legislature will convene as soon as possible

to appropriate said excess amount immediately upon the notification by the County Executive thereof, and it is further

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

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

RESOLVED, that this Resolution shall take effect immediately.

CA-155-10
JMF/ca/C-4478
8/16/10
Fiscal Impact: See attached statement.

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Resolution No. 2010249 entitled, "AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE (PIN 8754.02) was pulled.

Public Works & Capital Projects

RESOLUTION NO. 2010250

RE: AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS THEREFORE (PIN 8756.01)

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

WHEREAS, a Project for the Replacement of Dover Furnace Road (CR 26) over Harlem Valley Railroad, Town of Dover Bridget D-70R (BIN 3702070), identified as PIN 8756.01 (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds, and

WHEREAS, Resolution No. 202054 adopted by the Dutchess County Legislature on February 4, 2002 and Resolution No. 208172 adopted by the Dutchess County Legislature on June 11, 2008 approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering, right-of-way incidental and right-of-way acquisition work, and

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

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

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

RESOLVED, that the sum of $1,810,000 is hereby appropriated and made available pursuant to Bond H 0289.5120.3450.213 – 2000 Bridges (ISTEA-TEA21) to cover the cost of participation in the Construction and Construction Inspection phase of the Project, and it is further

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

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

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

RESOLVED, that this Resolution shall take effect immediately.

CA-154-10
JMF/ca/C-6171
8/16/10
Fiscal Impact: See attached statement.

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date Sept. 14, 2010

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 1,810,000

Total Current Year Revenue and Source $ 1,719,500

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

Identify Line Items(s):
H0289.5120.3450.213

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): $90,500
Over Five Years: _____

Additional Comments/Explanation:
This F.I.S. is related to the Resolution request for accepting Supplemental Agreement # 4 to increase funding from the NYSDOT for the Construction and Construction Inspection Phases of PIN 8756.01 Replacement of Bridge D-70R Dover Furnace Road (CR 26) over the Harlem Valley Railroad (BIN 3702070) in the Town of Dover.

Prepared by: Rosanne M. Hall, Contract Specialist

Dut.pdf

Roll call vote on the foregoing Resolution No. 2010250 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2010251

RE: AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS THEREFOR (PIN 8756.01)

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

WHEREAS, a Project for the Replacement of Dover Furnace Road (CR 26) over Harlem Valley Railroad (BIN 3702070), identified as PIN 8756.01 (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds, and

WHEREAS, Resolution No. 202054 adopted by the Dutchess County Legislature on February 4, 2002 and Resolution No. 208172 adopted by the Dutchess County Legislature on June 11, 2008 approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering, right-of-way incidental and right-of-way acquisition work, and

WHEREAS, it was subsequently found necessary to undertake additional preliminary engineering and right-of-way acquisition work not contemplated in the original agreement authorized by the previous Resolution, and

WHEREAS, it has been found necessary to increase the federal and non-federal share of costs for the additional preliminary engineering and right-of-way acquisition work for the project, now, therefore, be it

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

RESOLVED, that the Dutchess County Legislature hereby authorizes the County of Dutchess to pay in the first instance 100% of the federal and non-federal share of the cost of additional preliminary engineering and right-of-way acquisition work for the Project or portions thereof, and it is further

RESOLVED, that the sum of $82,000 ($336,675 minus previously authorized $254,675) is hereby appropriated and made available from Capital Project H 0289.5120.3450.213 - 2000 Bridges (ISTEA/TEA 21) and made available to cover the cost of participation in the above phases of the Project, and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Dutchess County Legislature shall convene as

soon as possible to appropriate said excess amount immediately upon the notification by the County Executive thereof, and it is further

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

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

RESOLVED, that this resolution shall take effect immediately.

CA-142-10
CAB/ca/C-6171
8/12/10
Fiscal Impact: See attached statement

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date Sept. 14, 2010

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 82,000

Total Current Year Revenue $ 77,199
and Source

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

Identify Line Items(s):
H0289.5120.3450.213

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): $4,801
Over Five Years: _____

Additional Comments/Explanation:
This F.I.S. is related to the Resolution request for accepting Supplemental Agreement # 3 to increase funding from the NYSDOT for Preliminary Engineering/Design and Right of Way Phases of PIN 8756.01 Replacement of Bridge D-70R Dover Furnace Road (CR 26) over the Harlem Valley Railroad (BIN 3702070) in the Town of Dover.

Prepared by: Rosanne M. Hall, Contract Specialist

Roll call vote on the foregoing Resolution No. 2010251 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

Public Works & Capital Projects

RESOLUTION NO. 2010252

RE: AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE (PIN 8759.80)

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

WHEREAS, a project for CR 43 (DeGarmo Road) over Wappinger Creek, in the Towns of LaGrange and Poughkeepsie (Bridge PO-17X) BIN 3358440, PIN 8759.80 (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds, and

WHEREAS, Dutchess County desires to advance the above subject project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering and right-of-way incidental work, now, therefore, be it

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

RESOLVED, that the Dutchess County Legislature hereby authorizes the County of Dutchess to pay in the first instance 100% of the federal and non-federal share of the cost of preliminary engineering and right-of-way incidental work for the Project or portions thereof, and it is further

RESOLVED, that the sum of $280,000.00 is hereby appropriated and made available pursuant to Bond H 0383.5120.3450.213 Bridge Reconstruction (ISTEA/TEA21) and made available to cover the cost of participation in the above phase of the Project, and it is further

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

RESOLVED, that the County Executive be and he hereby is authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid with the New York State Department of Transportation on behalf of the County of Dutchess in connection with the advancement or approval of the above

referenced project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible project costs and all project costs within appropriations therefor that are not so eligible, and it is further

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

RESOLVED, that this resolution shall take effect immediately.

CA-158-10
JMF/ca/C-8195
8/19/10
Fiscal Impact: See attached statement

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date Sept. 14, 2010

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 280,000

Total Current Year Revenue $ 224,000
and Source

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

Identify Line Items(s):
H0383.5120.3450.213

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: $224,000

Net County Cost (this year): $56,000
Over Five Years: _____

Additional Comments/Explanation:
This F.I.S. is related to the Resolution Request to accept the Master Agreement funding from the NYSDOT for Preliminary Engineering and Right of Way Incidential phases of PIN 8759.80 CR 43 (DeGarmo Rd.) over the Wappinger Creek (BIN 3558440), Towns of LaGrange and Poughkeepsie (Bridge PO -17X).

Prepared by: Rosanne M. Hall, Contract Specialist

Roll call vote on the foregoing Resolution No. 2010252 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2010253

RE: AMENDING THE 2010 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DISTRICT ATTORNEY (A.1165.05)

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

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

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

WHEREAS, the District Attorney has requested that the sum of $33,201 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 2010 Adopted County Budget as follows:

APPROPRIATIONS
Increase

A.1165.05.2300.03	Motor Vehicles - 3 Year	$ 20,000
A.1165.05.4160	Office Stationery & Supplies	11,101
A.1165.05.4609	Maintenance/Service Contracts	2,100
		$ 33,201

REVENUES
Increase

A.9998.95110.01	Asset Forfeiture State Reserve	$ 33,201

CA-141-10
ca/G-0135
8/5/10
Fiscal Impact: See attached statement

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date Sept. 24, 2010

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 33,201

Total Current Year Revenue $ 33,201
and Source

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

Identify Line Items(s):
See attached sheet

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:
This resolution is to appropriate Federal and State Asset Forfeiture funds to enable the purchase of equipment, etc. listed on the attached Asset Forfeiture Expenditure sheet.

Prepared by: Gina Barry/Deb Patora

Asset Forfeiture Expenditures

MOTOR VEHICLES - 3 YEAR - 2300.03		Program
2010 Chevrolet Impala	20,000.00	District Attorney
Total-2500:	**20,000.00**	
4160-Office Stat & Supplies		
3 Memory cards for Camera @ $20.69 each	63.00	District Attorney
3 Camera Cases @ $9.65 each	29.00	District Attorney
3 Kodak Digital Cameras @ $137.97 each	414.00	District Attorney
40 stamps @ $68 each	2,720.00	District Attorney
Oak bookcase - five shelf	160.00	District Attorney
four-drawer oak file cabinet	879.00	District Attorney
Prostethic Eyes for 3-D Facial Reconstruction	225.00	District Attorney
Miscellaneous Office Supplies	5,000.00	District Attorney
Two Drawer Printer	500.00	District Attorney
Printer Drawer	350.00	District Attorney
Single Drawer Printer	450.00	District Attorney
Desk Chair	311.00	District Attorney
Total:	**11,101.00**	
4609 - MAINTENANCE/SERVICE CONTRACTS		
Maintenance Contract for Server	2,100.00	Drug Task Force
Total:	**2,100.00**	
TOTAL TO BE APPROPRIATED:	**33,201.00**	
TOTALS BY PROGRAM		
Dutchess County Drug Task Force:	2,100.00	
Dutchess County District Attorney's Office:	31,101.00	

Roll call vote on the foregoing Resolution No. 2010253 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

Public Safety
Revised

RESOLUTION NO. 2010254

RE: AMENDING THE 2010 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE SHERIFF/JAIL (A.3150)

Legislators COOPER and FLESLAND offer the following and move its adoption:

WHEREAS, the Sheriff has advised that the population of inmates housed in other counties is continuing to rise and based on the current trend, additional funds are needed to ensure payments to these counties, and

WHEREAS, it is projected that the sum of $700,000 will be needed to cover these expenses through the end of 2010, and

WHEREAS, it is necessary to amend the 2010 Adopted County Budget to provide funds to meet the County's obligations for the aforesaid period, now therefore, be it

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

APPROPRIATIONS

Increase		
A.3150.4428	Inmates Housed in Other Institutions	$700,000
Decrease		
A.1990.4007	General Contingency	$700,000

Fiscal Impact: See attached statement

VETO
9-24-10

OVERRIDDEN
10-13-10

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

No Fiscal Impact

FISCAL IMPACT STATEMENT

APPROPRIATION RESOLUTIONS

Total Current Year Cost **$ 1,000,000**

Total Current Year Revenue and Source: $

Source of County Funds (check one):

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

Identify Line Item (s): A3150.4428

Related Expenses:

Nature of Expenses:

Anticipated Savings to County:

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

Additional Comments/Explaination:

The Dutchess County Jail had $1,603,050 budgeted for inmates housed out to other county facilities. We are requesting $1,000,000 to be added to this line due to added costs attributed to a steady increase in the average daily number of inmates housed-out.

Prepared by: Todd Gdula, Major

DUTCHESS COUNTY JAIL

Memorandum

To: Robert Rolison, Chairman – Dutchess County Legislature

From: George V. Krom Jr., Correction Administrator

Date: August 18, 2010

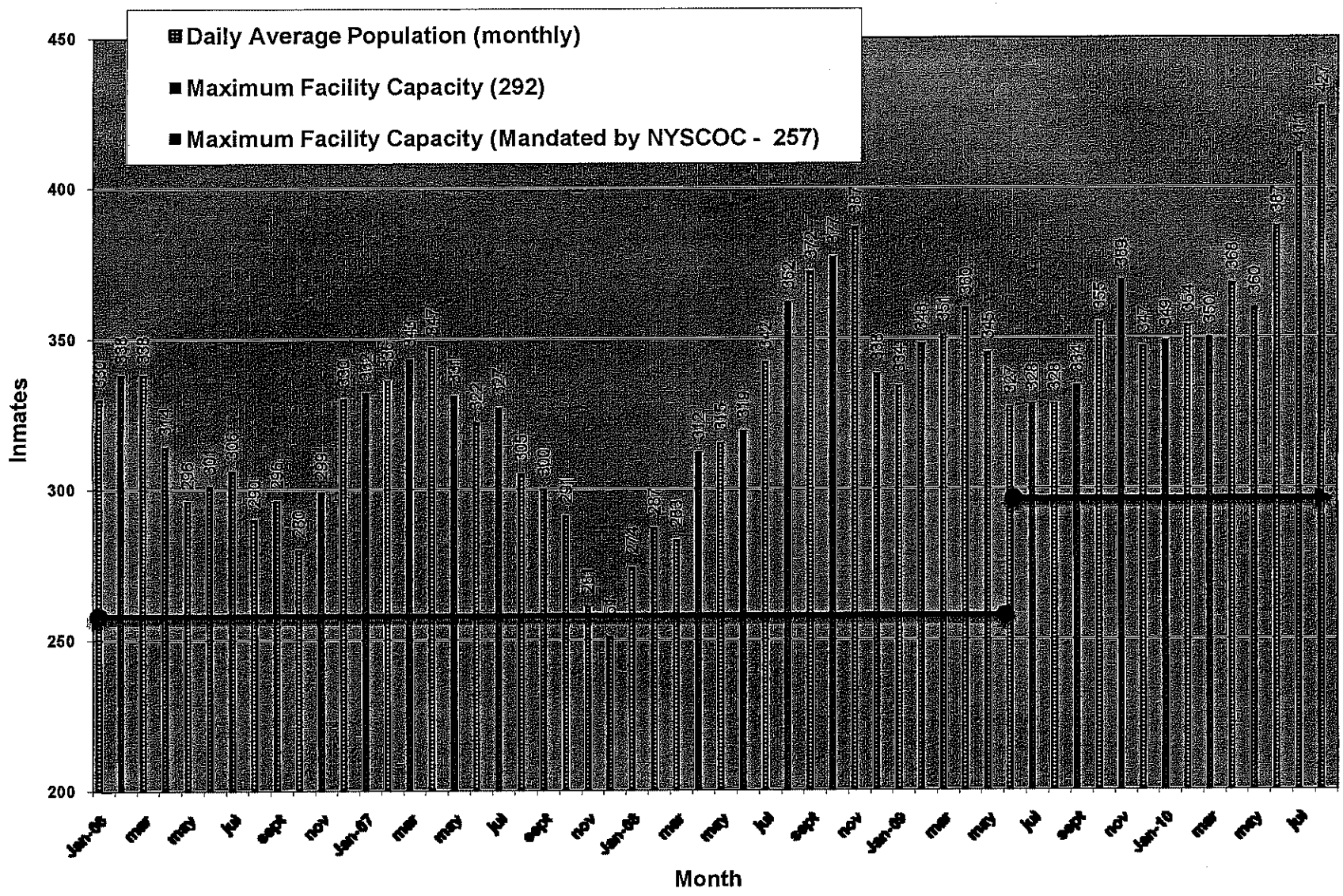
Subject: Resolution Request – Additional Monies needed for Inmates Housed in other Institutions

The Dutchess County Jail requests a resolution to add $1,000,000 to the A3150.4428 Inmates Housed in Other Institutions line.

JUSTIFICATION:

The Dutchess County Jail had $1,603,050 budgeted for inmates housed out to other county facilities. We are requesting $1,000,000 to be added to this line due to added costs attributed to a steady increase in the average daily number of inmates housed-out.

Dutchess County Jail
Daily Average Population Analysis
2006-2010



Dutchess County Executive

Dutchess

William R. Steinhaus
County Executive

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

Memorandum

From: William R. Steinhaus, County Executive

To: Adrian "Butch" Anderson, Sheriff

Date: August 17, 2010

Re: Resolution Request

The Budget Office has received your request to submit a resolution to the Legislature for an additional one million dollars to fund "inmates in other institutions" expenses in 2010 on top of the $1.6 million already appropriated in the budget.

Correspondence has recently been sent to you from my office and the Budget Office concerning the tenuous state of our County's finances. On July 6th the Budget Director communicated with you about overtime expenses in your law enforcement division. She stated "All county departments continue to be impacted by our serious fiscal challenges..."

As a follow up to that memo, I wrote you on July 23rd and reiterated, "The finances of county governments across the nation and New York continue to deteriorate."

In short, **the county cannot afford to exceed 2010 budget lines** and in reality, must find ways to reduce expenses because of the loss of originally expected revenues. We must take these actions for the remainder of 2010 as well as in the preparation of our 2011 annual budget.

We are returning your request for the additional one million dollars and suggest this particular request must first be addressed by you with the leadership of the Legislature in both caucuses.

It is further requested that actions be taken to eliminate your budget over run between now and year end. This will require you making the necessary choices to restructure and realign operations and services. There are spending choices you can make within the $42

million provided you in your annual budget for law enforcement and corrections functions.

It is also necessary that there be continued persistence by you with the NYS Commission on Correction to allow some level of double bunking which I have long advocated. I recognize the State Commission has refused this in the past. However, as economic and financial reality sets in more and more at the state level and here at the county the need for this is more compelling. You will recall the COC did not approve the return of our waiver to house more than 257 inmates on the first request either. Now more than ever, you need to be working with the COC to find ways to reduce property taxpayer costs. Additionally, I strongly recommend you insist the state COC restore the remainder of the waiver originally in place to reduce your housing out and transportation expenses.

Other departments are being asked to make difficult choices as well. It is imperative that all imbalances be resolved for 2010 with consideration also given to prevent increases in the upcoming 2011 budget. It's critical you and your staff understand the depth of the fiscal crisis facing governments. We welcome your communications advising us of the necessary steps you will be taking to address these serious fiscal challenges.

Thank you for your attention to this matter.

cc: Robert Rolison, Chairman of the Legislature
Gary Cooper, Majority Leader
Angela Flesland, Assistant Majority Leader
Sandra Goldberg, Minority Leader
Dan Kuffner, Assistant Minority Leader
Dale Borchert, Chairman, Budget, Finance & Personnel Committee
Kirk Imperati, Undersheriff
George Krom, Correction Lt. Colonel

Dutchess County Executive

Dutchess

DUTCHESS COUNTY LEGISLATURE

2010 SEP 24 P 4:56

William R. Steinhaus
County Executive

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

Memorandum

To: All Legislators

From: William R. Steinhaus
Dutchess County Executive

Re: Resolution Numbers 2010226 and 2010254

Date: September 24, 2010

I have directed the Commissioner of Finance to forward a $75 million bond to the Dutchess County Legislature next week for the construction of a new 300 cell county jail to meet the needs of his operation identified by Sheriff Adrian "Butch" Anderson.

Year after year, Sheriff Anderson has been unable to manage his corrections organization within the monies provided by the County Legislature. Management and staff issues continue to challenge the Sheriff including this week's tragic inmate suicide. For more than two years, Sheriff Anderson has not fully staffed the jail despite authorization and funding to fill 14 correction officer positions left vacant. This has caused huge sums to be spent on avoidable overtime and has placed increased stress workloads on the existing correction officers.

The federal court case regarding possible violations by the Sheriff's jail staff continues; consuming huge sums of tax dollars. Repeated overruns of the Sheriff's corrections budget are the norm with no accountability required from the County Legislature. A lack of willingness by the Sheriff to publicly and loudly challenge the NYS Commission on Corrections has left local property taxpayers funding millions of wasted tax dollars.

The County Legislature appears to be consumed by one issue which is only one percent of the county operating budget – the disposal cost of all the garbage county wide for 300,000 residents and the entire business and commercial infrastructure. But no "work group," no "task force," no legislative standing committee, no one individual legislator or group of legislators yet appears to be concerned that nearly 10 percent of our budget costs are spent in the largest net to county cost of our government – the Sheriff's jail operation.

This past week the DC Legislature, with but only a few minutes of consideration, chose to allocate and spend another $4.4 million dollars for Sheriff Anderson's use to run the county jail.

The 2011 county operating budget will be the most daunting and challenging since the county fought its way through the financial tsunami that hit this government caused in 1993-94 by the then massive IBM downsizing.

However, the coming county budget and policy decisions faced by legislators will be made in the context of a five year national recession, with little to no confidence by many that it won't last several years into the future in this state. That would mean there will be no meaningful relief for county government in the foreseeable few years.

The DC Legislature cannot, and should not, consider decisions for the 2011 Operating Budget, or the 2011 Capital Plan, without the Legislature and Sheriff Anderson together finding a solution and making *conclusive* Legislative policy decisions regarding the endless budget overruns and escalating costs at the DC Jail.

Due to the national recession, coupled with the cascading impact on local governments from the dysfunctional state government, this county government like many across the nation and state must make spending cuts. County government will need to shrink its size, shrink its services, shrink its overhead and expenses, shrink its payroll, all of which will necessitate a corresponding shrinkage in the number of county workers - to meet the realities of diminished county finances and the property taxpayer who has been leaned on to the breaking point.

The County Legislature and Sheriff Anderson need to once and for all decide quickly what it plans to do for a solution to jail costs before it can decide how to pay for the remaining other important county government services in 2011 – most of which are but a fraction of the jail expenses.

It is for these reasons the Commissioner of Finance will forward a $75 million bond for legislative consideration for a new 300 cell jail to meet the needs of Sheriff Anderson.

Let there be no misunderstanding – **I am not "proposing" this $75 million jail bond, nor am I advocating it.** Sheriff Anderson, under the state constitution, is the individual responsible for the inmates and management of the county jail – the Sheriff and jail are **not** in the Executive Branch of this county government. It is my hope the delivery of the bond resolution will prompt the Legislature and Sheriff to make the necessary policy decision that **ONLY** the Legislature, not the Executive, can make with 17 votes to adopt a bond.

Resolution Numbers 2010226 and 2010254 adopted September 13, proposing the expenditure of $4.45 million dollars for county jail facility improvements and higher 2010 operating expenses, are **vetoed** with the hope and expectation the Legislature and Sheriff will reach conclusive policy decisions.

I believe a "yes" or "no" vote on the adoption of the jail bond, or alternative solutions, needs to be made before adopting the 2011 Budget at the end of November.

Throwing good taxpayer money after bad at the Dutchess County Jail makes no sense and cannot be justified to our taxpayers.

The decisions facing Sheriff Anderson and the Legislature now are:

- build a new 300 cell county jail costing an estimated $75 million {actually $113 million including debt service interest costs}; hire and pay the larger additional staff to run and operate a jail that large; pay the new operating, energy and maintenance costs to run it.
- OR continue to allocate year after year new taxpayer money to Sheriff Anderson for the jail overruns that have become common place.
- OR hold the Sheriff accountable like other county departments to find innovative, creative solutions with the NYSCOC to manage his inmate population, and live within his means and within the money provided in his annual operating budget.

Lastly, since the operating costs for the county jail are **ten times** the budget cost to fund solid waste removal for all Dutchess County, and the new debt service for a new 300 cell county jail is **almost as much as the debt** the county currently carries for all prior projects , I am hopeful the County Legislature will give the proportionate time, energy and commitment to develop jail solutions as it has the much lesser issue of the issue for solid waste disposal at one tenth the cost.

I would respectfully recommend the Legislature convene as many special committee meetings, meetings of the whole, and special full board meetings over the next ten weeks to enable you to make these critical decisions.

Thank you for your attention to this issue.

The Commissioner of Finance will forward the $75 million bond resolution next week so the Legislature can begin review and debate immediately.

cc: Patricia Hohmann, Clerk of the Legislature
Sheriff Adrian Anderson

Roll call vote on the foregoing Resolution No. 2010254 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

The County Executive vetoed the foregoing resolution on September 24, 2010. Legislator Flesland moved to override the veto of Resolution No. 2010254 duly seconded by Legislator Doxsey. The foregoing motion was unanimously adopted by the Dutchess County Legislature.

Budget, Finance, & Personnel

RESOLUTION NO. 2010255

RE: DESIGNATION OF DUTCHESS COUNTY ECONOMIC DEVELOPMENT CORPORATION AS THE TOURISM PROMOTION AGENCY FOR THE COUNTY OF DUTCHESS

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

WHEREAS, by Resolution No. 335 of 1985, the Dutchess County Legislature designated the Dutchess County Economic Development Corporation as the Tourism Promotion Agency for Dutchess County, and

WHEREAS, it is the intent of this Legislature that the Dutchess County Economic Development Corporation continue as the Tourism Promotion Agency for Dutchess County, and

WHEREAS, the Dutchess County Economic Development Corporation requires the authority of this Legislature to apply for up to $325,000 in state matching funds, now, therefore, be it

RESOLVED, that the Dutchess County Economic Development Corporation is hereby designated the Tourism Promotion Agency for Dutchess County for the state fiscal year April 1, 2011, through March 31, 2012, and is hereby authorized to apply for state matching funds up to $325,000, and, be it further

RESOLVED, that if the application for such funding is approved, the Dutchess County Economic Development Corporation shall submit the grant agreement to this Legislature for approval and appropriation prior to commencing any work.

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date Sept. 24, 2010

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2010255 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2010256

RE: AUTHORIZING EXECUTION OF A FIFTEEN YEAR OPTION FOR THE DUTCHESS COUNTY INTERMODAL FACILITY

LEGISLATORS BORCHERT, FORMAN, and MICCIO offer the following and move its adoption:

WHEREAS, Dutchess County and the Beacon City School District entered into a Lease Agreement on December 18, 1995 and an Addendum thereto thereafter which contemplated the construction of an Intermodal Facility on approximately four acres of land located generally southeast of the Dutchess County Stadium Facility in the Town of Fishkill, County of Dutchess, State of New York, and

WHEREAS, the Intermodal Facility was constructed thereon almost entirely with Federal and State grant funds totally approximately One Million Ninety Six Thousand Two Hundred Fifty Dollars ($1,096,250.00), and

WHEREAS, although the "useful life" of the Intermodal Facility for grant purposes is at least forty years, the initial lease term for the Intermodal Facility was for fifteen years and will expire on December 17, 2010, and

WHEREAS, pursuant to the Lease, the County has three additional options; two for fifteen years and one for five years, which would allow the County to extend the Lease term for an additional thirty-five years if all options are exercised, and

WHEREAS, allowing the Lease to lapse prior to the end of the forty-year useful life of the Intermodal Facility would trigger County grant repayment obligations, and

WHEREAS, the base rent during the fifteen year option term would increase in five year increments from Five Thousand Eight Hundred ($5,800.00) Dollars for years 16 through 20 to Six Thousand Four Hundred ($6,400.00) Dollars for years 21 through 25 and Seven Thousand ($7,000.00) Dollars for years 26 through 30, now therefore, be it

RESOLVED, that the County Executive is hereby authorized to exercise the County's first fifteen year option to extend the Lease between Dutchess County and the Beacon City School District (County Contract No. 95-0839-12/2010-PL and A1) for the Intermodal Facility.

APPROVED

CA-149-10
ca/R-0624 8/3/10 Fiscal Impact: See attached statement

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof. Date 9/21/14, 2010

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 12,912

Total Current Year Revenue $ 0
and Source

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

Identify Line Items(s):
4571.63 $5,800, 4210 $4,600, 4220 $2,300, 4240 $212

Related Expenses: Amount $ 12,912

Nature/Reason:
Lease of the Intermodal center is connected to the 40-year life of the federally-funded facility built ont he site. If the Coutny ends the lease, it is responsible to repay what is left in the life of the project (25 years) to FTA and NYSDOT, which amounts to approximately $34,256 per year or $856,400.

Anticipated Savings to County: $21,344

Net County Cost (this year): $12,912
Over Five Years: $65,000

Additional Comments/Explanation:

Prepared by: Cynthia Ruiz, Transit Administrator

Dut.pdf

Roll call vote on the foregoing Resolution No. 2010256 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

Budget, Finance, & Personnel

RESOLUTION NO. 2010257

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

Legislators BORCHERT, HUTCHINGS, and MICCIO 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 Mercury Grand Hotel, Poughkeepsie, New York on or about October 6, 2010 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 Director of Real Property Tax Service 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-147-10
ca/R-0324
8/13/10
Fiscal Impact: Favorable. Parcels will be put back on tax rolls after sale.

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date Sept. 24, 2010

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ _____

Total Current Year Revenue $ _____
and Source

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

Identify Line Items(s):

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: 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

DutLpdf

REVISED BACKGROUND TO RESOLUTION NO. 2010257

2010 AUCTION LIST

TOWN OF AMENIA

BUSCH WARREN ROBERT	132000-7065-00-616091-0000
DUTCHESS DEVELOPMENT INC	132000-7165-01-139689-0000
DUTCHESS DEVELOPMENT INC	132000-7165-01-183716-0000
BUDD CHARLES JR	132000-7166-00-554522-0000
3-D FUNDING INC	132000-7167-00-360535-0000
3-D FUNDING INC	132000-7167-00-380542-0000

TOWN OF BEEKMAN

DAVIS BARBARA SPIRO JOEL M SPIRO SCOTT THORN ARTHUR TRUSTEE	132200-6558-00-847802-0000
DAVIS BARBARA SPIRO JOEL M SPIRO SCOTT THORN ARTHUR TRUSTEE	132200-6558-00-906818-0000
HESS FLORENCE MATHISEN KARL	132200-6657-08-828863-0000
SLINSKEY SAMUEL M III	132200-6658-00-342653-0000
SNOW DAVID M SNOW DONNALYNN	132200-6658-00-498395-0000
SNOW DAVID M SNOW DONNALYNN	132200-6658-00-535342-0000
FENNESSY EDWARD C	132200-6757-00-346170-0000
WOODIN JULIA	132200-6758-02-843689-0000
ROBERTS DONNA M ROBERTS ALAN J	132200-6859-03-048444-0000

TOWN OF CLINTON

KRUSE CHERYL A KRUSE KENNETH W	132400-6267-00-170583-0000
GOTTHELF TERRY SIMS IDAN	132400-6468-00-840688-0000
MCMAHON LYNN MCMAHON MICHAEL	132400-6468-00-937631-0000
NICHINI ROBERT D	132400-6469-10-359613-0000

TOWN OF DOVER

GUIDETTI BETTY JANE GUIDETTI RALPH	132600-6960-00-741021-0000
SCHOTT CARL J SCHOTT HENRY	132600-7063-20-944245-0000
SIEGEL HENRY I SOLANO RICHARD	132600-7159-00-057508-0000
SUTTON CLARENCE	132600-7159-00-175259-0000
GERSCHEL ALBERTA	132600-7259-00-180133-0000

TOWN OF EAST FISHKILL

BHUIYAN FARUK	132800-6356-02-835545-0000
CIOFFI PATSY	132800-6356-04-617346-0000
HACKETT MARY HACKETT THOMAS JR	132800-6357-03-480411-0000
DOHERTY EILEEN FRANK J DOHERTY PAUL E	132800-6357-04-565178-0000
CRYSTAL SPRING CO	132800-6358-03-472470-0000

MANNING DORIS J MANNING PATRICK B	132800-6455-00-800080-0000
TRI-START INC	132800-6457-01-002853-0000
KEYSER ERIC P	132800-6457-03-157442-0000
ALFAFA DEVELOPMENT CO	132800-6458-03-333080-0000
ALFAFA DEVELOPMENT CO	132800-6458-03-442140-0000
BHUIYAN FARUK	132800-6458-04-726440-0000
LEE DOROTHY F LEE EVERETT J	132800-6555-00-785580-0000
LEE DOROTHY F LEE EVERETT J	132800-6555-00-896547-0000
MILLER ALLEN J	132800-6556-00-724179-0000
LEE DELBERT LEE KATHERINE M	132800-6556-00-908257-0000
DAVIS BARBARA SPIRO JOEL M SPIRO SCOTT THORN ARTHUR TRUSTEE	132800-6558-02-830784-0000
GODSEN CONSTANCE ADMINSTR	132800-6655-02-871859-0000
PATRIOTIC NATIONAL NON-PROF	132800-6655-02-872892-0000
MID-HUDSON I ASSOCIATES	132800-6656-00-761679-0000
PATRIOTIC NATIONAL NON-PROFIT	132800-6755-01-084789-0000
NON-PROF PROTESTANT PATRIATIC NATIONAL	132800-6755-01-114788-0000
GODSEN LUCILLE SKENE	132800-6755-01-114985-0000
NON-PROF PROTESTANT PATRIATIC NATIONAL	132800-6755-01-125769-0000
SAMUELSON MARY ELLEN	132800-6755-04-504458-0000
TORCH CHRISTINA	132800-6755-04-586415-0000
GODSEN LUCILLE SKENE	132800-6756-00-031125-0000

TOWN OF FISHKILL

TRICOUKES MARCOS TRICOUKES NICOLE T	133089-6054-08-986914-0000
JIMENEZ EDUARDO	133089-6055-16-993457-0000
JONES MARJORIE A JONES ROBERT E	133089-6155-02-513902-0000
FARUK BHUIYAN	133089-6156-04-893375-0000
HUGYECZ JOHN	133089-6255-00-163206-0000
RIVERA ELIOTT RIVERA PAULA	133089-6356-00-194221-0000

TOWN OF HYDE PARK

PAXTON JOHN T	133200-6163-04-899393-0000
ELTERICH DONALD W ELTERICH MICHAEL	133200-6165-01-426562-0000
PALMER CONSTANCE M	133200-6165-02-527749-0000
D SOUZA PAUL E	133200-6167-03-006073-0000
BURDINE BARBARA JANE BURDINE HENRY W	133200-6263-04-658285-0000
CHANTARASOPAK YINDEE	133200-6264-02-865581-0000
ATERETH DEVELOPMENTS LLC	133200-6265-04-672479-0000

TOWN OF LA GRANGE

D"SOUZA KIM C	133400-6259-02-581943-0000
LINDEMANN KENNETH C	133400-6260-04-632400-0000
DIEGEL WAYNE	133400-6260-04-633406-0000
QUINONES EVA L QUINONES PEDRO R	133400-6360-01-324622-0000
KILLMER JOANNE	133400-6360-01-452798-0000
POLUZZI PATRICIA M POLLUZZI ROBERT T	133400-6360-02-505805-0000
POLUZZI MARY A LT POLUZZI PATRICIA M RM	133400-6360-02-629636-0000
POLUZZI PATRICIA M POLLUZZI ROBERT T	133400-6360-02-674638-0000
POLUZZI PATRICIA M POLLUZZI ROBERT T	133400-6360-02-693639-0000
POLUZZI PATRICIA M POLLUZZI ROBERT T	133400-6360-02-710654-0000
ALVES CLEMENTE ALVES MARIA	133400-6459-02-727931-0000
MEDDAUGH JACOB	133400-6462-02-638704-0000
SIEGEL ANGELA M SIEGEL IRA S	133400-6560-02-888704-0000
RED WING PROPERTIES INC	133400-6560-02-954676-0000
JOSEPH STEPHEN	133400-6560-04-849232-0000

TOWN OF MILAN

VEGA JULIO A JR	133600-6571-04-797380-0000
VEGA JULIO A JR	133600-6571-04-804405-0000
VEGA JULIO A JR	133600-6571-04-804428-0000
MACPHERSON DONALD H MCPHERSON IRENE S	133600-6670-00-294825-0000

TOWN OF PAWLING

KUPFERMAN STEPHANIE	134001-6957-20-769244-0000
KUPFERMAN STEPHANIE	134001-6957-20-776216-0000
PAWLING EQUITIES LLC	134089-6957-00-180381-0000
PAWLING EQUITIES LLC	134089-6957-00-201353-0000

TOWN OF PINE PLAINS

MACISAAC JAMES WALDENMAIER VIRGINIA	134200-6872-17-157194-0000

TOWN OF PLEASANT VALLEY

BUDD CHARLES JR	134400-6465-01-101711-0000
BURNS WALTER J	134400-6563-01-456834-0000

TOWN OF POUGHKEEPSIE

GLASS JAMES P	134689-6057-07-525861-0000
C E D CAPITAL HOLDINGS XVI LTD	134689-6159-04-576171-0000
C E D CAPITAL HOLDINGS XVI LTD	134689-6159-04-608173-0000
PLASS DAVID W PLASS GEMMA	134689-6160-04-804260-0000

ANDERSON JEAN L	134689-6160-04-938264-0000
NATHAN-MARCUS KATHRYN	134689-6160-21-064989-0000
TULLY MARY	134689-6161-08-846987-0000
MARIN RICHARD J	134689-6162-10-325558-0000
SHEIKH TAHIR JAVAID	134689-6162-15-748453-0000
8189 INWOOD LLC	134689-6163-03-218012-0000
STANLEY KIMBERLY B STANLEY ROBERT J	134689-6260-01-073995-0000
ARSLANIAN HARRY TRUSTEE ARSLANIAN MARJORIE TRUSTEE	134689-6260-04-502284-0000
PASCOE GEORGE K PASCOE GLENN W	134689-6262-04-965437-0000
BURDINE BARBARA JANE BURDINE HENRY W	134689-6263-04-665066-0000
BURDINE BARBARA JANE BURDINE HENRY W	134689-6263-04-690180-0000

TOWN OF RED HOOK

CHOINSKY RALPH	134889-6274-00-129113-0000
RIVARD DENISE RM RIVARD THEESA M LT	134889-6275-00-620196-0000

TOWN OF RHINEBECK

WAHLERS FRANCES J TRUSTEE WAHLERS JOHN H TRUSTEE	135001-6170-14-340282-0000
JACOBSEN TYRA L	135001-6170-19-658112-0000
SANCHEZ MARGARET R	135089-6170-01-388884-0000

TOWN OF STANFORD

MC CARTHY JEANNE J	135200-6668-04-850076-0000
JOHNSON HEIDI M	135200-6670-00-182193-0000
MC CARTHY JEANNE	135200-6768-04-545475-0000

TOWN OF UNION VALE

CREMONESE MINETTE CREMONESE ROBERT	135400-6862-00-922751-0000

TOWN OF WAPPINGER

WALKER ARTHUR J WALKER HELEN F	135601-6158-14-470346-0000
SCIANNA THOMAS S	135601-6158-17-198119-0000
TRINKA DEVELOPMENT OF DUT INC	135689-6157-01-378617-0000
HALL JANET A HALL ROBIN W	135689-6157-01-460625-0000
G & S DREAMWORK HOMES LLC	135689-6157-03-157248-0000
SHEIKH TAHIR J	135689-6157-04-733352-0000
SCHUELE EUGENE	135689-6258-02-787614-0000
EDOS JOHN S	135689-6258-02-901653-0000
ZELLER DONALD	135689-6259-02-840815-0000
TEDESCO PAUL	135689-6356-01-240965-0000
J J S BUILDERS INC	135689-6358-01-144515-0000

TOWN OF WASHINGTON

UNKNOWN

135801-6765-14-424344-0000

2010 AUCTION LIST

TOWN OF AMENIA	
BUSCH WARREN ROBERT	132000-7065-00-616091-0000
DUTCHESS DEVELOPMENT INC	132000-7165-01-139689-0000
DUTCHESS DEVELOPMENT INC	132000-7165-01-183716-0000
BUDD CHARLES JR	132000-7166-00-554522-0000
3-D FUNDING INC	132000-7167-00-360535-0000
3-D FUNDING INC	132000-7167-00-380542-0000
TOWN OF BEEKMAN	
DAVIS BARBARA SPIRO JOEL M SPIRO SCOTT THORN ARTHUR TRUSTEE	132200-6558-00-847802-0000
DAVIS BARBARA SPIRO JOEL M SPIRO SCOTT THORN ARTHUR TRUSTEE	132200-6558-00-906818-0000
HESS FLORENCE MATHISEN KARL	132200-6657-08-828863-0000
SLINSKEY SAMUEL M III	132200-6658-00-342653-0000
SNOW DAVID M SNOW DONNALYNN	132200-6658-00-498395-0000
SNOW DAVID M SNOW DONNALYNN	132200-6658-00-535342-0000
FENNESSY EDWARD C	132200-6757-00-346170-0000
WOODIN JULIA	132200-6758-02-843689-0000
ROBERTS DONNA M ROBERTS ALAN J	132200-6859-03-048444-0000
TOWN OF CLINTON	
KRUSE CHERYL A KRUSE KENNETH W	132400-6267-00-170583-0000
GOTTHELF TERRY SIMS IDAN	132400-6468-00-840688-0000
NICHINI ROBERT D	132400-6469-10-359613-0000
TOWN OF DOVER	
GUIDETTI BETTY JANE GUIDETTI RALPH	132600-6960-00-741021-0000
SCHOTT CARL J SCHOTT HENRY	132600-7063-20-944245-0000
SIEGEL HENRY I SOLANO RICHARD	132600-7159-00-057508-0000
SUTTON CLARENCE	132600-7159-00-175259-0000
GERSCHEL ALBERTA	132600-7259-00-180133-0000
TOWN OF EAST FISHKILL	
BHUIYAN FARUK	132800-6356-02-835545-0000
CIOFFI PATSY	132800-6356-04-617346-0000
HACKETT MARY HACKETT THOMAS JR	132800-6357-03-480411-0000
DOHERTY EILEEN FRANK J DOHERTY PAUL E	132800-6357-04-565178-0000
CRYSTAL SPRING CO	132800-6358-03-472470-0000
MANNING DORIS J MANNING PATRICK B	132800-6455-00-800080-0000
TRI-START INC	132800-6457-01-002853-0000
KEYSER ERIC P	132800-6457-03-157442-0000

Exhibit "A"

ALFAFA DEVELOPMENT CO	132800-6458-03-333080-0000
ALFAFA DEVELOPMENT CO	132800-6458-03-442140-0000
BHUIYAN FARUK	132800-6458-04-726440-0000
LEE DOROTHY F LEE EVERETT J	132800-6555-00-785580-0000
LEE DOROTHY F LEE EVERETT J	132800-6555-00-896547-0000
MILLER ALLEN J	132800-6556-00-724179-0000
LEE DELBERT LEE KATHERINE M	132800-6556-00-908257-0000
DAVIS BARBARA SPIRO JOEL M SPIRO SCOTT THORN ARTHUR TRUSTEE	132800-6558-02-830784-0000
GODSEN CONSTANCE ADMINSTR	132800-6655-02-871859-0000
PATRIOTIC NATIONAL NON-PROF	132800-6655-02-872892-0000
MID-HUDSON I ASSOCIATES	132800-6656-00-761679-0000
PATRIOTIC NATIONAL NON-PROFIT	132800-6755-01-084789-0000
NON-PROF PROTESTANT PATRIATIC NATIONAL	132800-6755-01-114788-0000
GODSEN LUCILLE SKENE	132800-6755-01-114985-0000
NON-PROF PROTESTANT PATRIATIC NATIONAL	132800-6755-01-125769-0000
SAMUELSON MARY ELLEN	132800-6755-04-504458-0000
TORCH CHRISTINA	132800-6755-04-586415-0000
GODSEN LUCILLE SKENE	132800-6756-00-031125-0000
TOWN OF FISHKILL	
TRICOUKES MARCOS TRICOUKES NICOLE T	133089-6054-08-986914-0000
JIMENEZ EDUARDO	133089-6055-16-993457-0000
JONES MARJORIE A JONES ROBERT E	133089-6155-02-513902-0000
FARUK BHUIYAN	133089-6156-04-893375-0000
HUGYECZ JOHN	133089-6255-00-163206-0000
RIVERA ELIOTT RIVERA PAULA	133089-6356-00-194221-0000
TOWN OF HYDE PARK	
PAXTON JOHN T	133200-6163-04-899393-0000
ELTERICH DONALD W ELTERICH MICHAEL	133200-6165-01-426562-0000
PALMER CONSTANCE M	133200-6165-02-527749-0000
D SOUZA PAUL E	133200-6167-03-006073-0000
BURDINE BARBARA JANE BURDINE HENRY W	133200-6263-04-658285-0000
CHANTARASOPAK YINDEE	133200-6264-02-865581-0000
ATERETH DEVELOPMENTS LLC	133200-6265-04-672479-0000
TOWN OF LA GRANGE	
D"SOUZA KIM C	133400-6259-02-581943-0000
LINDEMANN KENNETH C	133400-6260-04-632400-0000
DIEGEL WAYNE	133400-6260-04-633406-0000
QUINONES EVA L QUINONES PEDRO R	133400-6360-01-324622-0000

KILLMER JOANNE	133400-6360-01-452798-0000
POLUZZI PATRICIA M POLLUZZI ROBERT T	133400-6360-02-505805-0000
POLUZZI MARY A LT POLUZZI PATRICIA M RM	133400-6360-02-629636-0000
POLUZZI PATRICIA M POLLUZZI ROBERT T	133400-6360-02-674638-0000
POLUZZI PATRICIA M POLLUZZI ROBERT T	133400-6360-02-693639-0000
POLUZZI PATRICIA M POLLUZZI ROBERT T	133400-6360-02-710654-0000
ALVES CLEMENTE ALVES MARIA	133400-6459-02-727931-0000
MEDDAUGH JACOB	133400-6462-02-638704-0000
SIEGEL ANGELA M SIEGEL IRA S	133400-6560-02-888704-0000
RED WING PROPERTIES INC	133400-6560-02-954676-0000
JOSEPH STEPHEN	133400-6560-04-849232-0000
TOWN OF MILAN	
VEGA JULIO A JR	133600-6571-04-797380-0000
VEGA JULIO A JR	133600-6571-04-804405-0000
VEGA JULIO A JR	133600-6571-04-804428-0000
MACPHERSON DONALD H MCPHERSON IRENE S	133600-6670-00-294825-0000
TOWN OF PAWLING	
KUPFERMAN STEPHANIE	134001-6957-20-769244-0000
KUPFERMAN STEPHANIE	134001-6957-20-776216-0000
PAWLING EQUITIES LLC	134089-6957-00-180381-0000
PAWLING EQUITIES LLC	134089-6957-00-201353-0000
TOWN OF PINE PLAINS	
MACISAAC JAMES WALDENMAIER VIRGINIA	134200-6872-17-157194-0000
TOWN OF PLEASANT VALLEY	
BUDD CHARLES JR	134400-6465-01-101711-0000
BURNS WALTER J	134400-6563-01-456834-0000
TOWN OF POUGHKEEPSIE	
GLASS JAMES P	134689-6057-07-525861-0000
C E D CAPITAL HOLDINGS XVI LTD	134689-6159-04-576171-0000
C E D CAPITAL HOLDINGS XVI LTD	134689-6159-04-608173-0000
ANDERSON JEAN L	134689-6160-04-938264-0000
NATHAN-MARCUS KATHRYN	134689-6160-21-064989-0000
TULLY MARY	134689-6161-08-846987-0000
MARIN RICHARD J	134689-6162-10-325558-0000
SHEIKH TAHIR JAVAID	134689-6162-15-748453-0000
8189 INWOOD LLC	134689-6163-03-218012-0000
STANLEY KIMBERLY B STANLEY ROBERT J	134689-6260-01-073995-0000
ARSLANIAN HARRY TRUSTEE ARSLANIAN MARJORIE TRUSTEE	134689-6260-04-502284-0000

PASCOE GEORGE K PASCOE GLENN W	134689-6262-04-965437-0000
BURDINE BARBARA JANE BURDINE HENRY W	134689-6263-04-665066-0000
BURDINE BARBARA JANE BURDINE HENRY W	134689-6263-04-690180-0000
TOWN OF RED HOOK	
CHOINSKY RALPH	134889-6274-00-129113-0000
RIVARD DENISE RM RIVARD THEESA M LT	134889-6275-00-620196-0000
TOWN OF RHINEBECK	
WAHLERS FRANCES J TRUSTEE WAHLERS JOHN H TRUSTEE	135001-6170-14-340282-0000
JACOBSEN TYRA L	135001-6170-19-658112-0000
SANCHEZ MARGARET R	135089-6170-01-388884-0000
TOWN OF STANFORD	
MC CARTHY JEANNE J	135200-6668-04-850076-0000
JOHNSON HEIDI M	135200-6670-00-182193-0000
MC CARTHY JEANNE	135200-6768-04-545475-0000
TOWN OF UNION VALE	
CREMONESE MINETTE CREMONESE ROBERT	135400-6862-00-922751-0000
TOWN OF WAPPINGER	
WALKER ARTHUR J WALKER HELEN F	135601-6158-14-470346-0000
SCIANNA THOMAS S	135601-6158-17-198119-0000
TRINKA DEVELOPMENT OF DUT INC	135689-6157-01-378617-0000
HALL JANET A HALL ROBIN W	135689-6157-01-460625-0000
G & S DREAMWORK HOMES LLC	135689-6157-03-157248-0000
SHEIKH TAHIR J	135689-6157-04-733352-0000
SCHUELE EUGENE	135689-6258-02-787614-0000
EDOS JOHN S	135689-6258-02-901653-0000
ZELLER DONALD	135689-6259-02-840815-0000
TEDESCO PAUL	135689-6356-01-240965-0000
J J S BUILDERS INC	135689-6358-01-144515-0000
TOWN OF WASHINGTON	
UNKNOWN	135801-6765-14-424344-0000

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 5, 2010, 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 2010-2011 School Tax, and Village Tax if any, shall be paid by **cash, money order or bank check**

Exhibit "B"

made payable to "Dutchess County Commissioner of Finance" on or before **November 8, 2010. 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.

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; 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**. Dutchess County, in its sole discretion, may withdraw any parcel from the auction without prior notice.

10. **Confirmation of Sale**. (a) If the high bid on a parcel at auction meets or exceeds the minimum bid price established by Dutchess County and fully complies with the terms and conditions of sale, the bid is accepted and the contract of sale shall be forwarded to the purchaser. (b) If the high bid on a parcel at auction is less than the minimum bid price established by Dutchess County and fully complies with the terms and conditions of sale, the bid may be accepted, in which case the contract of sale shall be forwarded to the purchaser, or it may 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 8, 2010.**

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.

I accept these Terms and Conditions of Sale:

Bidder Number

_____
Bidder's Printed Name
Dated: October 6, 2010

_____
Bidder's Signature

C-5186 8/5/10

Roll call vote on the foregoing Resolution No. 2010257 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

Budget, Finance, & Personnel

RESOLUTION NO. 2010258

RE: REQUESTING THE COUNTY ATTORNEY AND THE COUNTY EXECUTIVE'S OFFICE EXPLORE WITH NASSAU COUNTY AND OTHER LOCALITIES, DUTCHESS COUNTY'S INVOLVEMENT IN THE LAWSUIT TO CHANGE THE FORMULA FOR THE MTA PAYROLL TAX

Legislators GOLDBERG, KUFFNER, DOXSEY, JETER-JACKSON, MACAVERY, TYNER, WHITE, ROLISON, TRAUDT, HORTON, FORMANand FLESLAND offer the following and move its adoption:

WHEREAS, Dutchess County was designated by state statute to be part of the Metropolitan Commuter Transportation District which funds and provides for mass transportation services in the New York metropolitan region through the Metropolitan Transportation Authority (the MTA), and

WHEREAS, the MTA payroll tax on all businesses in the commuter region is costing Dutchess County millions of dollars per annum and has serious impacts on Dutchess County corporations, private and independently-owned companies, not-for profit agencies, all governmental levels in Dutchess, hospitals, school districts, all professionals such as doctors and lawyers, and in a most egregious manner, Dutchess' taxpayers, who have no more left to give, and

WHEREAS, this tax, coupled with increased fares, increased motor vehicle registration fees, added tolls, and reductions in service make worse an already worst case scenario, and

WHEREAS, the current formula for this MTA employer tax subsidy is blatantly inequitable; the County now is subject to taxation without equitable representation because the MTA Board (16 members) was created under the MTA enabling statute, which states that the appointees to the MTA Board from Dutchess, Orange, Putnam, and Rockland share but ONE vote, which means Dutchess County has only a ¼ vote on this Board, and

WHEREAS, it is estimated that over 70 million dollars is being paid by these four counties, and

WHEREAS, it is even more egregious under the Mobility Tax for Dutchess County that employers be taxed at the same rate as counties that have a full vote on the MTA Board; additionally this tax increases the disparity between revenue Dutchess County gives to the MTA compared to what the MTA spends on Dutchess transit, and

WHEREAS, the Mobility Tax takes revenues even from not-for-profits that provide needed services to our residents, and by reducing their limited funds, forces a reduction in their services to the most needy, and

WHEREAS, additionally Dutchess County residents are paying this tax multiple times in their county tax, town, village and city taxes, school taxes, garbage pick up costs, medical costs and other professional services received, every time a purchase is made or a service is rendered, and

WHEREAS, residents and businesses in Dutchess County already pay other taxes/fees to the MTA including a portion of the sales tax, the petroleum business tax, mortgage recording tax, a phone bill surcharge and a charge for maintenance of parking lots at Metro North stations and

WHEREAS, Nassau County currently is spearheading a law suit to right this wrong; Putnam County is exploring its participation in this law suit; Westchester County just has had introduced a resolution seeking to have Westchester County join the lawsuit; the Orange County towns of Chester, Deerpark, Woodbury, Warwick and Monroe recently decided to join the suit; the Orange County towns of Highland, Wawayanda, Crawford, and the villages of Maybrook, Greenwood Lake, and Highland Falls are expected to adopt resolutions to approve their participation in the law suit, therefore, be

RESOLVED, that the Dutchess County Legislature requests the County Attorney and the Executive Branch explore with the intent of litigating, how we can either join the law suit begun by Nassau County and other localities, or litigate independently in order to bring relief to the taxpayers of Dutchess County, and be it further,

RESOLVED, that the County Attorney report the results of this inquiry back to the Legislature by November 3rd, and be it further

RESOLVED, that a copy of this resolution be forwarded to James Fedorchak, County Attorney, and William Steinhaus, County Executive.

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2010258 resulted as follows:

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

NAYS: 1 Horn.

ABSENT: 0

Resolution adopted.

Budget, Finance & Personnel

RESOLUTION NO. 2010259

RE: APPROVAL OF APPLICATION TO CORRECT TAX BILL
AND TO ORDER THE COMMISSIONER OF FINANCE TO
ISSUE A CORRECTED TAX BILL
APPLICANT: Tree House Homes Inc.
2004 Artesa Dr.
Poughkeepsie NY 12603
ACCOUNT NO.: 132800-6455-00-223452-0000

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

WHEREAS, there is an assessment on the assessment roll for the Town of East Fishkill for 2009 under the name of Tree House Homes Inc., Account No. 132800-6455-00-223452-0000, and

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

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

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

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

RESOLVED, that the application received July 12,2010 relating to Account No. 132800-6455-00-223452-0000 for a corrected tax bill is hereby approved, and be it further

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

Municipality	Assessed Value	Exempt Amt.	Taxable Value	Corrected Tax
County	250,000		250,000	708.40
Town East Fishkill	250,000		250,000	551.38
East Fishkill Fire	250,000		250,000	167.45
East Fishkill Pub. Lib.	250,000		250,000	41.38
Returned School Tax				2,885.26
			TOTAL:	**$4,353.87 +penalties**

and be it further

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

A342 Allowance for Uncollectible Taxes	$ 753.61
A430 Town of East Fishkill	463.16
A430 East Fishkill Fire (EF006)	140.65
A430 East Fishkill Public Library (EFPL1)	34.76
A440 Wappingers Central School Dist.	2,265.07
Total:	$ 3,657.25

CA-135-10
MB/ca G-194
7/21/10
Fiscal Impact: None

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date Sept. 24, 2010

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Dutchess County Real Property Tax Service Agency

COE Investigating Report

Legal Description (grid #) **132800-6455-00-223452-0000**

Owner's Name **Tree House Homes Inc.**

Mailing Address **2004 Artesa Dr. Poughkeepsie NY 12603**

Property Location **236 Lime Kiln Rd.**

School District **Wappingers Central School Dist.** Special District _____

Total Assessed Value now on roll **460,000** Corrected to **250,000**

Taxable Assessed Value now on roll **460,000** Corrected to **250,000**

Exempt codes and amounts if applicable

Amount Levied **$8,011.12** Should be **$4,353.87**

Tax Bill Paid? ___ yes **X** no Verified with assessor? **X** yes ___ no

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

X Subdivision 2, Paragraph **A** (clerical error)
___Subdivision 3, Paragraph ___ (error in essential fact)
___Subdivision 7, Paragraph ____ (unlawful entry)

Reason:

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

Exemption amount incorrectly calculated ___

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

Structure did not exist on taxable status date or was present on another parcel ___

Assessment based on incorrect acreage ___

Parcel should be Wholly Exempt ___

Parcel Misclassified as homestead, non-homestead or portions misallocated ___

Other: ___ Duplicate Assessment

Recommendation **X** **APPROVE APPLICATION** _____ **DENY APPLICATION**

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

Investigator Margaret Burns Director Kathleen Myers

NYS BOARD OF REAL PROPERTY SERVICES

RP-554 (9/04)

APPLICATION FOR CORRECTED TAX ROLL

2010 JUL 12 AM 10: 35

REAL PROPERTY TAX SERVICES

FOR THE YEAR 20 09

Part 1: To be completed in duplicate by Applicant. APPLICANT MUST SUBMIT BOTH COPIES TO COUNTY DIRECTOR OF REAL PROPERTY TAX SERVICES. (In Nassau and Tompkins Counties, submit to Chief Assessing Officer). NOTE: To be used only prior to expiration of warrant for collection. For wholly exempt parcel, attach statement signed by assessor or majority of board of assessors substantiating that assessor(s) have obtained proof that parcel should have been granted tax exempt status on tax roll.

Tree House Homes Inc.
1a. Name of Owner

Day(845) 590-0017 Evening ( )
2. Telephone Number

204 Artesa Drive

Poughkeepsie, NY 12603
1b. Mailing Address

236 Lime Kiln Road

Hopewell Junction, NY 12533
3. Parcel Location (if different than 1b.)

6455-00-223452 1 Family Residential Home
4. Description of real property as shown on tax roll or tax bill (Include tax map designation)

5. Account No. _____

6. Amount of taxes currently billed _____

7. I hereby request a correction of tax levied by Dutchess County, Town of East Fishkill, Wappingers Central S.D.
(county/city/school district; town in Westchester County; non-assessing unit village)

for the following reasons (use additional sheets if necessary): House was not fully constructed as of Taxable Status

Date of March 1, 2009

July 1, 2010
Date

Pres - Tree House Homes
Signature of Applicant

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

Date application received: 7/12/10

Period of warrant for collection of taxes: 1/1/2010

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

Recommendation: ☑ Approve application* ☐ Deny Application

7/20/10
Date

Kathleen Myers
Signature of County Director

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

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

_____**APPLICATION APPROVED**

Amount of taxes currently billed: $_____

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

Corrected tax: $ _____

Order transmitted to collecting officer on (enter date): _____

_____**APPLICATION DENIED** Reason: _____

Seal of Office

_____
Date

_____
Signature of Chief Executive Officer
or Official Designated by Resolution

Part IV. For use by COLLECTING OFFICER:

Payment may be made without interest and penalties ONLY if (1) the application has been filed with the County Director during the period when taxes may be paid without interest (see "Date application received" in Part II of this form) AND (2) the corrected tax is paid within eight days of the date on which the notice of approval is mailed to the applicant (see Part III of this form). If either of these conditions is not satisfied, interest and/or penalties must be paid on the corrected tax.

2010 JUL 12 AM 10:35
REAL PROPERTY TAX SERVICES

Order from tax levying body received: _____ Date

Corrected tax due: $_____

Interest and penalties (if applicable): $_____

Total corrected tax due: $_____

Tax roll corrected: _____ Date

Tax bill corrected: _____ Date

Application and Order annexed to tax roll: _____ Date

Payment of corrected tax received: _____ Date

_____ Date

_____ Signature of Collecting Officer

Assessor Affidavit for Correction of Error

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

I, Kathleen Martin assessor for the Town/City of E. Fishkill,

Dutchess County, do hereby affirm that the assessment or taxable assessment on

Grid # 6455-00-223452

owned by Treehouse homes inc.

as shown on the 2009 (yr) Assessment/Tax roll of the

Town/City of East Fishkill

School district of Wappingers

is **incorrect** and may be corrected per RPTL 550.

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

Upon investigation by Assessor's office house was found to be incomplete.

Assessment was: 460,000 Should be: 250,000

Exemption was: _____ Should be: _____

Other: _____

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

Date 7/12/10 Signature of Assessor or Designee

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

e.g.

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

2010 JUL 13 PM 3:26
REAL PROPERTY TAX SERVICES

Roll call vote on the foregoing Resolution No. 2010259 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

Budget, Finance & Personnel

RESOLUTION NO. 2010260

RE: ERRONEOUS TAXES, TOWN OF POUGHKEEPSIE
ASSESSED TO: METRO NORTH COMMUTER RAILRD. CO.
GRID NUMBER: 134689-6062-02-795594-0000

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

WHEREAS, the Receiver of Taxes of the Town of Poughkeepsie has returned unpaid to this office Special District taxes based on the 2008 & 2009 tax rolls against grid number 134689-6062-02-795594-0000, and

WHEREAS, the Real Property Tax Service Agency and the Assessor for the Town of Poughkeepsie have determined that the assessment is erroneous due to a clerical error and said parcel should be exempt from taxation pursuant to Public Authorities Law Section 1275, and

WHEREAS, taxes on said property were levied erroneously and remain unpaid in the amount of $117.87 and $78.98 respectively, 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:

		2008	2009	Total
A342	Allow.for Uncollect Taxes.	$38.71	$3.76	$42.47
A430.4689 (99942)	Townwide Drain Imp.	7.22	7.09	14.31
A430.4689 (TW0K3)	Townwide Water Imp.	71.94	68.13	140.07
	TOTAL:	$117.87	$78.98	$196.85

and be it further,

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

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date Sept. 24, 2010

CA-151-10
CM/djw
8/16/10
Fiscal Impact: None

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2010260 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

Budget, Finance, & Personnel

RESOLUTION NO. 2010261

RE: ERRONEOUS TAXES, TOWN OF POUGHKEEPSIE
ASSESSED TO: METRO NORTH COMMUTER RAILRD. CO.
GRID NUMBER: 134689-6062-02-797512-0000

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

WHEREAS, the Receiver of Taxes of the Town of Poughkeepsie has returned unpaid to this office Special District taxes based on the 2008 & 2009 tax rolls against grid number 134689-6062-02-797512-0000, and

WHEREAS, the Real Property Tax Service Agency and the Assessor of the Town of Poughkeepsie have determined that the assessment is erroneous due to a clerical error and said parcel should be exempt from taxation pursuant to Public Authorities Law Section 1275, and

WHEREAS, taxes on said property were levied erroneously and remain unpaid in the amounts of $430.28 and $359.39 respectively, 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:

		2008	2009	Total
A342	Allow.for Uncollect Taxes.	$69.67	$17.11	$86.78
A430.4689 (99942)	Townwide Drain Imp.	22.48	22.05	44.53
A430.4689 (TW0K3)	Townwide Water Imp.	338.13	320.23	658.36
	TOTAL:	$430.28	$359.39	$789.67

and be it further,

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

CA-152-10
CM/djw
8/16/10

Fiscal Impact: None

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date Sept. 24, 2010

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2010261 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2010262

RE: ERRONEOUS TAXES, TOWN OF POUGHKEEPSIE
ASSESSED TO: METRO NORTH COMMUTER RAILRD. CO.
GRID NUMBER: 134689-6062-02-797550-0000

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

WHEREAS, the Receiver of Taxes of the Town of Poughkeepsie has returned unpaid to this office Special District taxes based on the 2008 & 2009 tax rolls against grid number 134689-6062-02-797550-0000, and

WHEREAS, the Real Property Tax Service Agency and the Assessor of the Town of Poughkeepsie have determined that the assessment is erroneous due to a clerical error and said parcel should be exempt from taxation pursuant to Public Authorities Law Section 1275, and

WHEREAS, taxes on said property were levied erroneously and remain unpaid in the amounts of $369.91 and $305.18 respectively, 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:

		2008	2009	Total
A342	Allow.for Uncollect Taxes.	$63.68	$14.53	$78.21
A430.4689 (99942)	Townwide Drain Imp.	18.46	18.11	36.57
A430.4689 (TW0K3)	Townwide Water Imp.	287.77	272.54	560.31
	TOTAL:	$369.91	$305.18	$675.09

and be it further,

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

CA-153-10
CM/djw
8/16/10
Fiscal Impact: None

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date Sept. 24, 2010

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2010262 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2010263

RE: ERRONEOUS TAXES, TOWN OF HYDE PARK
ASSESSED TO: UNITED STATES OF AMERICA
GRID NUMBER: 133200-6164-03-291388-0000

LEGISLATORS BORCHERT and SADOWKSI offer the following and move its adoption:

WHEREAS, the Receiver of Taxes of the Town of Hyde Park and the Collector of the Hyde Park Fire and Water District have returned unpaid to this office County, Town, Special District and re-levied school taxes based on the 2007 tax roll against Grid No. 133200-6164-03-291388-0000, and

WHEREAS, the property having been acquired by the United States of America on March 22, 2007, subsequent to taxable status and prior to the levy of taxes, and

WHEREAS, said property should be wholly 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:

		2007	2007 HPF&W	TOTAL
A342	Allow. For Uncollect. Taxes	$4,950.69	$137.83	$5,088.52
A430.3200	Town of Hyde Park	1,639.74	---	1,639.74
A430.3200 (HPLIB)	Hyde Park Library	160.13	---	160.13
A430.3200 (RF017)	Roosevelt Fire	68.96	---	68.96
A440.1H (2H001)	Hyde Park Central School Dist.	13,076.57	---	13,076.57
A430.3201	Hyde Park Fire & Water Dist.	---	770.23	770.23
	TOTAL:	$19,896.09	$908.06	$20,804.15

and be it further,

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

CA-150-10
CM/djw
8/16/10

Fiscal Impact: None

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date Sept. 24, 2010

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2010263 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

RESOLUTION NO. 2010264

RE: ERRONEOUS TAXES, TOWN OF POUGHKEEPSIE
ASSESSED TO: PAWLING SAVINGS BANK
GRID NUMBER: 134689-6163-03-121297-0000

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

WHEREAS, the Receiver of Taxes of the Town of Poughkeepsie has returned unpaid to this office County, Town and re-levied School Taxes based on the 2007, 2008 & 2009 tax rolls against grid number 134689-6163-03-121297-0000, and

WHEREAS, the Real Property Tax Service Agency that the assessment is erroneous due to a duplicate assessment, as this parcel is considered part of common lands of Windsor Court, and

WHEREAS, the value of this land is already attributed to the townhouses in that community, 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:

		2007	2008	2009	Total
A342	Allow.for Uncollect Taxes.	$555.67	$622.73	$478.67	$1,657.07
A430.4689	Town of Poughkeepsie	239.23	293.60	303.80	836.63
A430.4689 (FF025)	Fairview Fire	410.87	455.50	453.01	1,319.38
A430.4689 (GL000)	Poughkeepsie Library Dist.	29.78	42.78	44.75	117.31
A440(1H)	Hyde Park Cen. School Dist.	1,250.45	1,348.91	1,395.13	3,994.49
	TOTAL:	$2,486.00	$2,763.52	$2,675.36	$7,924.88

and be it further,

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

CA-156-10
CM/djw -8/16/10
Fiscal Impact: None

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date Sept. 24, 2010

STATE OF NEW YORK)
ss:
COUNTY OF DUTCHESS)

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2010264 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

FAMILY, HUMAN SERVICES
REVISED 9-7-10

RESOLUTION NO. 2010265

RE: APPOINTMENT TO THE DUTCHESS COUNTY BOARD OF HEALTH

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

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

WHEREAS, William N. Smookler, M.D. and Helen M. Bunyi, RN have expressed an interest in being appointed to such vacancies, now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby appoint William N. Smookler, M.D. and Helen M. Bunyi, RN said terms commencing immediately, and expiring as set forth below, as a member of the Dutchess County Board of Health.

Appointment	**Term Expires**
Helen M. Bunyi, RN 5 Gaskin Road Poughkeepsie, NY 12601 (City of Poughkeepsie Appointment)	December 31, 2011
William N, Smookler, MD One Weber Avenue, Suit 505 Poughkeepsie, 12601 (Physician Appointment)	December 31, 2014

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

WILLIAM N. SMOOKLER, M.D.

One Webster Avenue, Suite 505, Poughkeepsie, New York 12601, Tel. (845) 452-0555, (845) 452-0550 Fax

(H) 462-1556

CURRICULUM VITAE

EDUCATION:

State University of New York at Downstate Medical Center
Brooklyn, New York 11203
M.D. Degree conferred May 1983

State University of New York at Stony Brook
Stony Brook, New York 11794
B.S. Degree in Biochemistry conferred May 1979
Honors: Graduated Magna cum Laude
Elected Phi Beta Kappa

RESIDENCY TRAINING:

1983 – 1986 Internship (Medical) and Residency (Anesthesiology)
Kings County Hospital – University Hospital
Clarkson Avenue, Brooklyn, New York 11203

Fellowship Year: January 1987 – June 1987
Cardiovascular Anesthesiology
Texas Heart Institute
Houston, Texas

June 1986 – December 1986
Obstetric Anesthesiology
Kings County Hospital
Brooklyn, New York

PROFESSIONAL LICENSES:

New York State Medical License
DEA Controlled Registration Certificate

CERTIFICATIONS:

National Board of Medical Examiners: July 2, 1984
Basic Life Support
Advanced Cardiac Life Support

PRACTICE EXPERIENCE:

2006 to Present St. Elizabeth Medical Center, Utica, NY
Locum Tenens Assignments:

May 22-26, 2006	April 23-27, 2007
June 19-23, 2006	Aug. 27-31, 2007
April 9-13, 2007	Jan. 14-18, 2008

PRACTICE EXPERIENCE: (continued)

July 1, 1987 to Present	Attending Anesthesiologist Anesthesia Associates of St. Francis, P.C. One Webster Avenue, Suite 505 Poughkeepsie, NY 12601

HOSPITAL AFFILIATION/SERVICE:

2006 to Present	St. Elizabeth Medical Center, Utica, NY – Locum Tenens
1987 to Present	St. Francis Hospital Medical Staff, Poughkeepsie, NY
1995 to Present	St. Francis Foundation Board Member
1991 to 1995	Assistant Chairman, Division of Anesthesiology
1987 to 1991	Critical Care Committee

PROFESSIONAL SOCIETY MEMBERSHIPS:

American Society of Anesthesiologists
New York State Society of Anesthesiologists
Delegate to Annual Post Graduate Assembly
Medical Society of the State of New York
Dutchess County Medical Society

Helen M. Bunyi

5 Gaskin Road, Poughkeepsie, NY 12601 | Home: (845) 452-5280 | Business: (845) 483-5550

EDUCATION

1973 West Virginia University, Morgantown, West Virginia
- Bachelor of Science in Nursing
- Graduated *cum laude*

2010 Board Certified Wound Specialist

PROFESSIONAL EXPERIENCE

1995 - Present **SAINT FRANCIS HOSPITAL CERTIFIED HOME HEALTH SERVICES,** Poughkeepsie, NY
Current Position – RN Case Manager:
- Case Manager for patients with primary diagnoses involving wound care and/or ostomy management
- Case Manager, Pediatrics
- Patient/family teaching to manage care and achieve independence
- Staff education on wound care and ostomy protocols
- Consultant to staff on management of specific patients

1994 - 1995 **VISITING NURSE ASSOCIATION OF SOUTHERN NEW JERSEY,** Runnemede, NJ
RN Fee for Service:
- Provided patient care, including teaching patient and family, to aid in their return to the highest level of functioning
- Documented records regarding care, orders, treatment plan, etc.
- Reported to appropriate case manager for coordination of care
- Opened new cases

1989 - 1994 **VISITING NURSE ASSOCIATION OF CENTRAL NEW YORK,** Syracuse, NY
RN Per Diem:
- Job description the same as noted previously

1975 - 1988 **VISITING NURSE ASSOCIATION OF ALLEGHENY COUNTY,** Pittsburgh, PA
1975 - 1977 Staff Nurse
1977 - 1981 Team Manager
1981 - 1988 Part-time Staff Nurse
- Job description the same as noted previously, plus
- Supervision and evaluation of team members and care provided
- Instruction and coordination of team activities

1973 - 1975 **PRESBYTERIAN UNIVERSITY HOSPITAL,** Pittsburgh, PA
Staff Nurse:
- Provided care to patients to aid in stabilizing and improving patients' condition
- Taught patients basics in preparation for discharge / Documented records regarding care

AWARDS/MEMBERSHIPS

NY RN License # 410752
Sigma Theta Tau International, Nursing Honor Society
Sister Ann Elizabeth Award, 2008 Nursing Excellence Award
New York State Nurses Assoc. District 12 Nursing Clinical Practice Award 2008

Theresa L. Mulkins

15 Sharon Drive, Tivoli, NY 12583
845-756-2579 (Home) 845-489-0245 (Mobile)
resam62@optonline.net

Experience:

Health Quest

Director of Public Relations (February 2007 – Present)

- Plans and directs programs of public relations and marketing communications to increase awareness and positive public perception of Health Quest, and its affiliates
- Developed and implements Health Quest's social media campaign
- Handles media relations and coordinates the production of hospital publications
- Works with Corporate Director, Marketing to develop marketing campaigns for hospital and affiliates—from planning and implementation, to measuring effectiveness
- Coordinates the writing, production and mailing/distributing of internal and external publications
- Oversees preparation of informational brochures, flyers, posters and other collateral materials for patients, employees, visitors and public.
- Seeks opportunities for HQ and its affiliates to increase its exposure in the community, including coordinating the planning and organization of special events, open houses, displays and patient PR activities and other events as appropriate.

Girl Scouts of Dutchess County

Director, PR and Development (July 2005-February 2007)
Membership Executive, Girl Support Services (June 2004-July 2005)

- Created marketing and fundraising plan for development department
- Developed relationships with potential community supporters to obtain financial and marketing support including partnerships with IBM, Health Quest, CH Energy Group, Clear Channel Radio and Cumulus Radio
- Responsible for creation of all public relations for agency including press releases, community newsletter, sponsorship packets and invitations for events
- Actively met with and lobbied state and local officials to advocate for children's issues
- Wrote and received approximately $60,000 in grants
- Wrote press releases and pitched feature stories resulting in a % increase in column inches
- Served as spokesperson for numerous cable, radio and print interviews and United Way Speakers Bureau (tapes and clippings available)
- Created and implemented Community Visibility Training for volunteers including writing press releases and media alerts, creating media opportunities and marketing
- Developed two new events to create publicity for annual cookie sale
- Organized and implemented two years of Annual Bowl-A-Thon resulting in a 98% increase in net revenue over preceding event
- Coordinated Annual Seat of Honor Awards resulting in a 31.8% increase in net revenue
- Drafted Annual Appeal in which 29% of community donors increased their donation

United Cerebral Palsy Association of Westchester

Manager, Public Relations & Development (February 2003-June 2004)
Project Coordinator (January 2002–February 2003)

- Lobbied state officials, corporations and foundations to obtain funding
- Designed and implemented marketing and fundraising plan for the agency
- Represented agency as a speaker at fundraisers and informational meetings
- Developed individual giving program resulting in a 12% increase in new donors
- Established new corporate partnerships with Verizon, Nextel, Target and Pace University
- Organized and managed events including: Annual Golf Classic, Jazz Brunch Series, "Swing for Independence" Hole in One Golf Contest and various public relations events
- Created and implemented public relations plan for the agency including press releases, community newsletter, sponsorship packets and invitations for events
- Researched and drafted multiple grants resulting in awards totaling $120,000

United Way of Dutchess County

Special Projects Associate (February 1999-January 2002)

- Wrote, edited and produced community newsletter
- Created, coordinated and implemented numerous special events
  - Target audiences of 35 to 4,000+ donors and prospects up to the $150,000 level
  - Included cocktail receptions, dinners, award ceremonies, campaign kick-offs and finales, community baseball events
- Responsible for designing invitations and publications, menu selection, vendor contracts, budget decisions, obtaining and coordinating sponsorship and publicity
- Developed and managed individual giving program to 33,000 individuals raising $493,000 with gift levels from $1 to $10,000+
- Organized and implemented phone-a-thon solicitation

New York State Senate: Senator Stephen Saland (R,C 41st district)

District Coordinator (May 1996-September 1997)

Marist Institute for Public Opinion

Marketing Coordinator (January 1996-May 1996)
Social/Political Pollster and Supervisor (September 1992 - 1996)

Education and Professional Development:

Marist College, Poughkeepsie, New York
Bachelor of Arts: January 1999
Major: Political Science
Minor: Communications, Environmental Science- Policy

Graduate, Leadership Dutchess Program 2006
Fundraising Day New York 2001, 2002, 2006
Girl Scouts of the USA Crisis Communications, Communicating in One Girl Scout Voice Training 2005
Cerebral Palsy of New York State PR & Development Conference 2002
Foundation Center Proposal Writing Workshop 2002
United Way of New York State Campaign Training Seminar 2001
Watson Mail Communications Direct Mail Training Seminar 2000
Project Blueprint Volunteer Development & Leadership Training 2000
Campaign and Elections: Campaign Training Seminar 1997
New York State Senate Republican Campaign School 1996

Activities:

Vice President & Board Member, Rainbow's End Child Development Center 2006 – Present
Board Member, Steps For Living, Inc. 2006
Member, Association of Fundraising Professionals
Campaign Staff: Joe Luna for LaGrange Town Council 2000
Campaign Coordinator: Carl Valentino for County Legislature 1997
Campaign Staff: Saland for Senate 1996

References Available Upon Request

Family and Human Services Sub Committee Attendance

District	*Name*	*Present*	*Absent*	*Present /Late*
District 13 – Towns of LaGrange, Union Vale, and Wappinger	Bolner	✓		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper*		✓	
District 6 - Town of Poughkeepsie	Flesland*	✓		
District 14 - Town of Wappinger	Goldberg*	✓		
District 10 - City of Poughkeepsie	Jeter-Jackson	✓		
District 7 - Town of Hyde Park	Kuffner*	✓		
District 8 - City and Town of Poughkeepsie	Rolison*	✓		
District 23 – Town/Village of Pawling/Beekman/East Fishkill	Thomes	✓		
* = Ex Officio	**Total:**	7	1	

Recommendations: Appoint to Dutchess County Board of Health:

Dr. William Sonnabler (MD) - term expires 12/31/14 Doctor

Helen Bunyi (RN) - term expires 12/31/11 City of Poughkeepsie

J Reverson Mullkins - term expires 12/31/13 At Large

Guest: Margaret J. Horton

Date: 8/2/10

NAME/ADDRESS	TERM EXPIRES	[illegible]	[illegible]
Dr. Steve M. Lapidus 9 Earlwood Drive Poughkeepsie, NY 12603	December 31, 2012	MD	First appointed: Dec. 31, 2000 Reappointed: 2008
Dr. William S. Augerson P.O. Box 16 Millbrook, NY 12545	December 31, 2013	MD	First appointed: Dec. 31, 2001 Reappointed: 2008
Robert Sullivan, PhD 44 Lawrence Road Hyde Park, NY	REAPPOINTMENT? December 31, 2010	AT LARGE ~~MD (formerly Packard)~~	First appointed: Oct. 15, 2007
~~VACANT~~ ~~(Formerly Mun... Asked for a Leave of Absence for at least 1 year on July 1, 2007)~~	~~December 31, 2011~~	~~City of Poughkeepsie~~	~~First appointed: Dec. 31, 2005~~
Harry J. Lynch, President 125 No. Walnut Street Beacon, NY 12508	December 31, 2011	City of Beacon	First appointed: Dec. 31, 1987 Reappointed: 1993, 1999, 2005
~~***Helen Fuimarello, RN***~~ ~~297-8195~~ ~~683 Wheeler Hill Road~~ ~~Wappingers Falls, NY 12590~~	December 31, 2008 2014	MD ~~At large~~	~~First appointed: Feb. 28, 1971~~ ~~Reappointed: 1972, 1978, 1984, 1990, 1996, 2003~~
~~***Joy Godin, R.N.***~~ ~~P.O. Box 673~~ ~~133 East Duncan Hill Road~~ ~~Wingdale, NY 12594~~	December 31, 2009 2013	At large	~~First appointed: Aug. 16, 1990~~ ~~Reappointed: 1991, 1997, 2003~~
Ralph Middleton 4 Academy Street Beacon, NY 12508	December 31, 2011	At large	First appointed: April, 1996 Reappointed: 1999, 2005
Suzanne Horn Cedar Crest Farm, Route 44 Pleasant Valley, NY 12569	December 31, 2015	DC Legislature	First appointed by the Dutchess County Legislature, March 16, 1995

HELEN BUNYI RN C/POK RESIDENT

DR WILLIAM SMOOKLER DOCTOR

THERESA MULKINS

03/22/10

Roll call vote on the foregoing Resolution No. 2010265 resulted as follows:

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

NAYS: 1 – Horton.

ABSENT: 0

Resolution adopted.

Family & Human Services

RESOLUTION NO. 2010266

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

LEGISLATORS HORN, FLESLAND, HORTON, and ROLISON 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 FY 2008 TAA for the period 10/01/07 through 9/30/10, FY 2009 TAA funding for the period 10/01/08 through 9/30/11, FY 2010 TAA funding for the period 10/1/09 through 9/30/12, and for the operation of PY 2010 Title 1B Administration, PY 2010 Title 1B Dislocated Worker and PY 2010 Title 1B Adult for the period 7/1/10 through 6/30/12, now, therefore, be it

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

APPROPRIATIONS
Increase (Decrease)

FY 2008		
CD6292.2008.4813	TAA Participant Funding	2,614
FY 2009		
CD6292.2009.4813	TAA Participant Funding	(471)
FY 2010		
CD6292.2010.4813	TAA Participant Funding	58,269
CD6292.2008.4813.125	TAA Job Search Funding	212
PY 2010		
CD6292.2010.4801	T-1B Adult	91,755
CD6292.2010.4804	T-1B Administration	34,341
CD6292.2010.4802	T-1B Dislocated Worker	217,313
		$404,033

REVENUES
Increase (Decrease)

FY 2008		
CD6292.2008.47910.22	TAA Participant Funding	2,614
FY 2009		
CD6292.2009.47910.22	TAA Participant Funding	(471)
FY 2010		
CD6292.2010.47910.22	TAA Participant Funding	58,269
CD6292.2009.47910.11	TAA Job Search Funding	212
PY 2010		
CD6292.2010.47910.01	T-1B Adult	91,755
CD6292.2010.47910.04	T-1B Administration	34,341
CD6292.2010.47910.03	T-1B Dislocated Worker	217,313
		$404,033

CA-148-10
CRC/RA/G-1263
8/13/10
Fiscal Impact: See attached statement

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date Sept. 24, 2010

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 404,033

Total Current Year Revenue $ _____

and Source
404033

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

Identify Line Items(s):

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:

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

New York State Department of Labor
David A. Paterson, *Governor*
Colleen C. Gardner, *Commissioner*

July 1, 2010

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

Dear Mr. Steinhaus:

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

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

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

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

Sincerely,

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

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

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

NOTICE OF OBLIGATIONAL AUTHORITY LWIA# 60 NOA #FY08- 11

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

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

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

NYSDOL Contact: Carrie Aubertine TELEPHONE: (518) 457-0239

TAA GRANT	PRIOR LEVEL	CHANGE THIS NOA	NEW LEVEL
Training	$16,374.89	$2,613.15	$18,988.04
Job Search	$188.46	$0.00	$188.46

Approved by: Karen A Coleman 07/01/10

Karen A. Coleman
Director
Division of Employment and Workforce Solutions

NOTICE OF OBLIGATIONAL AUTHORITY LWIA# 60 NOA #FY09- 17

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

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

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

NYSDOL Contact: Carrie Aubertine TELEPHONE: (518) 457-0239

TAA GRANT	PRIOR LEVEL	CHANGE THIS NOA	NEW LEVEL
Training	$748,657.25	($3,369.80)	$745,287.45
Job Relocatio:	$0.00	$0.00	$0.00
Job Search	$438.06	$0.00	$438.06

Approved by: Karen A. Coleman 07/01/10

Karen A. Coleman
Director
Division of Employment and Workforce Solutions

NOTICE OF OBLIGATIONAL AUTHORITY LWIA# 60 NOA #FY10- 6

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

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

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

NYSDOL Contact: Carrie Aubertine TELEPHONE: (518) 457-0239

TAA GRANT	PRIOR LEVEL	CHANGE THIS NOA	NEW LEVEL
Training	$132,883.88	$15,571.67	$148,455.55
Job Relocation	$7,833.85	$0.00	$7,833.85
Job Search	$0.00	$0.00	$0.00

Approved by: Karen A. Coleman 7/1/2010

Karen A. Coleman
Director
Division of Employment and Workforce Solutions

New York State Department of Labor
David A. Paterson, *Governor*
Colleen C. Gardner, *Commissioner*

July 8, 2010

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

Dear Mr. Steinhaus:

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

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

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

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

Sincerely,

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

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

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

NYS Department of Labor

Trade Adjustment Act Report

NOTICE OF OBLIGATIONAL AUTHORITY **LWIA# 60** **Amends NOA Dated:**

GRANTEE: LWIA: Dutchess

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

This NOA authorizes:

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

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

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

TAA GRANT	PRIOR LEVEL	CHANGE THIS NOA	NEW LEVEL
FY08			
Training	$ 18,988.04	$ 0.00	$ 18,988.04
Job Search	$ 188.46	$ 0.00	$ 188.46
FY09			
Training	$ 745,287.45	$(395.00)	$ 744,892.45
Job Search	$ 438.06	$ 0.00	$ 438.06
FY10			
Training	$ 148,455.55	$ 0.00	$ 148,455.55
Relocation	$ 7,833.85	$ 0.00	$ 7,833.85

Approved By: Karen A. Coleman Dated: 7/8/2010

Karen A. Coleman

Director

Division of Employment and Workforce Solutions

New York State Department of Labor
David A. Paterson, *Governor*
Colleen C. Gardner, *Commissioner*

July 20, 2010

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

Dear Mr. Steinhaus:

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

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

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

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

Sincerely,

Karen A. Coleman

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

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

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

NYS Department of Labor

Trade Adjustment Act Report

NOTICE OF OBLIGATIONAL AUTHORITY **LWIA# 60**

GRANTEE: LWIA: Dutchess

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

This NOA authorizes:

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

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

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

TAA GRANT	PRIOR LEVEL	CHANGE THIS NOA	NEW LEVEL
FY08			
Training	$ 18,988.04	$ 0.00	$ 18,988.04
Job Search	$ 188.46	$ 0.00	$ 188.46
FY09			
Training	$ 744,892.45	$ 0.00	$ 744,892.45
Job Search	$ 438.06	$ 0.00	$ 438.06
FY10			
Training	$ 148,455.55	$ 16,981.00	$ 165,436.55
Job Search	$ 0.00	$ 182.70	$ 182.70
Relocation	$ 7,833.85	$ 0.00	$ 7,833.85

Approved By: Karen A. Coleman

Karen A. Coleman

Director

Division of Employment and Workforce Solutions

Dated: 7/20/2010

New York State Department of Labor
David A. Paterson, *Governor*
Colleen C. Gardner, *Commissioner*

July 30, 2010

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

Dear Mr. Steinhaus:

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

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

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

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

Sincerely,

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

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

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

NYS Department of Labor
Trade Adjustment Act Report

NOTICE OF OBLIGATIONAL AUTHORITY **LWIA# 60**

GRANTEE: LWIA: Dutchess

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

This NOA authorizes:

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

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

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

TAA GRANT	PRIOR LEVEL	CHANGE THIS NOA	NEW LEVEL
FY08			
Training	$ 18,988.04	$ 0.00	$ 18,988.04
Job Search	$ 188.46	$ 0.00	$ 188.46
FY09			
Training	$ 744,892.45	$ 3,294.00	$ 748,186.45
Job Search	$ 438.06	$ 0.00	$ 438.06
FY10			
Training	$ 165,436.55	$ 25,715.40	$ 191,151.95
Job Search	$ 182.70	$ 28.30	$ 211.00
Relocation	$ 7,833.85	$ 0.00	$ 7,833.85

Approved By: Karen A. Coleman

Dated: 7/30/2010

Karen A. Coleman

Director

Division of Employment and Workforce Solutions

New York State Department of Labor
David A. Paterson, *Governor*
Colleen C. Gardner, *Commissioner*

July 29, 2010

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

Dear Mr. Steinhaus:

Attached is Notice of Obligational Authority (NOA) #PY10-02 for LWIA – Dutchess County.

NOA PY10-02 represents the initial allocation of funding for the Program Year 2010 WIA Title IB Adult and Dislocated Worker programs. The obligational authority for the balance of these funds will be made available after October 1, 2010. These funds are available for use for the period July 1, 2010 - June 30, 2012.

Questions concerning this information should be directed to your State Representative.

Sincerely,

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

Attachment

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

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

NOTICE OF OBLIGATIONAL AUTHORITY LWIA# 60 NOA #PY10- 2

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

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

This NOA authorizes Program Year 2010 funding for the period (07/01/10 through 6/30/12), except Youth (04/01/10 through 6/30/12.)

NYSDOL Contact: Carrie Aubertine TELEPHONE: (518) 457-0239

WIA GRANT	PRIOR LEVEL	CHANGE THIS NOA	NEW LEVEL
CFDA# 17.259 T-1B Youth	$533,191.50	$0.00	$533,191.50
CFDA# 17.258,17.259,17.260 T-1B Admin	$59,243.50	$34,340.70	$93,584.20
CFDA# 17.258 T-1B Adult	$0.00	$91,754.06	$91,754.06
CFDA# 17.260 T-1B Dislocated Worker	$0.00	$217,312.19	$217,312.19

Approved by: Karen A. Coleman 07/29/10
Karen A. Coleman
Director
Division of Employment and Workforce Solutions

Roll call vote on the foregoing Resolution No. 2010266 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

Environment
Tabled in Environment 9/7/10

RESOLUTION NO. 2010267

RE: Declaring October 10, 2010 "Dutchess County Ten Percent Challenge 350.org Work Party Day" and also enters Dutchess County into the Ten Percent Challenge

Legislators Tyner, Goldberg, Kuffner, Jeter-Jackson, Doxsey, Horton, and Traudt offer the following and move its adoption:

WHEREAS, the choices of individuals and communities have powerful leverage, in the marketplace and the political realm; in the United Kingdom and Vermont, an intriguing energy-saving campaign is spreading virally with the support of national media, stars, and many engaged citizens; it goes by the name 10:10-- a campaign to reduce carbon footprint and energy use 10% in the year 2010, and

WHEREAS, sixty-five thousand people and over 2,000 businesses are part of the campaign, which is endorsed and regularly covered in The Guardian; October 10, 2010 is the global launch of 10:10, and

WHEREAS, in the Hudson Valley, we have the makings of a similar campaign, the Ten Percent Challenge; Sustainable Hudson Valley has put this campaign together with a website, incentives and rewards, tools and support; the solar thermal company EarthKind Energy has generously pledged a free solar hot water system for the first community to achieve its 10% carbon reduction goals, and

WHEREAS, the Red Hook's Town Board recently voted to be a pilot community in the "10 Percent Challenge"; the "challenge" is a community effort over the next year to reduce both personal and business energy use by 10 percent; in Vermont the "10 Percent Challenge" has been embraced by IBM, Seventh Generation, Ben and Jerry's, the City of Burlington, and the Towns of Brattleboro, Charlotte, Middlebury, Underhill, and Williston, and

WHEREAS, a new group, Red Hook Together, which includes members from the Red Hook School District, town and village board members, the Chamber of Commerce and Bard College, is working to help make it happen; AmeriCorps volunteers are planning ten community events, and

WHEREAS, on October 10th Red Hook will kick off the project and take part in an "international movement for a roll-up-your-sleeves-work-party day"; the town will plant trees, hold a bike swap, have a composting workshop and host a half-marathon, and

WHEREAS, according to the National Oceanic and Atmospheric Administration, the planet has just come through the warmest decade, the warmest 12 months, the warmest six months, and the warmest April, May, and June on record, and

WHEREAS, according to Sustainable Hudson Valley, American households generate 38% of the country's carbon footprint, which is 8% of the world's footprint and larger than that of any other country except China, and therefore be it

RESOLVED, that the Dutchess County Legislature officially declares October 10, 2010 "Dutchess County Ten Percent Challenge 350.org Work Party Day", and also enters Dutchess County into the Ten Percent Challenge, based on the good example of the Town of Red Hook, and be it further

RESOLVED, that a copy of this resolution be sent to our County Executive and our county's Departments of Planning and Development, Public Works, and Central Services.

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

The Red Hook Town Board actually unanimously passed this resolution June 23rd...

"Red Hook Town Board Resolution for Participation in and Commitment to 10% Challenge

Whereas the Town of Red Hook has become an Energy Smart Community and engaged in actions to reduce green house gases;
Whereas energy costs show no sign of failing;
Whereas the majority of Americans want swift action on climate change from government, businesses, and communities;

Whereas valuable local resources such as Central Hudson and NYSERDA are underutilized in helping communities reach real reductions in energy use while saving money;

Whereas Sustainable Hudson Valley has brought together resources in the form of the "10% Challenge" to support outreach, education, action, and results;
Whereas the different community interests and businesses stand to profit in products and services through the purchase of energy-efficient appliances and participation in rebate programs;

Whereas community members are looking to take action and get directly involved in combating climate change and building a clean energy economy;

Now, therefore, be it resolved that the Town of Red Hook will commit to the "10% Challenge" working with Sustainable Hudson Valley and identified local partners to:

1) achieve a 10% community-wide reduction in greenhouse gas emissions through energy-efficiency improvements, renewable energy installations, appliance upgrades, and other measurable actions in homes, businesses, and public institutions; and,

2) generate a base of leadership that includes at least 10% of the community to sustain and support reduction steps.
Commitment to the "10% Challenge" does not constitute a financial commitment, but the Town will make volunteer commitments to assist in energy and cost savings for its residents, institutions, and businesses and improve the quality of life for it's community. The Town of Red Hook Conservation Advisory Council will manage the "10% Challenge" and report monthly to the Town Board on the actions taken and progress achieved."
From today's Poughkeepsie Journal editorial....

From
http://www.poughkeepsiejournal.com/article/20100816/OPINION01/8160307/Editorial-3-cheers ...

Editorial: 3 cheers

AUGUST 16, 2010

To **the Town of Red Hook's Town Board,** voted to be a pilot community in the "10 Percent Challenge" (see http://www.10percentchallenge.org). The

"challenge" will be a community effort over the next year to reduce both personal and business energy use by 10 percent. A new group, Red Hook Together, which includes members from the Red Hook School District, town and village board members, the Chamber of Commerce and Bard College, is working to help make it happen. AmeriCorps volunteers will plan 10 community events. On Oct. 10, (10/10/10), Red Hook will kick off the project and take part in an "international movement for a roll-up-your-sleeves-work-party day"; the town will plant trees, hold a bike swap, have a composting workshop and host a half-marathon.

The foregoing Resolution No. 2010267 entitled, "Declaring October 10, 2010 "Dutchess County Ten Percent Challenge 350.org Work Party Day" and also enters Dutchess County into the Ten Percent Challenge" was tabled in Environment Committee on September 7, 2010.

Environment
Tabled on Floor 9-13-10 cm

RESOLUTION NO. 2010268

RE: CALLING FOR THE COUNTY EXECUTIVE TO INVESTIGATE JOINING THE MUNICIPAL ELECTRICITY AND GAS ALLIANCE

Legislators TYNER, GOLDBERG, MACAVERY, WHITE, ROLISON, FLESLAND, BORCHERT, ROMAN, SURMAN, WEISS, INCORONATO, HORTON, TRAUDT, AND THOMES offer the following and move its adoption:

WHEREAS, the Municipal Electricity and Gas Alliance eliminates much of the uncertainty and risk in the new energy marketplace, providing its customers with ready access to savings at little or no up-front cost, and

WHEREAS, the Municipal Electricity and Gas Alliance was a pioneer in energy consumer aggregation, beginning in 1998 as the Tompkins and Tioga Counties Electric and Gas Alliance, and now encompassing Broome, Cortland, Otsego, Schuyler and other counties as well, and

WHEREAS, MEGA serves over 2,500 electric and gas accounts, including municipalities, school districts, businesses and others in several upstate NY counties, and therefore be it

RESOLVED, that the Dutchess County Legislature requests that Dutchess County Executive William Steinhaus take the first initial steps to investigate joining the Municipal Electricity and Gas Alliance, and be it further

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

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Resolution No. 2010268 entitled, "CALLING FOR THE COUNTY EXECUTIVE TO INVESTIGATE JOINING THE MUNICIPAL ELECTRICITY AND GAS ALLIANCE" was tabled on floor September 13, 2010.

RESOLUTION NO. 2010269

RE: AMENDING THE 2010 ADOPTED COUNTY BUDGET AS IT PERTAINS TO FAMILY COURT (A.1162.04)

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

WHEREAS, the Chief Clerk of the Family Court has advised that there are limited funds remaining for the payment of assigned counsel fees for attorneys serving Family Court, and

WHEREAS, at the current rate of spending, it is anticipated that the funds remaining will be insufficient to cover expenses through December 31, 2010, and

WHEREAS, it is necessary to amend the 2010 Adopted County Budget to provide funds to meet these anticipated expenses, now therefore, be it

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

APPROPRIATIONS

Increase		
A.1162.04.4444	Assigned Counsel	$300,000
Decrease		
A.1990.4007	General Contingency Fund	$300,000

CA-159-10
ca/ G-137
9/1/10
Fiscal Impact: See attached statement

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

Patricia J. Hohmann

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Cost $ 300,000

Projected Revenue $ _____

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

Identify Line Items(s): From A.1990.4007 – General Contingency to A.1162.04.4444 – Family Court, Atty/Assigned Counsel

Related Expenses: Amount $ _____ Nature/Reason: _____

Anticipated Savings to County: _____

Net County Cost:: _____
Over Five Years: _____

Additional Comments/Explanation: _____

Prepared by: Valerie J. Sommerville, Budget Director

Background to Resolution # 2010269

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF DUTCHESS
50 MARKET STREET
POUGHKEEPSIE, NEW YORK 12601
TEL (845) 486-2500
FAX (845) 486-2510

PETER M. FORMAN
Judge
VALENTINO T. SAMMARCO
Judge
JOAN S. POSNER
Judge

ELAINE GREENBLATT
STEVEN R. KAUFMAN
Support Magistrates

ADINA C. GILBERT
Court Attorney Referee

PETER A. PALLADINO
Chief Clerk
LISA D. MACK
Deputy Chief Clerk

August 16, 2010

To: Valerie Sommerville, Budget Director
Dutchess County Budget Office
22 Market Street
Pougkeepsie, NY 12601

Re: Resolution Request for Supplemental Appropriations
Department 1162 Unified Court -Sub department 04 Family Court , Line Item 4444

Dear Ms. Sommerville;

In our last Family Court Budget Performance Report received reflected a net usage of 87% thru 8/04/10 in Atty/Assgnd Counsel line item for fiscal year 2010. At the current rate of spending it is anticipated the Attorney/Assigned Counsel line item will be depleted by mid-September.

As you may recall back in January 2010 we had to utilize $190,000 of 2010 funds to pay for 2009 Assigned Counsel vouchers and are seeing the residual effects from this. I have attached a worksheet for calculating our average monthly usage and projected the costs thru 2010 and am requesting an additional $600,000 in Supplemental Appropriations to satisfy the anticipated costs for this fiscal year.

Family Court filings have spiked in 2009 and continue to remain on the same pace as last year in filings. Cases do carry over into the next year since ususal standards and goals for disposing a case is six months. It does then stand to reason that any increase in filings will result in an increase in cases that carry over into the next fiscal year. I have attached a 3-year history of Petitions filed for 2008 thru 2010 using the same time frame of January 1 thru August 16 for each year for comparison purposes. Any further information necessary please contact me directly.

Sincerely;

Peter A. Palladino
Chief Clerk

Attorney/Assigned Counsel for Dutchess County Family Court
Line Item #4444 Worksheet

Initial Allocation FY 2010 :	$1,510,500
2009 Vouchers paid w/2010 funds:	(190,000)
2010 remaining balance as of 8/4/10:	(200,191) 87% Used
Subtotal 2010 Voucher usage:	1,120,309 @ 7 month mark
Average monthly usage:	160,044 / month
Projected date to zero balance:	mid-September 2010
Projected costs from 9/15/10 thru 12/31/10:	15 weeks @ $40,000/week

Request for Additional Supplementary Appropriations FY 2010: $600,000

Petitions Filed
Dutchess County Family Court - 50 Market Street
01/01/2008 - 08/16/2008

Case Type	Originals	Supplementals	Total
A - Adoption	38		38
AC - Adoption Certificate	8		8
AS - Adoption Surrender	29		29
B - Termination of Parental Rights	42	1	43
C - Conciliation			
D - Juvenile Delinquency	70	116	186
E - Designated Felony	9	4	13
F - Support	262	798	1060
F - Support (IVD)	993	2471	3464
G - Guardianship	159	86	245
K - Foster Care Review		1	1
L - Foster Care Placement	3		3
M - Consent to Marry			
NA - Abuse	19	26	45
NN - Neglect	160	257	417
O - Family Offense	719	177	896
P - Paternity	82	2	84
P - Paternity (IVD)	251	1	252
S - PINS	83	59	142
U - UIFSA	1	13	14
U - UIFSA (IVD)	30	60	90
V - Custody/Visitation	896	982	1878
W - Material Witness			
Z - Miscellaneous	11		11
Total Filings	**3865**	**5054**	**8919**

— ☐ - predominent case-types where assigned counsel is assigned to /on. RAD

Petitions Filed
Dutchess County Family Court - 50 Market Street
01/01/2009 - 08/16/2009

Case Type	Originals	Supplementals	Total
A - Adoption	45		45
AC - Adoption Certificate	7		7
AS - Adoption Surrender	28		28
B - Termination of Parental Rights	75		75
C - Conciliation			
D - Juvenile Delinquency	74	99	173
E - Designated Felony	2		2
F - Support	298	667	965
F - Support (IVD)	827	2916	3743
G - Guardianship	250	78	328
K - Foster Care Review			
L - Foster Care Placement	2		2
M - Consent to Marry			
NA - Abuse	18	26	44
NN - Neglect	271	272	543
O - Family Offense	907	173	1080
P - Paternity	77		77
P - Paternity (IVD)	240	4	244
S - PINS	41	81	122
U - UIFSA	3	19	22
U - UIFSA (IVD)	41	62	103
V - Custody/Visitation	945	1239	2184
W - Material Witness			
Z - Miscellaneous	7		7
Total Filings	**4158**	**5636**	**9794**

— □ - predominant case-types where assigned counsel is assigned to/on. RAP

Petitions Filed
Dutchess County Family Court - 50 Market Street
01/01/2010 - 08/16/2010

Case Type	Originals	Supplementals	Total
A - Adoption	54		54
AC - Adoption Certificate	4		4
AS - Adoption Surrender	22		22
B - Termination of Parental Rights	34	10	44
C - Conciliation			
D - Juvenile Delinquency	73	103	176
E - Designated Felony	11		11
F - Support	315	725	1040
F - Support (IVD)	718	2449	3167
G - Guardianship	232	74	306
K - Foster Care Review			
L - Foster Care Placement	1		1
M - Consent to Marry			
NA - Abuse	19	29	48
NN - Neglect	270	254	524
O - Family Offense	917	195	1112
P - Paternity	109	1	110
P - Paternity (IVD)	159		159
S - PINS	44	49	93
U - UIFSA	1	13	14
U - UIFSA (IVD)	49	69	118
V - Custody/Visitation	1030	1178	2208
W - Material Witness			
Z - Miscellaneous	7		7
Total Filings	**4069**	**5149**	**9218**

— ☐ - predominent case-types where assigned counsel is assigned to/on. PAP

Discussion on Resolution No. 2010269 resulted as follows:

Legislator Kelsey stated that he served on the assigned council panel for Family Court and requested permission to abstain.

Chairman Rolison granted permission to abstain.

Roll call vote on the foregoing Resolution No. 2010269 resulted as follows:

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

NAYS: 0

ABSTENTIONS: 1 Kelsey.

ABSENT: 0

Resolution adopted.

Environment Committee
Amended on Floor

RESOLUTION NO. 2010270

RE: FORMATION OF LEGISLATIVE ADVISORY COMMITTEE TO ASSIST THE DUTCHESS COUNTY LEGISLATURE WITH RESPECT TO DUTCHESS COUNTY RESOURCE RECOVERY AGENCY REFORM

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

WHEREAS, the Solid Waste Management and the Waste Energy facility operated by the Dutchess County Resource Recovery Agency are in need of review and reform so that the system can operate more efficiently and effectively; and

WHEREAS, the County Legislature has the authority to create special committees pursuant to its rules; now therefore, be it

RESOLVED, that there is hereby formed a Resource Recovery Reform Committee to be comprised of five (5) Legislators; and it is further

RESOLVED, the Committee Members shall be appointed by and serve at the pleasure the Dutchess County Legislature Chair; and it is further

RESOLVED, the Committee shall select from amongst themselves a Chair and a vice-chair. The Chair will be responsible to provide updates to the Legislature Chairman, the Environment Committee and the Budget Finance and Personnel Committee; and be it further

RESOLVED, that the Committee is expected to perform the following functions:

1) Schedule and conduct the necessary meetings with any agency or individuals involved with solid waster management in Dutchess County as well as report progress to Legislature Chairman and designated standing Committees.

2) Review finances pertaining to the Resource Recovery Agency and make budgetary recommendations in an effort to save taxpayer money.

3) Work with Dutchess County officials and the Resource Recovery board to establish a solid waste management plan for the County.

4) Facilitate the free-flow of information between the Duchess County Legislature, County Departments, and the Resource Recovery Agency Board of Directors.

STATE OF NEW YORK
ss: Amended on Floor 9-13-10 cm
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Discussion on the foregoing Resolution No. 2010270 resulted as follows:

Legislator MacAvery moved to amend the foregoing resolution in the 4th RESOLVED as follows:

RESOLVED, the Committee Chair or respective Committee member shall report to the full Legislature at a minimum of two month intervals; and be it further

Duly seconded by Legislator Kuffner.

Roll call vote on the foregoing motion resulted as follows:

AYES: 10 Goldberg, Kuffner, Doxsey, Horn, White, Jeter-Jackson, Tyner, MacAvery, Forman, Hutchings.

NAYS: 15 Rolison, Cooper, Flesland, Borchert, Sadowksi, Roman, Weiss, Bolner, Incoronato, Miccio, Traudt, Horton, Thomes, Surman, Kelsey.

ABSENT: 0

Motion defeated.

Legislator Kelsey moved to amend the foregoing resolution by striking out the 2nd RESOLVED duly seconded by Legislator Kuffner and unanimously carried by voice vote.

Roll call vote on the foregoing Resolution No. 2010270 resulted as follows:

AYES: 22 Bolner, Borchert, Cooper, Flesland, Forman, Horn, Horton, Hutchings, Incoronato, Jeter-Jackson, Kelsey, Kuffner, MacAvery, Miccio, Rolison, Roman, Sadowski, Surman, Thomes, Traudt, Weiss, White.

NAYS: 3 Doxsey, Goldberg, Tyner.

ABSENT: 0

Resolution adopted.

Enc.

Resource Recovery Reform Committee

Mission

Solid waste management and the waste-to-energy facility operated by the Dutchess County Resource Recovery Agency are in need of review and reform so that the system can operate more efficiently and effectively.

Action

The Resource Recovery Reform Committee will research and recommend policy to the Dutchess County Legislature on ways to save taxpayer money and rein in expenses while creating a more accountable, more environmentally friendly County waste disposal system.

Composition & Roles

This Committee, formally the RRA "Working Group", will be comprised of five Legislators, three Majority and one Minority plus the RRA Liaison, all of whom will serve at the discretion of the Dutchess County Legislature Chairman. The Resource Recovery Reform Committee will select a Chair who will be responsible for periodic updates to the Legislature Chairman, the Environment Committee as well as Budget, Finance and Personnel Committees. Roles are defined as follows:

Chair: Legislator James Miccio
Schedule and conduct the necessary meetings with any agency or individuals involved with solid waste management in Dutchess County as well as report progress to Legislature Chairman and designated standing Committees.

Vice-Chair: Legislator Dale Borchert
Review finances pertaining to the Resource Recovery Agency and make budgetary recommendations in an effort to save taxpayer money.

Legislators Gerald Hutchings & Steve White
Work with Dutchess County officials and the Resource Recovery board to establish a solid waste management plan for the County.

Legislator Alan Surman (RRA Legislative Liaison)
Facilitate the free-flow of information between the Dutchess County Legislature, County Departments, and the Resource Recovery Agency Board of Directors.

Budget, Finance, and Personnel

RESOLUTION NO. 2010271

RE: QUIT CLAIM DEED, PROPERTY IN THE TOWN OF WAPPINGER ASSESSED UNDER THE NAME OF ZELLER, DONALD W. GRID: 135689-6259-02-840815-0000

Legislators BORCHERT and INCORONATO offer the following and move its adoption,

WHEREAS, unpaid tax on property in the Town of Wappinger assessed to Zeller, Donald W., for the levy year 2007 and described as Grid No. 135689-6259-02-840815-0000 amounting to $ 20,561.81 was placed on a List of Delinquent Taxes filed in the Dutchess County Clerk's Office on November 3, 2008 for the tax lien year of 2008, and

WHEREAS, Dutchess County instituted an in rem foreclosure proceeding, Index 2008/7887, to enforce the collection of delinquent tax liens for the levy year 2007 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 on July 14, 2010 in the Office of the Dutchess County Clerk, Document # 02 2010 3462, and

WHEREAS, the sum of $ 47,610.13 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 Donald W Zeller, 419 Van Wyck Lake Rd, Fishkill, NY 12524 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.

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

CA-162-10
PB:CM:deb
7/15/2010
Fiscal Impact: None
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

Date Sept. 24, 2010

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2010271 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

Budget, Finance, and Personnel

RESOLUTION NO. 2010272

RE: QUIT CLAIM DEED, PROPERTY IN THE TOWN OF EAST FISHKILL ASSESSED UNDER THE NAME OF HARRINGTON MICHAEL W HARRINGTON SUZANNE J
GRID: 132800-6755-01-175737-0000

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

WHEREAS, unpaid tax on property in the Town of East Fishkill assessed to Harrington Michael W Harrington Suzanne J for the levy year 2007 and described as Grid No. 132800-6755-01-175737-0000 amounting to $ 9,028.11 was placed on a List of Delinquent Taxes filed in the Dutchess County Clerk's Office on November 3, 2008 for the tax lien year of 2008, and

WHEREAS, Dutchess County instituted an in rem foreclosure proceeding, Index 2008/7887, to enforce the collection of delinquent tax liens for the levy year 2007 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 on July 14, 2010 in the Office of the Dutchess County Clerk, Document # 02 2010 3462, and

WHEREAS, the sum of $ 31,135.71 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 Michael W Harrington and Suzanne J Harrington, 35 Honeysuckle Ct, Stormville, NY 12582 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.

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date Sept. 24, 2010

CA-163-10
PB:CM:deb
8/15/2010
Fiscal Impact: None

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

Roll call vote on the foregoing Resolution No. 2010272 resulted as follows:

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

NAYS: 0

ABSENT: 0

Resolution adopted.

Commendation: Bridge Builders

Legislator BORCHERT offers the following and moves its adoption:

Whereas, "Bridge Builders" is a new youth outreach and community service organization created to promote volunteerism and community self empowerment hosted by the Poughkeepsie United Methodist Church from August 2nd - 6th, 2010, and

Whereas, the Bridge Builders teams were formed from high school students and adult leaders from three Dutchess County Churches; Poughkeepsie United Methodist Church, Fishkill Nazarene Church and Community Baptist Church, and

Whereas, Bridge Builders current cause is to perform acts of charity and community service by visiting and entertaining senior citizens at the River Valley Care Center, Lutheran Care Center, Tri-Town Aging Friendship Center and the Aging Friendship Center at First Evangelical Lutheran Church, and

Whereas, the Bridge Builders provided landscaping services at Dutchess ARC, Hillcrest Homeless Shelter and the Family Partnership, and also provided a week-long afternoon summer kids camp for children at Tubman Terrace, and

Whereas, the Bridge Builders along with Love, Inc., also delivered donated furniture and personal care packages to needy City of Poughkeepsie residents, and

Whereas, this project provided a hand in improving the quality of life to the residents of Dutchess County and created a new relationship between the volunteers and groups who have donated their time and resources in making this outreach program possible, now therefore be it

Resolved, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby congratulate the Bridge Builders on their current mission to help the people of Dutchess County, and be it further

Resolved, that the Dutchess County Legislature does hereby extend to the members of Bridge Builders and all project partners its congratulations thanks for implementing a successful project.

STATE OF NEW YORK

ss: Resolution No. 2010273

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOLLMANN, CLERK OF THE LEGISLATURE

The foregoing Resolution No. 2010273 entitled, Commendation: Bridge Builders was adopted by unanimous consent.

Proclamation: "Once-a-Day" for Local Farm Products

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

Whereas, farming is a major industry in Dutchess County, and

Whereas, Dutchess County farmers produce a wide variety of local food, and

Whereas, locally grown, seasonal food is fresh and wholesome with superior taste and nutrition, and

Whereas, eating fresh foods in season is vital to a healthy diet, promotes health, and supports an active lifestyle, and

Whereas, reduced time from field to table allows the farmer to harvest fully ripened produce, and

Whereas, this flavorful produce can be prepared with less fat, sugar, and salt, and

Whereas, the months of August, September, and October offers the most selection of locally grown produces, and

Whereas, if Dutchess County residents eat one local produce each day, every dollar spent on these produces supports independent family farms who contribute to the economic health of Dutchess County, now, therefore, be it

Resolved, that the Dutchess County Legislature does hereby encourage Dutchess County residents to buy local farm products.

STATE OF NEW YORK

ss: Resolution No. 2010274

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

The foregoing Resolution No. 2010274 entitled, Proclamation: "Once-a-Day" for Local Farm Products was adopted by unanimous consent.

Budget, Finance, and Personnel
Laid on Desks 9/13/10

RESOLUTION NO. 2010275

RE: LOCAL LAW NO. 3 OF 2010, A LOCAL LAW TO AUTHORIZE THE COUNTY TO ENTER INTO A GROUND LEASE WITH THE DUTCHESS COMMUNITY COLLEGE ASSOCIATION RESPECTING REAL PROPERTY OWNED BY DUTCHESS COUNTY HELD IN TRUST FOR DUTCHESS COMMUNITY COLLEGE FOR A NOMINAL RENT AND A TERM NOT TO EXCEED 49 YEARS

Legislators FORMAN AND KUFFNER offer the following and move its adoption:

RESOLVED, that the Legislature of the County of Dutchess adopt Local Law No. 3 of 2010 which has been submitted this day for consideration by said Legislature.

CA-160-10
JMF/ca/R-0833
9/9/10

Fiscal Impact: None

APPROVED

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date 11-3, 2010

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of October 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of October 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

LOCAL LAW NO. 3 of 2010

RE: LOCAL LAW NO. OF 2010, A LOCAL LAW TO AUTHORIZE THE COUNTY TO ENTER INTO A GROUND LEASE WITH THE DUTCHESS COMMUNITY COLLEGE ASSOCIATION RESPECTING REAL PROPERTY OWNED BY DUTCHESS COUNTY HELD IN TRUST FOR DUTCHESS COMMUNITY COLLEGE FOR A NOMINAL RENT AND A TERM NOT TO EXCEED 49 YEARS

Pursuant to Section 10 of the Municipal Home Rule Law.

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

SECTION 1. LEGISLATIVE INTENT. Notwithstanding Section 215 of the County Law, the County Executive of Dutchess County, or his designee, is hereby authorized to execute a ground lease, in substantially the same form as that attached hereto and made a part hereof, and any future amendments and/or extensions thereto from Dutchess County, as trustee for Dutchess Community College, to the Dutchess Community College Association, an entity affiliated with Dutchess Community College, for an original term not to exceed forty-nine (49) years at a rental payment of $1.00 per year, a parcel or parcels of land on the campus of Dutchess Community College for development of a student housing facility, together with easements for access and utilities to the facility, and any and all other related documents necessary for development of the facility. Any such ground lease agreement may provide for the renewal thereof, provided that the original term of such original agreement and all renewals shall not in total exceed forty-nine (49) years.

SECTION 2. RESOLUTION NO. 208048: By adoption of this Local Law, Resolution No. 208048 is hereby repealed.

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

LEASE AGREEMENT

LEASE AGREEMENT (the "Lease"), made as of _____, 2010 by and between DUTCHESS COUNTY, a municipal corporation of the State of New York, having an office at 22 Market Street, Poughkeepsie, New York (the "Landlord"), acting in its capacity as trustee for DUTCHESS COMMUNITY COLLEGE (the "College"), a community college constituting part of the State University of New York system, as landlord, and DUTCHESS COMMUNITY COLLEGE ASSOCIATION, INC., a New York not-for-profit corporation, with its principal office at 53 Pendell Road, Poughkeepsie, New York, as tenant (the "Tenant").

RECITALS

WHEREAS, the Landlord owns in trust for the benefit of the College certain property located on the campus of the College in the Town of Poughkeepsie, Dutchess County, New York as more particularly described in **Exhibit A** attached to this Ground Lease (the "Property"); and

WHEREAS, the Tenant desires to develop, construct and operate on the Property the following: a housing facility for approximately 450 students along with associated site development and various related amenities and improvements (collectively, the "Building") (the Property and the Building being sometimes hereinafter collectively referred to as the "Premises"); and

WHEREAS, by resolution number 2010-67 adopted by the Board of Trustees of the College on August 10, 2010 (the "College Resolution"), the Board of Trustees has requested that the County authorize a ground lease of the Property between the County and the Tenant for the purpose of constructing the Building on the Property; and

WHEREAS, by Local Law No. __ of 2010 adopted by the Dutchess County Legislature, the County Executive of Dutchess County has been authorized to execute this lease agreement on behalf of the Landlord; and

WHEREAS, the Landlord desires to lease the Property to the Tenant for the purpose of constructing and operating the Building for the use and benefit of the students, alumni, invitees and staff of the College as a student housing facility and for purposes related to the educational mission of the College; and

WHEREAS, in order to assist the Tenant in obtaining financing or refinancing for the costs of acquisition, construction and equipping of the Building, the Tenant may in the future grant a "Leasehold Mortgage" to one or more "Leasehold Mortgagees" (as such quoted terms are defined in Article XI of this Lease); and

WHEREAS, in order to avail itself of the opportunity to utilize federally tax-exempt debt to lower the costs of financing the Building, (A) the Tenant may, subject to the Landlord's approval, which approval shall not be unreasonably withheld or delayed, sublease all or a portion of the Premises to a qualified issuer of federally tax-exempt bonds (the "Issuer") pursuant to a sublease agreement between the Tenant, as sub-landlord, and the Issuer, as subtenant (the "Lease to Issuer") in connection with the proposed issuance by such Issuer of revenue bonds (the "Bonds") to finance or refinance the costs of acquiring, constructing and equipping the Building, (B) in connection with the proposed issuance by such Issuer of such Bonds, the Issuer may execute and deliver to the Tenant a lease agreement, installment sale agreement, loan agreement or other similar agreement and related documents (collectively, the "Project Agreement"), pursuant to which, among other things, (1) the Issuer agrees to make available to the Tenant the proceeds of such Bonds, (2) the Tenant agrees (a) to make periodic payments to the Issuer, in amounts

calculated to enable the Issuer to make the debt service payments on such Bonds and to pay other costs of the Issuer related thereto and (b) to grant to the Issuer certain security interests in the Tenant's interest in the Premises to secure the Tenant's obligation to make such payments, and (3) the Issuer assigns certain of such payments from the Tenant and grants certain security interests in the Premises either to the holders of the Bonds or to a corporate trustee acting on behalf of such holders (the "Trustee"), and (C) in connection with the proposed issuance by such Issuer of such Bonds, the Issuer and/or the Tenant may now or in the future execute one or more Leasehold Mortgages upon (1) the leasehold interest created under this Lease in the Property and (2) the Building; and

WHEREAS, it is the intention of the Landlord and the Tenant that the Building be designed, constructed, operated and maintained at the expense of the Tenant only with no expense of any kind being or becoming the responsibility of the Landlord,

NOW, THEREFORE, in consideration of the Premises, the rental to be paid hereunder, the mutual covenants and agreements herein set forth by each party to be kept and performed, and for other good and valuable consideration, the receipt, adequacy and sufficiency of which are hereby expressly acknowledged by each party hereto, the Landlord and the Tenant do hereby mutually covenant and agree as follows:

ARTICLE I

PREMISES; CONSTRUCTION OF THE BUILDING

1.1 Leased Premises. The Landlord, for and in consideration of the rent, covenants, and conditions contained in this Lease to be kept, performed, and observed by the Tenant, leases and demises to the Tenant, and the Tenant hires and accepts from the Landlord the Property described on **Exhibit A** annexed to this Lease, together with the appurtenances described on **Exhibit A**, and all improvements to be constructed or reconstructed on the Land by the Tenant (collectively, the "Premises"), for the exclusive purpose of constructing, maintaining and operating the Building for use and benefit of the students, alumni, invitees and staff of the College as a student housing facility and for purposes related to the educational mission of the College.

1.2 Construction of the Building. The Tenant shall construct the Building on the Premises.

1.3 Prevailing Wages. The Tenant represents that any contract that the Tenant enters into with any contractor or subcontractor involved in the construction of the Building will require that said contractor or subcontractor pay New York State prevailing wages as required by the Labor Law for all work done on the Premises.

1.4 Uniform Code Enforcement. The Tenant acknowledges receipt of notice of the fact that (a) the Landlord has authorized the College, on behalf of the County, to enforce the provisions of the New York State Uniform Fire Prevention and Building Code (the "Uniform Code") with respect to buildings on the campus of the College (the "Campus"), (b) the Premises are part of the Campus, and (c) the President of the College has designated the College's Associate Dean of Administration for Campus Facilities Management (the "Facilities Director") as the appropriate College employee to administer and enforce the Uniform Code with respect to the construction of the Building. The Tenant agrees that no structure shall be erected upon the Property without the prior written consent of the Facilities Director.

1.5 Landlord Approval of Conceptual Design. Prior to commencing any excavation, construction, paving or any other work associated with the construction of the Building, the Tenant shall deliver to the Landlord's designee three (3) sets of preliminary design documents (the "Preliminary Design

Documents"), including a proposed site plan showing the anticipated final placement of the Building and other related structures on the Premises and proposed building elevations showing the approximate exterior design of the Building, signage, exterior colors and finishes and other matters describing the anticipated final design of the Building and related structures. This requirement is intended to allow the Landlord to ensure that the student housing facility will be reasonably coordinated and compatible with the balance of the Campus. The Landlord reserves the right to approve the placement and design of the structure and its appurtenances and toward that end the Landlord shall have a period of fifteen (15) business days after receipt of the Preliminary Design Documents to approve or reject the submissions. In the event that the Landlord rejects the Preliminary Design Documents, the Landlord shall include with its rejection a description of suggested changes and/or alterations which would render the placement and/or design acceptable to the Landlord. The Landlord's failure to reject any submissions within said fifteen (15) business day period shall be deemed an acceptance by the Landlord. The Landlord represents that its approval will not be unreasonably withheld.

1.6 Other Approvals. The Tenant shall be solely responsible for obtaining all applicable municipal approvals, permits and licenses as may be required by any governmental entity with jurisdiction over the work.

ARTICLE II

TERM

The term of this Lease shall be for forty-nine (49) years and shall commence on _____, 2010 (the "Commencement Date"). The term shall expire on the date which is one (1) day prior to the forty-ninth (49th) anniversary of the Commencement Date, unless terminated sooner pursuant to the provisions of this Lease or by operation of law. Nothing contained herein shall be construed as preventing the Landlord and the Tenant from mutually agreeing in writing to renew this lease for an additional term or terms, subject to provisions of applicable law.

ARTICLE III

RENT

3.1 Rent. The Tenant shall pay the Landlord an annual rent of one dollar ($1.00), in advance, on or before July 15 of each calendar year of the term of this Lease. Payment of all rent and all other sums due to the Landlord under this Lease shall be made payable to the County and delivered to the County at the address for the County shown in Section 20.1 of this Lease and to the attention of the County Executive, or at such other place as the County may notify the Tenant from time to time.

3.2 Prepayment Option. The Tenant shall have the option at any time to prepay the remainder of the rent due under this Lease for the remainder of the term of this Lease.

ARTICLE IV

USE, MAINTENANCE AND UTILITIES

4.1 Use. The Tenant shall use the Premises for the exclusive purpose of operating a student housing facility for the use and benefit of the students, alumni, invitees and staff of the College and for purposes related to the educational mission of the College.

4.2 Maintenance and Utilities. The Tenant, at its sole cost and expense, will operate and maintain the Premises, including, but not limited to lawns, parking area and all structures erected upon the Property, in a state of good order and repair. The Tenant shall care for and dispose of both its own solid waste and its own wastewater coming from showers and lavatories in a proper and sanitary manner in compliance with all applicable laws and regulations. The Tenant assumes responsibility for payment of all utility charges associated with the operation of any structures erected upon the Property. The Tenant covenants that it shall operate any facilities erected on the Property at all times in a professional manner in accordance with prudent performance and safety standards and any operation and maintenance agreement between the Tenant and the College.

ARTICLE V

ASSIGNMENT

5.1 Written Consent; Lease to Issuer. Except as provided herein, the Tenant shall not assign, transfer, convey, sublet or otherwise dispose of its rights under this Lease or its responsibility to perform under this Lease. The Tenant further agrees that it will not under any circumstances mortgage the Premises, or otherwise pledge this Lease as security to obtain financing. Notwithstanding the foregoing, the Tenant may lease its interest in the Premises to the Issuer by means of the Lease to Issuer, provided that the Issuer, in turn, immediately leases the Issuer's interest in the Premises back to the Tenant by means of the Project Agreement.

5.2 Assignment to Leasehold Mortgagee. Any other provisions of this Lease to the contrary notwithstanding, the Tenant, and its successors and assigns, shall have the right without the consent or approval of the Landlord to assign or transfer this Lease or any interest herein or any right or privilege appurtenant hereto which the Tenant desires to assign or transfer to a Leasehold Mortgagee, as defined herein, to the extent permitted in Article XI of this Lease. The Landlord agrees to recognize any assignee or transferee of an assignment or transfer for which the Landlord's consent is not required as tenant for the performance of all duties and obligations arising by reason of the interest of this Lease being so assigned or transferred; provided, however, it is hereby agreed and acknowledged by the Landlord and the Tenant that the Tenant, its successors and assigns shall not be relieved of its liability for the performance of such duties or obligations by any such assignment or transfer.

5.3 Resident Leases or Licenses. Any other provisions of this Lease to the contrary notwithstanding, the Tenant, and its successors and assigns, shall have the right without the consent or approval of the Landlord to enter into rental agreements or license agreements of no more than twelve (12) months in duration with residents of the Building in accordance with such rules, regulations and requirements as may be agreed upon by the Tenant and the College from time to time.

ARTICLE VI

INDEPENDENT CONTRACTOR

The Tenant is an independent contractor and hereby covenants and agrees to act in accordance with that status, and the Tenant, the employees and agents of the Tenant shall neither hold themselves out as nor claim to be officers or employees of the Landlord, and shall make no claim for, nor shall be entitled to. workers' compensation coverage, medical and unemployment benefits, social security or retirement membership benefits from the Landlord or the College.

ARTICLE VII

HOLD HARMLESS/DEFENSE AND INDEMNIFICATION

7.1 General. With respect to the Premises, the Tenant covenants and agrees to indemnity, defend and hold harmless, to the fullest extent permitted by law, the Landlord and the College from and against any and all loss or expense that may arise by reason of liability for damage, injury or death, or for invasion of personal or property rights, of every name and nature including but not limited to: (i) claims of property damage; (ii) claims of personal injury to the Tenant's employees, agents, or subcontractors; (iii) claims of personal injury to third parties; and (iv) reasonable attorneys' fees, whether incurred as the result of a third party claim or arising out of or resulting directly or indirectly from the performance of the work in constructing, using or maintaining the Premises or the enforcement of this Lease, irrespective of whether there is a breach of a statutory obligation or rule of apportioned liability; and whether casual or continuing trespass or nuisance, and any other claim for damages arising at law and equity alleged to have been caused or sustained in whole or in part by or because of misfeasance, omission of duty, negligence or wrongful act on the part of the Tenant. The Tenant further covenants and agrees to obtain the necessary insurance as required by the General Obligations Law of the State of New York and this Lease to effectuate this clause, and shall name the Landlord and the College as additional insureds on any insurance policies required by this Lease.

7.2 Additional Indemnity. The Tenant shall further hold harmless, defend and indemnify the Landlord from and against any and all individuals or entities which have acquired a security interest in the Building as the result of a loan or loans of money to the Tenant through a Leasehold Mortgage or otherwise upon any claim made or action brought against the Landlord by virtue of the Tenant's default in payment of such loan.

ARTICLE VIII

INSURANCE

With respect to the Premises, the Tenant shall purchase and maintain, or cause to be purchased and maintained, insurance of the types and coverages set forth below, written on an occurrence basis, reasonably acceptable to the Landlord and the College and which will provide primary liability coverage to the Tenant and with the Landlord and the College named as an additional insured for claims which may arise out of or result from the Tenant's operations under this Lease, including without limitation, (i) claims because of bodily injury, occupational sickness or disease or death, whether to the Tenant, the Tenant's employees or others and whether or not under a workers' compensation or other similar act or law for the benefit of employees; and (ii) claims because of injury to or destruction of tangible property, including loss of use resulting therefrom.

All policies shall be written so that the Landlord and the College will be notified of cancellation or restrictive amendment at least thirty (30) days prior to the effective date of such cancellation or amendment. Certificates of insurance from the carrier, or their authorized agent, with the appropriate additional insured endorsements attached showing the Landlord and the College as additional insureds and stating the limits of liability and expiration date which are acceptable to the Landlord and the College shall be filed with and accepted by the Landlord and the College before construction of the Building is begun. The intent is that this insurance, with the Landlord and the College being named as an additional insured, is to be primary over and above the general liability coverage maintained by Landlord and the College. The contracts of insurance required by this Article shall contain standard loss payable clauses in favor of the Landlord, the College, the Tenant and each Leasehold Mortgagee as their respective interests may appear.

The Tenant shall obtain and maintain General Liability Insurance including Comprehensive Form, Premises-Operations, Products/Completed Operations, Blanket Broad Form Contractual, Independent Contractors, and Broad Form Property Damage Coverage with minimum limits of not less than one million dollars ($1,000,000.00) Combined. Single Limit for Bodily Injury and Property Damage, and a separate umbrella liability policy with a limit of not less than $5,000,000.

The Tenant will also require any contractor hired to work on the Premises to obtain and maintain General Liability Insurance including Comprehensive Form, Premises-Operations, Products/Completed Operations, Blanket Broad Form Contractual, Independent Contractors, and Broad Form Property Damage Coverage with minimum limits of not less than one million dollars ($1,000,000.00) Combined Single Limit for Bodily Injury and Property Damage.

The Tenant shall obtain and maintain Fire, Theft and other Casualty Insurance for the 80% replacement cost value of all improvements constructed on the Property. All insurance proceeds shall be made available to the Tenant to pay the costs and expenses of repairing or restoring the Building or any other improvement on the Property.

Notwithstanding anything else herein contained, the rights of the Landlord to any insurance policies covering the Premises or the Building (or any portion thereof) and any and all proceeds paid or payable thereunder shall be in all respects junior and subordinate to the rights of the Tenant under the documents executed in connection with the issuance of the Bonds (the "Bond Documents") and any other permitted Leasehold Mortgage.

ARTICLE IX

STATUTORY COMPLIANCE

The Tenant covenants and agrees to comply with all Federal, State and County laws which pertain hereto regarding agreements with municipal corporations including but not limited to Workers' Compensation and Employers' Liability Insurance, hours of employment, wages and human rights.

ARTICLE X

CERTIFICATE OF INSURANCE

The Tenant shall furnish to the Landlord the form of Certificate of Insurance annexed to this Lease as **Exhibit B**, to be filled out and signed by the insurance agent, which shall evidence all of the above requirements of insurance, including Workers' Compensation and Employers' Liability Insurance, The certificate contains specific language so as to adequately advise the Landlord and the College of the Tenant's compliance with the aforesaid requirements of insurance, including but not limited to specifically detailing the types, amount and duration of the insurance coverages and verifying that the issuing company(s) endorsed such policies as hereinabove required so as to include the Landlord and the College as additional insureds and to notify the Landlord and the College of any change diminishing coverage, limits, cancellation or non-renewal of the insurance policies. Upon any and all renewals of the subject insurances during the duration of this Lease, a new Certificate of Insurance shall immediately be sent to the Certificate of Insurance Holder. THE ATTACHED CERTIFICATE OF INSURANCE OR AN ACCORD CERTIFICATE OF INSURANCE ARE THE ONLY ONES ACCEPTABLE TO THE LANDLORD.

ARTICLE XI

LEASEHOLD MORTGAGES

The Tenant, and every successor and assign of the Tenant, shall have the right, in addition to any other rights granted in this Lease, to encumber its interest in this Lease with the Landlord's consent, which consent shall not be unreasonably withheld, under any one or more Leasehold Mortgages, upon the condition that all rights acquired under any Leasehold Mortgage shall be subject to the provisions of this Lease and to all rights and interests of the Landlord herein. It is expressly understood and agreed by and between the Landlord and the Tenant that the Landlord shall not in any manner or situation be considered a guarantor of any security interest or Leasehold Mortgage or any other security interest instrument granted by the Tenant and any such instrument evincing such an interest or mortgage shall contain language expressly recognizing this fact. The Tenant assures the Landlord that any security instruments with any lenders or mortgagees shall contain language acknowledging this fact. The Tenant, and every successor and assign of the Tenant, shall have no right, power or authority to place a lien or otherwise encumber the Landlord's fee simple title to the Property. In accordance with the foregoing, the Landlord hereby consents to the Tenant's encumbrance of its interest in this Lease and the Building pursuant to a Leasehold Mortgage which shall secure outstanding principal indebtedness incurred in connection with the initial construction, equipping and financing of the Building (the "Initial Leasehold Mortgage") and any leasehold mortgage securing the Bonds or any credit support for the Bonds. If, from time to time, the Tenant or the Tenant's successors and assigns shall encumber this Lease with a Leasehold Mortgage approved by the Landlord (which approval by the Landlord shall not be required with respect to the Initial Leasehold Mortgage or any leasehold mortgage securing the Bonds or any credit support for the Bonds), and if the Leasehold Mortgagee (as hereinafter defined) delivers to the Landlord an executed counterpart of such Leasehold Mortgage, together with each assignment thereof certified by the holder of the Leasehold Mortgage to be true together with written notice specifying the name and address of the Leasehold Mortgagee and the pertinent recording data with respect to the Leasehold Mortgage, the Landlord agrees that, anything in this Lease to the contrary notwithstanding, from and after the date of receipt by the Landlord of such notice and for the term (duration) of such Leasehold Mortgage, the following provisions shall apply:

11.1 Form of Security Instrument. The term "Leasehold Mortgage," as used in this Lease shall mean and refer to any encumbrance of the Tenant's interest in this Lease as security for the Bonds or any credit support for the Bonds or any indebtedness that the Tenant or the Tenant's successors and assigns may incur, whether by deed to secure debt, mortgage, deed of trust, or other security instrument. The term "Leasehold Mortgagee" shall mean and refer to the holder of the indebtedness secured by any Leasehold Mortgage.

11.2 Consent to Amendment. There shall be no cancellation, surrender or modification of this Lease by the Landlord or the Tenant without the prior written consent of any Leasehold Mortgagee. Notwithstanding the foregoing (but, in any event, subject to a Leasehold Mortgagee's curative rights set forth in Section 11.4 and Section 11.5 of this Lease), nothing herein shall be deemed to prohibit the Landlord from terminating this Lease in accordance with its terms. There shall be no material modification in the Leasehold Mortgage or related documentation without the Landlord's prior written consent.

11.3 Notices to Leasehold Mortgagees. The Landlord, upon serving the Tenant with any notice of an Event of Default or of any failure to comply under this Lease or of any proposed termination of this Lease, shall simultaneously serve a copy of such notice on any Leasehold Mortgagee. The Leasehold Mortgagee shall then have the same period after service of the notice on it as was given to the Tenant under this Lease to remedy or cause to be remedied the default or failure complained of and the Landlord

shall accept performances by or at the instigation of any Leasehold Mortgagee as if it had been done by the Tenant. The Landlord authorizes the Leasehold Mortgagee to take any such action at the Leasehold Mortgagee's option and does hereby authorize entry upon the Premises by the Leasehold Mortgagee. Any notice required to be given to any Leasehold Mortgagee shall be posted in the United States mail, postage prepaid, certified, return receipt requested (and wired by telegraphic means or transmitted by facsimile) and addressed to the Leasehold Mortgagee at the address and to the attention of the person designated to the Landlord by such Leasehold Mortgagee to receive copies of such notices and shall be deemed to have been served as of the date the said notice is received or refused by such Leasehold Mortgagee.

11.4 Curative Rights of Leasehold Mortgagees. In addition to the rights granted to any Leasehold Mortgagee under Section 11.3 of this Lease, a Leasehold Mortgagee shall have an additional period of thirty (30) days to remedy or cause to be remedied any default of which it receives notice, provided such Leasehold Mortgagee shall reimburse the Landlord, at the time of so remedying the default, for all costs and expenses to the Landlord, if any, of maintaining, protecting, insuring and operating the Premises during the additional thirty (30) day period after notice to the Leasehold Mortgagee.

11.5 Limitation upon Termination Rights of Landlord. If the Landlord shall elect to terminate this Lease by reason of any default of the Tenant, the Leasehold Mortgagee shall also have the right to postpone and extend the date of termination as fixed by the provisions of this Lease for a period of not more than twelve (12) months from the expiration of the thirty (30) day period specified in Section 11.4 of this Lease or such longer time as may be necessary for the Leasehold Mortgagee to cure such default (which such longer time shall take into account the fact that certain defaults, as a practical matter, may only be cured by the Leasehold Mortgagee after the successful consummation of a foreclosure proceeding and gaining the occupancy of the Premises by the Leasehold Mortgagee, prior to curing of such default), provided that the Leasehold Mortgagee shall have cured, commenced to cure, or shall have caused to be cured any then existing money defaults, and meanwhile shall pay the rent and other charges required to be paid under this Lease, and provided further, that the Leasehold Mortgagee shall forthwith take steps necessary to acquire or sell the Tenant's interest and estate in this Lease by foreclosure of its Leasehold Mortgage, or otherwise, and shall prosecute such action to completion with due diligence. If at the end of the twelve (12) month period, the Leasehold Mortgagee shall be actively engaged in steps to acquire or sell the Tenant's interest in this Lease and all money defaults have been cured, the time for the Leasehold Mortgagee to comply with the provisions of this Section 11.5 shall be extended for such period as shall be reasonably necessary to complete these steps with reasonable diligence and continuity.

11.6 Assignment. Notwithstanding the provisions of Article V of this Lease, the Landlord agrees that in the event of any foreclosure under any Leasehold Mortgage, either by judicial proceedings or under power of sale contained therein, all right, title and interest encumbered by such Leasehold Mortgage may, without the consent of the Landlord, be assigned to and vested in the purchaser at such foreclosure sale, subject and subordinate, however, to the rights, title and interests of the Landlord; and, notwithstanding that the Landlord's consent to said assignment shall not have been obtained, any such assignee shall be vested by virtue of such assignment with any and all rights of the party whose estate was encumbered by such Leasehold Mortgage as though the Landlord had consented thereto.

11.7 Mortgagee Leases. The Landlord agrees that in the event of a termination of this Lease by reason of any default by the Tenant, and subject to the rights herein granted to Leasehold Mortgagees, the Landlord will enter into a lease (the "Mortgagee Lease") of the Premises with the Leasehold Mortgagee for the remainder of the term effective as of the date of termination, at the same rent and upon the same terms, provisions, covenants and agreements as contained in this Lease (and/or any amendments thereto) and subject to no additional exceptions or encumbrances other than those previously in existence on the Commencement Date (and any additional exceptions or encumbrances created or consented to by the

Landlord and the Leasehold Mortgagee) and to the rights, if any, of the parties then in possession (actual or constructive) of any part of the Premises; provided:

(A) The Leasehold Mortgagee shall make written request upon Landlord for the execution of such a Mortgagee Lease within the twelve (12) month period described in Section 11.5 of this Lease;

(B) The Leasehold Mortgagee shall perform and observe all covenants contained in the Mortgagee Lease on the Tenant's part to be performed during such period of time commencing with the date of the execution of the Mortgagee Lease and terminating upon the abandonment or surrender of possession of the Premises under the said Mortgagee Lease and shall further remedy any other conditions that the Tenant was obligated to perform under the terms of this Lease; provided, however, that the Leasehold Mortgagee shall be under no obligation to cure any defaults which by their nature may only be cured by the prior Tenant itself, and all such provision shall not be included in the Mortgagee Lease; and

(C) The Leasehold Mortgagee, as tenant under the Mortgagee Lease, shall have the same right, title and interest in and to the Premises and the right to use the Building as Tenant had under this Lease.

11.8 Agreement Between Landlord and Leasehold Mortgagee. The Landlord, upon request, shall execute, acknowledge and deliver to each Leasehold Mortgagee an agreement, in form reasonably satisfactory to such Leasehold Mortgagee and the Landlord, by and between the Landlord, the Tenant and such Leasehold Mortgagee (provided the same has been previously executed by the Tenant and such Leasehold Mortgagee) agreeing to all of the provisions of this Article XI of this Lease.

11.9 Limitation on Liability of Leasehold Mortgagee. Notwithstanding any other provision of this Lease, the Landlord agrees that any Leasehold Mortgagee permitted under this Lease shall in no manner or respect whatsoever be liable or responsible for any of the Tenant's obligations or covenants under this Lease (nor shall any rights of such Leasehold Mortgagee be contingent on the satisfaction of such obligations or covenants), unless and until such Leasehold Mortgagee becomes the owner of said leasehold estate by foreclosure, sale in lieu of foreclosure or otherwise.

ARTICLE XII

DAMAGE AND DESTRUCTION

12.1 Repair of Damaged Improvements. Should the Building or any other structures or improvements constructed by the Tenant on the Property be damaged or destroyed by fire or any other casualty during the Term of this Lease, the Tenant, except as hereafter provided in this Section 12.1, shall, within one hundred eighty (180) days from the date of such damage or destruction, elect to either (A) redeem the outstanding Leasehold Mortgages using the insurance proceeds, provided that, at the Landlord's election, the Tenant demolishes and removes the Building, or (B) commence the work of repair, reconstruction, restoration, or replacement and shall prosecute the same with all reasonable dispatch, until such buildings, other structures or improvements shall have been repaired, reconstructed or restored as nearly as practicable to the same condition as prior to such, damage or destruction. Anything in this Lease to the contrary notwithstanding, the period of time within which the Tenant is hereinabove obligated to complete the repair or replacement of any buildings or improvements so damaged or destroyed shall be extended for the period of any delay in said completion not within the reasonable control of the Tenant. The Landlord and the Tenant specifically agree that, except as otherwise provided in this Lease, and unless the Tenant elects to redeem the outstanding Leasehold Mortgages as provided above, damage to or destruction of the Building or any improvements on or within the Premises by fire or any other casualty shall not work a termination of this Lease or authorize the Tenant or those claiming by, through or under

the Tenant to quit or surrender possession of the Premises or any part thereof, and shall not release the Tenant from any of the provisions of this Lease. However, if any such damage or destruction occurs after payment in full of any debt secured by the Tenant's interest under this Lease, the Tenant shall be relieved of any obligation to repair, reconstruct, restore, or replace the said damaged or destroyed buildings, other structures or improvements upon payment by the Tenant to the Landlord, in a single total payment, of the net proceeds received by the Tenant from the insurance company or companies insuring the same. The Tenant shall also be relieved of any such obligation in the event a Leasehold Mortgagee shall elect to apply insurance proceeds to the reduction of the Tenant's outstanding indebtedness as permitted pursuant to Section 12.2 of this Lease.

12.2 Use of Proceeds of Insurance. Subject to the rights of any Leasehold Mortgagees, the proceeds of all insurance obtained in accordance with Article VIII of this Lease shall be used for the repair, reconstruction, restoration or replacement of buildings, other structures or improvements located on or within the Premises unless the Tenant shall be relieved of the Tenant's obligation to so repair, reconstruct, restore, or replace such damaged or destroyed buildings, other structures or improvements pursuant to Section 12.1 of this Lease. All sums necessary to effect such repair, reconstruction, restoration or replacement over and above the amount available from said insurance proceeds shall be at the sole cost and expense of the Tenant.

ARTICLE XIII

CONDEMNATION

13.1 Definition. The term "condemnation" as used in this Lease means the taking or appropriation of property, or any interest therein, in exercise of the power or right of eminent domain or such taking for public or quasi-public use or any state of facts relating to the taking or appropriation of property, which, without an actual taking or appropriation, shall result in direct or consequential damages to the Premises or the leasehold interest herein. Such term shall also be deemed to include to the extent not otherwise defined in this paragraph, a temporary taking of the Premises or any part thereof or the improvements thereon for a period of one year or more, and the taking of the leasehold interest created herein.

13.2 Total Condemnation. If all of the Premises (or such substantial portion thereof as shall, in the Tenant's reasonable discretion, make it economically unfeasible to continue to operate the remaining portion for the purposes herein) is so condemned, this Lease shall terminate on the date title to the Premises vests in the condemnor; provided, however, that such termination shall be without prejudice to the rights of the Landlord to recover just and adequate compensation from any such condemnor. If this Lease is terminated as provided in this Section, the Tenant shall pay the Landlord the rent for the year in which the Premises is taken, up to the date of such termination.

13.3 Division of Award - Total Condemnation. If the Premises is totally condemned as provided in Section 13.2 of this Lease, the condemnation proceeds shall be paid as follows: (A) the Tenant first shall be entitled to receive such portion of the condemnation proceeds as shall equal the principal balance and accrued interest on and all other sums owing under (i) the Bonds, which shall be directly paid to the Trustee, and (ii) the Leasehold Mortgages, which shall be directly paid to the Leasehold Mortgagees, and (B) the Landlord shall then be entitled to receive the balance of the condemnation proceeds.

13.4 Partial Condemnation. In the event of a taking of less than a total taking as provided in Section 13.2 of this Lease, this Lease shall terminate as to the condemned portion of the Premises on the date title to the condemned portion of the Premises vests in the condemnor; provided, however, that such termination shall be without prejudice to the rights of the Landlord to recover just and adequate

compensation from any such condemnor. The provisions of this Lease shall remain in full force and effect as to the portion of the Premises not condemned.

13.5 Division of Award - Partial Condemnation. If the Premises is partially condemned as provided in 13.4 of this Lease, the condemnation proceeds shall be paid as follows: (A) the Tenant first shall be entitled to receive such portion of the condemnation proceeds as shall equal (i) the Trustee's equitable portion of the principal balance and accrued interest on and all other sums owing under the Bonds, which shall be paid directly to the Trustee, and (ii) the Leasehold Mortgagees' equitable portion of the principal balance and accrued interest on and all other sums owing under the Leasehold Mortgages, which shall be paid directly to the Leasehold Mortgagees, and (B) the Landlord shall then be entitled to receive the balance of the condemnation proceeds.

13.6 Subordination to Bond Documents. Notwithstanding anything else herein contained, the provisions of the Bond Documents shall control in all respects the receipt, handling, and application of any and all condemnation proceeds, it being acknowledged and agreed that the Issuer, the Trustee, and any other permitted Leasehold Mortgagee, as their respective interests may appear, shall have a first and prior security interest therein.

ARTICLE XIV

LICENSES AND PERMITS

The Tenant shall obtain at its own expense all licenses or permits for the work performed under this Lease, if any are necessary, prior to the commencement of work.

ARTICLE XV

QUIET ENJOYMENT

The Tenant shall, at all times during the term, have the peaceable and quiet enjoyment of possession of the Premises without any manner of hindrance from the Landlord or any parties lawfully claiming under the Landlord.

ARTICLE XVI

EVENTS OF DEFAULT

16.1 Event of Default. An event of default ("Event of Default") shall occur under this Lease if the Tenant uses the Premises in violation of Section 4.1 of this Lease or if the Tenant fails to comply with any other covenant, agreement or condition contained in this Lease by the Tenant for more than thirty (30) days after written notice of the violation or failure has been served by the Landlord on the Tenant, with a copy to any trustee for the holders of the Bonds (the "Trustee") and/or the Leasehold Mortgagees, unless the violation or failure cannot be cured within the foregoing thirty (30) day period and the Tenant commences to cure the violation or failure within the thirty(30) day period and diligently proceeds to cure the violation or failure to completion within a reasonable time.

16.2 Effect of Event of Default. Upon occurrence of an Event of Default following the serving of written notice on the Tenant and any Trustee and/or Leasehold Mortgagees and the expiration of the applicable cure period and curative rights, as may apply to each of the Tenant, any Trustee and any Leasehold Mortgagees, the Landlord may pursue one of the following options:

(A) Subject to the rights of any Leasehold Mortgagees set forth in Article XI of this Lease, terminate this Lease by providing a written notice to Tenant and any Trustee and/or Leasehold Mortgagees stating that the term of this Lease shall expire and terminate on the date specified in the notice, which shall be at least ten (10) days after the giving of such notice, and upon the date specified in the notice, this Lease and the term and all rights of Tenant under this Lease, shall expire and terminate, and thereafter enter upon and take possession of the Premises. The Landlord may also demand, collect and retain all rents due from tenants occupying the Premises and the Landlord may otherwise occupy the Premises as if this Lease had expired of its own limitation. The failure of the Landlord to exercise such rights after default shall not be a waiver of the rights of the Landlord upon any subsequent default; or.

(B) As the Tenant's legal representative, without terminating this Lease, re-let the Premises upon receiving the written consent of any Trustee and Leasehold Mortgagees. Such reletting may be accomplished without advertisement and by private negotiations for such term or terms and at such rentals as the Landlord in its sole discretion may deem proper and advisable, with the right to make alterations and repairs to the Premises. Upon each such reletting,

(1) the Tenant shall be immediately liable to pay to the Landlord, in addition to any sums due hereunder, the reasonable cost and expenses of such reletting and of such alterations and repairs incurred by the Landlord, and

(2) subject to applicable law, rents received by the Landlord from such reletting shall be applied as follows: (a) to the payment of any costs and expenses of such re-letting and of such alteration and repair; (b) to the payment of rent due and unpaid under this Lease; and (c) the residue, if any, shall be held by Landlord, in escrow, and (i) applied to the payment of the rent as the same shall become due under this Lease and (ii) if any balance shall then remain, paid to the Tenant at the termination of this Lease.

ARTICLE XVII

CONTRACT MODIFICATIONS

This Lease and any accompanying Operation and Maintenance Agreement with the College represent the entire and integrated agreement between the Landlord and the Tenant and shall be subject to any consent rights of any Leasehold Mortgagees as set forth in Article XI hereof. This Lease may be amended only by written instrument signed by both the Landlord and the Tenant. If the Tenant can obtain financing or refinancing only upon the basis of modifications of the terms of this Lease, the Landlord agrees to amend this Lease to include such modifications, provided the modifications do not materially alter the terms of this Lease.

ARTICLE XVIII

SEVERABILITY

If any term or provision of this Lease shall be held invalid or unenforceable, the remainder of this Lease shall not be affected thereby and every other term and provision of this Lease shall be valid and enforced to the fullest extent permitted by law.

ARTICLE XIX

CLAUSES REQUIRED BY LAW

The parties hereto understand and agree that each and every provision of law and clause required by law to be inserted in this Lease shall be deemed to have been inserted herein, and if through mistake or inadvertence such provision is not inserted, said clause shall be deemed to have been inserted and shall have the full force and effect of law.

ARTICLE XX

NOTICES

20.1 Notices Given to the Landlord. Until a different address is given to the Tenant in writing, all notices required to be given to the Landlord hereunder shall be mailed by United States certified or registered mail, return receipt requested, with a copy thereof wired by telegraphic means or delivered by commercial overnight delivery service, to the Landlord at the following address:

Dutchess County
22 Market Street
Poughkeepsie, New York 12601-1595
Attention: Dutchess County Executive

with a copy to:

Dutchess Community College
53 Pendell Road
Poughkeepsie, New York 12601-1595
Attention: President

20.2 Notices Given to the Tenant. All notices required to be given to the Tenant hereunder shall, until a different address is given to the Landlord in writing, be mailed by United States certified or registered mail, return receipt requested, with a copy thereof wired by telegraphic means or delivered by commercial overnight delivery service, to the Tenant at the following address:

Dutchess Community College Association, Inc.
53 Pendell Road
Poughkeepsie, New York 12601-1595
Attention: President

with a copy to:

Dutchess Community College Association, Inc.
53 Pendell Road
Poughkeepsie, New York 12601-1595
Attention: Dean of Administration

20.3 Method of Giving Notice. Notwithstanding anything contained in this Lease to the contrary, any notice required to be given by the Landlord or the Tenant hereunder shall be deemed to have been given and shall be effective as of the date such notice is received or refused reflected on said notice. All notices, demands or requests made by either party to the other or to a Leasehold Mortgagee which are required or

permitted by the provisions of this Lease shall be in writing. If requested in writing by the Tenant, notices from the Landlord shall also be sent to counsel for the Tenant.

20.4 Notice To Leasehold Mortgagees And Issuers. Any notices from the Landlord or the Tenant, as the case may be, to any Leasehold Mortgagee shall be deemed to have been duly and sufficiently given, if a copy thereof shall have been mailed by United States Registered Mail or Certified Mail (Return Receipt Requested) in an envelope properly stamped and addressed to and actually received by such Leasehold Mortgagee at such address as shall be given by such Leasehold Mortgagee in the manner provided in Section 16.3 hereof or at such other address as such Leasehold Mortgagee may from time to time have furnished by written notice to the Landlord or the Tenant, as the case may be. No notice shall be effective unless given in the manner prescribed in this Section 20.4. In addition to the foregoing, at any time during the Term that there is a Leasehold Mortgage insured by a bond insurer or other credit enhancer, then in addition, any notice from the Landlord or the Tenant, as the case may be to any Leasehold Mortgagee, shall also be sent to the bond insurer or other credit enhancer at the address specified in a notice to the Landlord sent pursuant to Section 20.1 by United States Registered Mail (Return Receipt Requested) in an envelope properly stamped and addressed to and actually received by the bond insurer or other credit enhancer at the address of the bond insurer or other credit enhancer or such other address as the bond insurer or other credit enhancer may from time to time have furnished by written notice to the Landlord or the Tenant, as the case may be.

ARTICLE XXI

MISCELLANEOUS

21.1 Estoppel Certificates. The Landlord and the Tenant will execute, acknowledge and deliver to the other promptly upon request, a certificate certifying as to the following: (A) that this Lease is unmodified and in full force and effect (or, if there have been modifications, that this Lease is in full force and effect, as modified, and stating the modifications); (B) the dates through which the rent and other payments to be made under this Lease have been paid; (C) the amount of the rent then payable; and (D) that no notice has been given by the Landlord to the Tenant of any default or other failure to comply under this Lease which not has not been cured and to the best of its knowledge and belief no Event of Default exists (or, if there has been any such notice given or an Event of Default exists, describing the same). Certificates from the Landlord and the Tenant pertaining to the same matters may be relied upon by any prospective Leasehold Mortgagee or by any prospective assignee of an interest under this Lease or by any prospective subtenant as to all or any portion of the Premises.

21.2 Governing Law. This Lease shall be governed, construed, performed and enforced in accordance with the laws of the State of New York.

21.3 Tax Exempt Status. The Tenant is a qualified tax exempt organization as described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and the regulations of the Department of Treasury promulgated thereunder, and will, during the term of this Lease, maintain such qualification. The Landlord shall not take any action with respect to the Building that would adversely affect the Tenant's tax-exempt status or the exemption of interest on any bonds that might be issued in connection with the construction of the Building from gross income for federal income tax purposes.

21.4 No Merger. So long as any Leasehold Mortgage is in existence, unless all Leasehold Mortgagees shall have otherwise agreed in writing, the fee title to the Property and the leasehold created hereby shall not merge but shall remain separate and distinct, notwithstanding the acquisition of said fee title and said leasehold by the Landlord or the Tenant or by a third party, by purchase or otherwise.

21.5 Recordation. The Landlord and the Tenant agree that the parties shall execute, seal, acknowledge and deliver simultaneously with the execution of this Lease, in recordable form, a memorandum of lease setting forth the basic terms of this Lease.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]]

IN WITNESS WHEREOF, the Landlord and Tenant have caused this Lease to be executed by IN WITNESS WHEREOF, the Landlord and Tenant have caused this Lease to be executed by their respective duly authorized representatives as of the date first set forth above.

DUTCHESS COUNTY, as trustee for the Benefit of Dutchess Community College

By:_____
Name:
Title:

DUTCHESS COMMUNITY COLLEGE ASSOCIATION, INC.

By:_____
Name:
Title:

STATE OF NEW YORK)
:ss.
COUNTY OF)

On the _____ day of _____, in the year 2010, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
Notary Public

STATE OF NEW YORK)
:ss.
COUNTY OF)

On the _____ day of _____, in the year 2010, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
Notary Public

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

THE Chazen COMPANIES
Engineers
Environmental Professionals
Land Surveyors
Landscape Architects
Planners

Hudson Valley Office
21 Fox St., Poughkeepsie, NY 12601
P: (845) 454-3980 F: (845) 454-4026
www.chazencompanies.com

Capital District Office (518) 273-0055
North Country Office (518) 812-0513

SURVEY DESCRIPTION
PROPOSED LEASE PARCEL

All that plot, piece or parcel of land, situate and being in the Town of Poughkeepsie, County of Dutchess and State of New York, bounded and described as follows:

BEGINNING at the northwesterly corner of the herein described parcel, said point being located S 46°08'41" E 84.38 feet , N 82°29'03" W 240.23 feet, S 04°39'00" E 115.77 feet, S 15°56'00" W 188.54 feet, S 27°44'00" W 138.65 feet, S 09°24'00" E 320.27 feet and S 88°48'00" W 50.52 feet from the southeasterly corner of the lands of the New York State Department of Transportation as shown on Map 2T, Parcel 2; thence through the lands of the County of Dutchess as described in Liber 996 of deeds at page 324, N 88°48'00" E 198.50, N 86°54'00" E 150.22 feet, S 84°15'00" E 212.64 feet, S 14°20'00" E 113.31 feet, S 00°45'00" E 59.19 feet, S 07°43'00" W 125.73 feet, S 84°50'00" E 249.94 feet, S 06°53'00" E 161.37 feet, S 83°07'00" W 50.00 feet, N 06°53'00" W 120.92 feet, N 84°50'00" W 218.62 feet, S 06°24'00" W 122.52 feet, N 80°35'00" W 223.16 feet, S 08°57'00" W 128.37 feet, N 80°28'00" W 176.13 feet, S 08°57'00" W 294.25 feet, and N 81°03'00" W 62.63 feet to a point on the easterly line of the lands now or formerly of Cacchione as described in Liber 1100 of deeds at page 605; thence along the division line between the herein described parcel and said lands of Cacchione in part and also through the lands of the County of Dutchess, N 08°13'11" E 201.30 feet to a point; thence continuing through the lands of the County of Dutchess, N 79°08'00" W 104.05 feet, N 10°52'00" E 173.71 feet, N 79°08'00" W 101.18 feet, N 42°26'00" W 154.52 feet, S 10°32'00" W 149.66 feet, N 79°28'00" W 50.00 feet, N 10°32'00" E 319.54 feet, and N 64°00'00" E 266.07 feet to the point or place of beginning.
Containing 9.74 acres of land more or less.

Date: July 20, 2010

Condolence: William L. Schreiber

Legislator SURMAN offers the following and moves its adoption:

WHEREAS, The Dutchess County Legislature has learned with sadness and regret of the recent death of, William L. Schreiber, on August 8, 2010, at the age of 91, and

WHEREAS, William L. Schreiber was a long time resident of Wingdale, New York, born on March 26, 1919, in New York, New York, to the late Oscar and Mary Guttler Schreiber, and

WHEREAS, William L. Schreiber married Helen Ahner on June 16, 1946, and they have a son, William R. Schreiber, daughter-in-law Nancy and grandchildren Lea and Brandon, and

WHEREAS, William L. Schreiber was a man who loved God and his Country and served both with honor and integrity, and

WHEREAS, William L. Schreiber served in the U.S. Army Air Force from 1942 - 1946. He served as a serviceman of the 301st Air Service Group and achieved the rank of Master Sergeant and was awarded numerous medals including the Bronze Star and Distinguished Unit Badge, and

WHEREAS, William L. Schreiber worked with his brothers in the family business of Oscar Schreiber & Sons located in Wingdale, New York. This was a contracting and construction business, which built and renovated numerous residential and commercial structures throughout the area, and

WHEREAS, William L. Schreiber was very active in his community, Bill was involved in many organizations including, China-Burma-India Veterans Association, Wingdale Civic Association, Pawling Knights of Columbus, Town of Dover Recreation Commission, Town of Dover Planning Board and Zoning Board, Dover Historical Society, the J. H. Ketchum Hose Company, Dover Lions Club, he was a member of the American Legion Post 1949 (formally Post 1811) where he held the following positions of Post Commander, 9th District Commander and Department Vice Commander of New York State, and

WHEREAS, his passing will be mourned by his family and friends throughout Dutchess County, now, therefore, be it

RESOLVED, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby extend its deep sympathy and sincere condolences to the family and friends of the late William L. Schreiber, and, be it further

RESOLVED, that the meeting of the Dutchess County Legislature be adjourned in memory of the late William L. Schreiber.

STATE OF NEW YORK

ss: Resolution No. 2010276

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

The foregoing Resolution No. 2010276 entitled, Condolence: William L. Schreiber was adopted by unanimous consent.

Condolence: H. Todd Brinckerhoff

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

WHEREAS, The Dutchess County Legislature has learned with sadness and regret of the recent death of, H. Todd Brinckerhoff on August 16, 2010, at the age of 77, and

WHEREAS, H. Todd Brinckerhoff was a lifelong Fishkill resident, born on June 26, 1933, in Beacon, New York, to the late Hampton Todd and Esther Barkalow Brinckerhoff, and

WHEREAS, H. Todd Brinckerhoff was raised in the Brinckerhoff Homestead; and

WHEREAS, H. Todd Brinckerhoff met Beverly Beader in 1952, they graduated college together and married on June 25, 1955, they had three daughters, Mary E. Brinckerhoff, Barbara B. Teed and Margaret R. Brinckerhoff and four grandchildren, and

WHEREAS, H. Todd Brinckerhoff was a member of the First Reform Church of Fishkill and Trinity Episcopal Church and was a man who loved God and his Community and served both with honor and integrity, and

WHEREAS, H. Todd Brinckerhoff graduated from Hobart College and joined the Connecitcut Mutual Life Insurance Company and in 1961 with partner John Neuville, formed Brinckerhoff and Neuville Insurance, and

WHEREAS, H. Todd Brinckerhoff served on many local boards such as, Mount St. Mary College, Vassar Brothers Hospital, the Fishkill Rural Cemetery. Todd was also one of the founders of the Fishkill Bank and Trust Company, which eventually became M&T Bank, and

WHEREAS, H. Todd Brinckerhoff was involved with Marist College, with more than a decade of serving as a Trustee and Advisor, he was the inspiration of the Hudson River Institute, He was also very active in the Fishkill Rotary, area Chambers of Commerce and Protection Engine Company #1 in the Village of Fishkill, and a member of the Sons of the American Revolution and the Holland Society, and

WHEREAS, his passing will be mourned by his family and friends throughout Dutchess County, now, therefore, be it

RESOLVED, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby extend its deep sympathy and sincere condolences to the family and friends of the late H. Todd Brinckerhoff, and, be it further

RESOLVED, that the meeting of the Dutchess County Legislature be adjourned in memory of the late H. Todd Brinckerhoff.

STATE OF NEW YORK

ss: Resolution No. 2010277

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

The foregoing Resolution No. 2010277 entitled, Condolence: H. Todd Brinckerhoff, Jr. was adopted by unanimous consent.

Condolence: Francis J. (Frank) Murray

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

Whereas, The Dutchess County Legislature has learned with sadness and regret of the recent death of Francis J. (Frank) Murray on April 17, 2010, at Putnam Hospital Center, and

Whereas, Frank was born November 21, 1933 in Danbury, Connecticut, and

Whereas, Frank married Elizabeth (Betty) Clark Murray and have three (3) children, Clark, Marcia and Susan, along with eleven (11) grandchildren, and

Whereas, Frank Murray served in the U.S. Army during the Korean War, and

Whereas, Frank Murray was employed with IBM Fishkill for 37 years in management, and

Whereas, Francis J. (Frank) Murray was a minor league baseball pitcher for the then, Brooklyn Dodgers, as well as, the Philadelphia Phillies and the Chicago White Sox. While on the Brooklyn Dodgers Farm team his catcher was the legendary Johnny Roseboro His love of sports and commitment showed through his coaching abilities as he coached Pawling Little League, and

Whereas, Francis J. (Frank) Murray volunteered in his community as a life member of the Pawling Fire Department, Pawling Lions Club, and the Pawling Knights of Columbus, and

Whereas, he served on the Dutchess Legislature, having represented then District 24 and as a Pawling Town Justice, now, therefore, be it

Resolved, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby extend its deep sympathy and sincere condolences to the family and friends of the late Francis J. (Frank) Murray, and, be it further

Resolved, that the meeting of the Dutchess County Legislature be adjourned in memory of the late Francis J. (Frank) Murray.

STATE OF NEW YORK

ss: Resolution No. 2010278

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of September 2010, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of September 2010.

PATRICIA J. HOFFMANN, CLERK OF THE LEGISLATURE

The foregoing Resolution No. 2010278 entitled, Condolence: Francis "Frank" J. Murray was adopted by unanimous consent.

On motion by Legislator Kuffner, duly seconded by Legislator Flesland and carried, the Rules were suspended to allow the public to address the Legislature on agenda and non agenda items.

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

On motion by Legislator Cooper, duly seconded by Legislator Flesland and carried, the meeting was adjourned in memory of William L. Schreiber, H. Todd Brinckerhoff, Jr., and Francis "Frank" Murray at 8:00 pm subject to call of the Chair.