Attendance Sheets

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

Date: 12/5/13

Regular Meeting

of the

Dutchess County Legislature

Thursday, December 5, 2013

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

Roll Call by the Clerk of the Legislature

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

ABSENT: 1 Wilkinson

PRESENT, LATE:

Quorum Present.

Pledge of Allegiance to the Flag; invocation given by Reverend John Antony of Our Lady of Mount Carmel Parish, Poughkeepsie, followed by a moment of silent meditation.

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

The November 2013 minutes were adopted.

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

Keri Peterson, 12 Buroak Road, Hopewell Junction, spoke in opposition to repealing the exemption on the energy tax.

Joann Mizerick, 13 Peckham Road, Poughkeepsie, spoke in support of restoring the position of Senior Accountant at the Health Department.

Milo Tsukroff, 22 West Road, Pleasant Valley, spoke in support of clearly marked Loop bus stops to make them more visible in order to increase ridership.

Joan McDermott, Health Department employee, spoke in opposition to the proposed elimination of Senior Accountant position from the 2014 budget.

April Farley, Beacon, spoke in opposition to the jail expansion and urged other alternatives and community services for low offenders.

Edwin Pell, Town of Clinton, urged that language be added to Resolution No. 2013357 that put transmission lines underground.

Dick Sewell, former Assistant Commissioner of Administration of the Health Department, spoke in support of restoring the position of Senior Accountant.

Elisa Sumner, 214 Holsapple Road, Dover Plains, spoke in opposition to the energy tax and the budget process.

Micki Strawinski, 21 Cedar Drive, Red Hook, spoke in opposition to repealing the exemption on the energy tax.

Frank Clark, 50 Rinaldi Boulevard, Poughkeepsie, spoke in opposition of the county expanding into the City bus system.

Constantine Kazolias, 47 Noxon Street, Poughkeepsie, spoke in opposition to the county taking over the City bus system.

David White, 29 North Hamilton Street, Poughkeepsie, spoke in support of increasing funding for the Webster House homeless shelter.

Carol Madrid, 40 Manitou Avenue, spoke in support of increasing funding for the Webster House homeless shelter.

Michael Delean, 20 North Hamilton Street, spoke in support of increasing funding for the Webster House homeless shelter.

John Fahkorey spoke in support of increasing funding for the Webster House homeless shelter.

Roma Bevin, Town of Clinton resident, spoke in opposition to the proposed above-ground transmission lines.

Gregory Bentley, Department of Public Works employee, spoke in opposition to the proposed elimination of Director of Engineering position from the 2014 budget.

Assemblyman Kieran Lalor stated his support in researching the idea of ceasing sponsorship of Dutchess Community College in order the close the budget gap.

Dr. D. David Conklin, President of Dutchess Community College, stated that Dutchess Community College improved the lives of county residents. He added that residents paid less at DCC than in surrounding counties.

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

COMMUNICATIONS RECEIVED FOR YEAR END 2013

Received the following from the Budget Director:

Contingency Account Status as of December 3, 2013

Contingency Account Status as of December 16, 2013

Received from Dutchess County Comptroller, Audit report of Cornell Cooperative Extension for January 1, 2012 to December 31, 2012.

Received from County Clerk, New York State Mortgage Tax Semi-Annual Report for the period April 1, 2013 – September 30, 2013.

Received the following from Charles Davenport:

Email urging the county to address the homeless issue,

Email thanking the Legislators that voted to add $10,000 to Hudson River Housing.

Received from Industrial Development Agency, 2014 Proposed Budget.

Received from Dutchess County Local Development Corporation, 2014 Proposed Budget.

Received from Water and Wastewater, Final Estimate of 2014 Debt Service Expenditures and Revenue Needs, and the Final Assessment Rolls for Zones of Assessment A, B, C (revised), D, H, J, K, and L in the Dutchess County Water District, and for Part County Sewer District 1, 2, and 3.

Received from Office of State Comptroller, Division of Local Government and School Accountability, acknowledgement of receipt of the County of Dutchess' corrective action plan to the Report of Examination S9-13-5 entitled County Bridge Maintenance,

Received from President of Dutchess County Magistrates Association, letter congratulating the county on being awarded a grant to provide counsel at first appearance.

Received from Nancy Durand Lanson, email in opposition to cutting funds at Bowdoin Park.

Received from Larry Gauchman, email in opposition to cutting the archery program at Bowdoin Park.

Received from Doreen Tignanelli, email in support of Resolution 2013190, regarding

prior notification to neighbors when pesticides are to be applied.

Received from Deputy Commissioner of Strategic Planning and Economic Development, email regarding IBM's workforce reduction.

Received the following from Town of Poughkeepsie Deputy Town Clerk:

> Notice of Public Hearing regarding amending the list of permitted accessory uses within a designated Senior Housing Overlay District project,
>
> Notice of Public Hearing regarding the definition of "Service Business" as stated in Article II, Section 210-9,
>
> Notice of Public Hearing to amend Chapter 210 of the Town Code, entitled "Zoning", specifically the zoning designation of certain properties located at and near the intersections of Van Wagner Road, Springside Avenue, and Parkview Terrace.

Received from Department of Navy, letter thanking the county for its continued support of the USS Roosevelt and thanking the Veterans of Dutchess County for their service and sacrifice.

Received from Budget Director, response to Legislator Serino with Non-Union Employee Count and Cost.

Received the following from Town of LaGrange Town Clerk:

> Notice of Public Hearing regarding proposed local law entitled, A Local Law of the Year 2013, To Amend Chapter 240 "Zoning" of the Town Code of the Town of LaGrange, Dutchess County, New York to add a New Section 240-106 to Limit for an Interim Period of 180 Days Development of Drive-Through Service Facilities within the TC-B Zoning District Pending Revision of the Town's Existing Land Use Laws,
>
> Revised public hearing date for the above referenced proposed local law.

Received from Drescher and Malecki, Certified Public Accountants, Basic Financial Statements, Required Supplementary Information and Federal Assistance Information for the Year Ended December 31, 2012 and Independent Auditors' Reports.

Received from Delaware County Board of Supervisors, Resolution No. 197, entitled, Resolution in Support of Establishing a Southern Tier Office of Mental Health Department of Mental Health.

Received from William Conn, message from President George W. Bush, honoring the country's troops and veterans.

Received from Chairman Rolison, revised committee assignments for Budget, Finance, and Personnel and Public Works and Capital Project Committees.

Received from County Executive Molinaro, letter to Senators Gipson and Ball and Members of Assembly Lalor, Barrett, Cahill, and Skartados asking them to address the continued increase of mandated programs while programs and services for which county government are responsible continue to be cut.

Received from Assistant County Executive, response to Legislator Tyner regarding the 2014 Proposed Budget Highlights mailing expenses.

Received from Harold Warren, email urging continued funding of Dutchess Community College.

Received from Ulster County Legislature, Resolution No. 315, entitled, Urging the Passage of Senate Bill 3379-A/Assembly Bill 7799-A, Entitled, "An Act to Amend the Public Service Law, in Relation to Providing Consumers the Option to Elect Not to Use Transmitting Utility Meters".

Received from Oswego County Legislature, Resolution No. 182, entitled, Denying the State of New York Permission to Use the Name, Seal, or Letterhead or Address of the County of Oswego for any Purpose Associated with the Safe Act.

Received from Beverly Kawalski, phone message in opposition to the county purchasing the property adjacent to the Jail.

MARCUS J. MOLINARO
COUNTY EXECUTIVE

VALERIE J. SOMMERVILLE
BUDGET DIRECTOR

COUNTY OF DUTCHESS
BUDGET OFFICE

Memo

To: James Miccio, Chairman, Budget, Finance & Personnel Committee
John Forman, Vice Chairman, Budget, Finance & Personnel Committee

From: Valerie J. Sommerville, Budget Director

Subject: **Contingency Account Status**

Date: December 3, 2013

As of December 3, 2013 the **General Contingency-A1990.4007** reflects a balance of **$0.**

Contingency	**Adopted**	**$1,500,000**
	Approved Resolutions	
2013219	Amend the 2013 Adopted Budget to replenish the Contingency Fund	1,700,000
2013220	Amend the Sheriff/Jail 2013 Adopted Budget regarding Overtime and Inmates in Other Institutions	(3,200,000)
2013273	Amend Planning, Public Transit 2013 Adopted Budget regarding Motor Vehicles (Buses)	36,875
2013280	Amend Family Court 2013 Adopted Budget regarding Attorneys/Assigned Counsel	525,000
2013284	Amend the 2013 Adopted Budget to replenish the Contingency Fund	(561,875)
Contingency balance after above adjustments:		**$0**

There are no proposed changes to the General Contingency in the resolution agenda packet for the December 5, 2013 Board Meeting.

22 Market Street, Poughkeepsie, New York 12601 • (845) 486-2010 • Fax: (845) 486-2021
countybudget@dutchessny.gov
www.dutchessny.gov

VJS:tm
encl.
c: Marcus J. Molinaro, County Executive
Robert Rolison, Chairman of the Legislature
Dale Borchert, Majority Leader
Barbara Jeter-Jackson, Minority Leader
Carolyn Morris, Clerk of the Legislature
Pamela Barrack, Commissioner of Finance

Dutchess County

Contingency Memo

Through Date: 12/3/2013

Prior Fiscal Year Activity Included

Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year Total
Expenditures									
Account: 4007 - General Contingency									
A.1990 - General Fund,Contingency & Vac Fctr	$1,500,000.00	($1,426,250.00)	$73,750.00	$0.00	$0.00	$0.00	$73,750.00	0%	$0.00
4007 - General Contingency	$1,500,000.00	($1,426,250.00)	$73,750.00	$0.00	$0.00	$0.00	$73,750.00	0%	$0.00
Expenditure Grand Totals:	$1,500,000.00	($1,426,250.00)	$73,750.00	$0.00	$0.00	$0.00	$73,750.00	0%	$0.00
Grand Totals:	($1,500,000.00)	$1,426,250.00	($73,750.00)	$0.00	$0.00	$0.00	($73,750.00)		$0.00

MARCUS J. MOLINARO
COUNTY EXECUTIVE

VALERIE J. SOMMERVILLE
BUDGET DIRECTOR

COUNTY OF DUTCHESS
BUDGET OFFICE

Memo

To: James Miccio, Chairman, Budget, Finance & Personnel Committee
John Forman, Vice Chairman, Budget, Finance & Personnel Committee

From: Valerie J. Sommerville, Budget Director

Subject: **Contingency Account Status**

Date: December 16, 2013

As of December 16, 2013 the **General Contingency-A1990.4007** reflects a balance of **$0.**

Contingency Adopted		**$1,500,000**
	Approved Resolutions	
2013219	Amend the 2013 Adopted Budget to replenish the Contingency Fund	1,700,000
2013220	Amend the Sheriff/Jail 2013 Adopted Budget regarding Overtime and Inmates in Other Institutions	(3,200,000)
2013273	Amend Planning, Public Transit 2013 Adopted Budget regarding Motor Vehicles (Buses)	36,875
2013280	Amend Family Court 2013 Adopted Budget regarding Attorneys/Assigned Counsel	525,000
2013284	Amend the 2013 Adopted Budget to replenish the Contingency Fund	(561,875)
Contingency balance after above adjustments:		**$0**

There are no proposed changes to the General Contingency in the resolution agenda packet for the December 16, 2013 Board Meeting.

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c: Marcus J. Molinaro, County Executive
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Dale Borchert, Majority Leader
Barbara Jeter-Jackson, Minority Leader
Carolyn Morris, Clerk of the Legislature
Pamela Barrack, Commissioner of Finance

Dutchess County

Contingency Memo

Through Date: 12/16/2013

Prior Fiscal Year Activity Included

Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year Total
Expenditures									
Account: 4007 - General Contingency									
A.1990 - General Fund,Contingency & Vac Fctr	$1,500,000.00	($1,500,000.00)	$0.00	$0.00	$0.00	$0.00	$0.00	+++	$0.00
4007 - General Contingency	$1,500,000.00	($1,500,000.00)	$0.00	$0.00	$0.00	$0.00	$0.00	+++	$0.00
Expenditure Grand Totals:	$1,500,000.00	($1,500,000.00)	$0.00	$0.00	$0.00	$0.00	$0.00	+++	$0.00
Grand Totals:	($1,500,000.00)	$1,500,000.00	$0.00	$0.00	$0.00	$0.00	$0.00		$0.00

Office of the Comptroller
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James L. Coughlan
Comptroller

Peter J. Stalteri
Deputy Comptroller

November 15, 2013

Dutchess County Legislature
22 Market Street
Poughkeepsie, NY 12601

Ladies and Gentlemen:

The audit of Cornell Cooperative Extension Dutchess County was conducted for the time period January 1, 2012 to December 31, 2012.

This report is sent to you in compliance with section 20.02 of the county charter. If there are any questions, please feel free to contact this office.

James L. Coughlan
Comptroller

Audit Report

Cornell Cooperative Extension of Dutchess County

January 1, 2012 – December 31, 2012

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Background and Organization

Cornell Cooperative Extension Dutchess County, an organization associated with Cornell University and its land-grant mission since 1869, disseminates research-based resources, tools and education to the residents and officials of Dutchess County. Program areas include: Agriculture & Horticulture, Environment, Family & Consumer Education, and 4-H Youth Development. More information can be found at their website: ccedutchess.org.

In December 2012 the Executive Director retired. In January 2013 another Executive Director began employment.

Audit Scope

The audit of Cornell Cooperative Extension (CCE) was conducted for the period January 1, 2012 – December 31, 2012. In 2012, $805,262 in funding was provided to CCE plus an in-kind rent of $237,308 from Dutchess County for a total of $1,042,570.

Contract #	Department	Program	Amounts
12-0280	Planning	Agricultural and Farmland Protection Board	$1,000
10-0081	Office for the Aging	Grandparents Program	7,650
10-0121	Youth Bureau	Green Teen	12,000
11-0589	DCFS (DSS)	Food Stamp Nutrition Education (FSNEP)	247,993
12-0174	Planning	Agriculture/Horticulture	226,000
12-0174	Planning	Environment	85,000
12-0174	Youth Bureau	4-H Youth Development	150,619
12-0174	Health	Food, Nutrition and Wellness Program	75,000
		Sub Total	$805,262
12-0174	Planning	In-Kind Rent	237,308
		Grand Total	$1,042,570

The audit included a review of internal controls, contracts, claims, agency financial records and selected accounting activities. Attached as Exhibit I is CCE's Revenue and Expense Statement for 2012. A listing of contracts and a brief summary of each is attached as Addendum I.

Summary of Findings

- A lack of oversight and monitoring of expenditures incurred and submitted to Dutchess County programs in 2012, resulted in disallowances totaling $16,310.18 which was primarily for food purchases and $126,191.45 for overcharges of indirect costs for a total of $142,501.63.
- A lack of oversight and monitoring of inventory processes resulted in the agency assets not consistently maintained in accordance with agency policies.

Detailed Findings

Claims and Contract Review

Prior to our audit review, a number of expense claims were denied by the Health Department. Criteria for reimbursement includes: expenses should be related to each program scope and are prudent and necessary to accomplish the program mission. Expenditures denied provided sole benefit to employees and/or were not directly related to individual program scope and guidelines. We conducted a detailed review of 2012 claims submitted to each county department: Department of Community and Family Services (formerly DSS), the Health Department, Office for the Aging, Youth Bureau (currently a division of DCFS) and the Department of Planning and Community Development. Each funding department was informed of the detail of expenditures being disallowed and in most cases was in agreement. In regards to the DSS FSNEP grant (Food Stamp Nutrition Education Program), which is federally funded via state pass-thru funding to DSS (currently DCFS), NYS provided guidance for disallowances. Disallowances by Department and funded program follow:

				Disallowed Amount		
Department	Contract #	Program	Contract Amount	Direct Costs	Indirect Costs	Total
Planning	12-0174	Environment	$85,000.00	$318.64	$715.20	$1,033.84
Planning	12-0174	Ag/Horticulture	226,000.00	281.47	1,877.39	2,158.86
Youth Bureau	12-0174	4H	150,619.00	5,520.77	1,265.91	6,786.68
Health Dept	12-0174	Nutrition	75,000.00	1,140.95	619.50	1,760.45
Social Services	11-0589	FSNEP	247,993.00	4,570.35		4,570.35
Youth Bureau	10-0121	Green Teen	12,000.00			
Office for the Aging	10-0081	Relatives as Parents	7,650.00			
Planning	12-0280	Ag Board	1,000.00			
		Grand Totals	$ 805,262.00	$11,832.18	$4,478.00	$16,310.18

Cost Allocation of Indirect Expenses to County Contract # 12-0174

Indirect Costs totaling $233,917 were expensed to **this contract.** Costs consisted primarily of agency administration and overhead. Indirect costs claimed to this contract were inequitably allocated as follows based on the total contract #12-0174 amount only:

Agriculture & Horticulture	$226,000	42%
Environment	85,000	16%
Nutrition	75,000	14%
4H	150,619	28%
Total Contract	$536,619	100%

An equitable distribution of indirect costs should have been allocated across the entire agency. In

reviewing the county funding revenue to the total agency revenue, the county funding represents 45%. This is an appropriate percentage to charge the county based on the agency costs allocated to programs.

All excess claiming above the 45% is disallowed based on the following indirect costs allocated to this contract.

	Ag/Hort	Environment	Nutrition	4H	Amount
Totals	$96,825.57	$36,857.83	$33,791.20	$66,442.40	$233,917.00
Less Indirect Allowances	($1,877.39)	($715.20)	($619.50)	($1,265.91)	($4,478.00)
Adjusted total	$94,948.18	$36,142.63	$33,171.70	$65,176.49	$229,439.00
Amount disallowed 55%	**52,221.50**	**19,878.45**	**18,244.43**	**35,847.07**	**126,191.45**
Amount allowed 45%	42,726.68	16,264.18	14,927.26	29,329.42	103,247.55

Anomalies were also noted when reviewing actual claimed expenses to CCE's program budgets. Program budgets were not consistently presented; expense categories for administrative and overhead costs were amended when submitted for claiming as Direct costs. Agency costs claimed included: occupancy, program support (administrative salaries and expenses) and association fees.

Fund Balances

Fund balances reported by the agency were as follows:

	Fund Balance As of December 31				Difference
FUND	2009	2010	2011	2012	2011 – 2012
Designated	$ 424,188.86	$ 106,920.79	$ 141,332.78	$350,509.72	$209,176.94
General	26,234.64	351,372.51	346,563.85	150,739.36	(195,824.49)
Plant	209,114.33	187,861.52	160,745.10	145,763.28	(14,981.82)
Total	**$ 659,537.83**	**$ 646,154.82**	**$ 648,641.73**	**$647,012.36**	**(1,629.37)**

Banking and Cash Handling

Banking

CCE has five bank accounts. One checking account is used for the daily operations. One account was titled 4H Capital Campaign. The others were titled general or money market accounts. Three bank accounts had no activity in 2012.

A review was performed for adherence to CCE policies and procedures for banking including deposits, reconciliation and the handling of outstanding checks.

Observations:

A sample of county payments was traced to bank deposits. Deposits were made timely.

Findings:

- The bank reconciliation was not in balance as of December 31, 2012. *The agency found the difference in March 2013 and explained it was due to incorrect postings.*
- While the policy of CCE states the Executive Director or Treasurer review bank account/reconciliations monthly, there was no evidence this was consistently done. The board treasurer attested to the review of bank reconciliations in the latter part of 2012.
- CCE's policy to void outstanding checks after six months was not adhered to.
- Bank balances exceeded the FDIC limit of $250,000. The average balance in the operating account in 2012 was $325,000 per month. This was also noted in our previous audit.

Recommendations:

- Bank reconciliations should be reviewed and discrepancies researched and corrected in a timely manner. Oversight by management should ensure this is completed.
- The policy for bank reconciliation review and attestation should be adhered to.
- The outstanding check policy should be adhered to. Oversight by management is recommended.
- Bank account balances should be monitored to not exceed FDIC limits. *Note: During the audit, the Executive Director requested additional securities of $155,000 in addition to the FDIC insurance of $250,000 to cover the bank deposits/balances.*

Cash Handling - Receipts

Fundraising and program fees are collected for many of CCE's program areas. As the fiduciary of agency and 'club' funds, CCE should maintain proper internal controls over cash collections. Policies, procedures and internal controls were reviewed for the month of August 2012. Deposits reviewed included the Dutchess County Fair -4H snack bar receipts.

Finding:

- Cash collection procedures for the fair were not sufficiently implemented to secure and monitor funds. Specifically, procedures requiring dual signatures for each collection were not adhered to; cash register receipts were not compared to actual cash collections on a daily basis to reconcile

cash deposited; and a total of $132 was not accounted for on one collection sheet and $20 was reported as short on another collection sheet.

Recommendation:

- Detailed accounting procedures regarding the collection safeguarding and the monitoring and reconciliation of funds should be adhered to. *Risk assessments should be conducted periodically to ensure procedures are adequate to safeguard funds.*

Expenditure Review

Personnel Services

Cornell University processes the CCE payroll. The 2012 approved budget for salary amounted to $988,463 of which $273,956 is federally funded; $208,930 is NYS funded; and $505,577 is reported as other funding. Of these amounts Dutchess County provided $514,264.88 through departmental contracts. (Federal, State and County as listed in Addendum I)

The Board voted on salary increases both in 2012 and 2013.

Employee and Vendor Payments

Observations:

- Many CCE employees have multiple mechanisms for purchasing items: Credit cards, established vendor accounts, employee reimbursements and direct vendor purchases. CCE typically employs 25 individuals: 12 of these individuals had a credit card issued to them, which allowed purchases up to $2,500 each month per credit card/individual.
- CCE has many accounting policies and procedures which define what is to be charged to specific line items. CCE has job descriptions which detail roles and responsibilities. Levels of internal control are also established through policies and procedures which are local and established by Cornell.

Findings:

- While the agency maintains many accounting policies and procedures, practices for purchasing were not stringent to ensure purchases were limited and agency funds were utilized in a cost effective manner and in accordance to contract funding provisions and best practices.
- Accounting for agency expenditures for line items related to food were not consistently applied to the defined line items. For example, food purchases for staff were posted to the Nutrition line and in-county lunches for staff were applied to the Travel line.
- A refrigerator which was used for the entire agency was charged and disallowed by the DSS/Federal grant.
- Accounting staff were not familiar with all of the accounting policies and procedures despite access to training and manuals.
- Monitoring and oversight was not effectively exercised to ensure all accounting processes were followed regarding expenditures and claiming processes.

Recommendations:

- Accounting practices should be stringent to ensure funds are utilized in a cost effective manner and in accordance with agency provisions and funding provisions.
- Expenditures should be posted to the appropriate line items.
- Indirect costs should not be charged as direct costs.
- Accounting staff should know accounting policies and procedures.
- Monitoring and oversight should be effectively exercised to ensure all accounting processes are adhered to.

Inventory

CCE's procedure for Fixed Asset Subsidiary Listing was reviewed and a physical inventory was performed. CCE requires this fixed asset inventory listing of items over $1,000. In addition, CCE maintains a separate listing of equipment of selected items costing $1,000 or less which include computers, printers, ipads, cell phones etc.

Findings:

- The inventory listing was not maintained consistently. Some items (computers) were not on the inventory listing.
- The inventory listing did not have a record of serial numbers.
- Inventory tags were not on all of the items.
- According to staff, annual physical inventories were not consistently performed.
- Oversight was not evidenced to ensure inventories were accurate and policies were adhered to.

Recommendations:

- The inventory listing should be inclusive of all required items.
- All serial numbers should be included in the listing(s) for proper identification.
- All items should be tagged in accordance with the agency policy and procedures.
- CCE should perform an annual physical inventory to keep the listings up to date and accurate.
- Oversight of inventory should be instituted.

Exhibit I -Financial Statement

Cornell Cooperative Extension Association of Dutchess County
Revenue and Expense for the period ending 12/31/2012

Revenue		
Federal	$159,641.50	
State	233,060.69	
Fringe - Cornell	505,912.51	
Other Grants/Contracts	138,536.27	
County – includes In-Kind Building $237,308	1,048,239.23	
Contributions	57,673.13	
Investment Income	119.47	
Fees/Regional Programs	60,764.21	
Rental Income	27,339.58	
Sales	58,693.73	
Other	14,313.81	
		$2,304,294.13
Expenses		
Salaries	$1,057,794.23	
Benefits – includes Cornell-Fringe	532,445.56	
Staff Development	10,385.20	
Awards & Prizes	14,554.53	
Computer	1,347.46	
Fund Raising	14,276.23	
Trips & Tours	29,695.52	
Telephone	25,486.53	
Supplies	62,219.19	
Insurance	19,723.10	
Fees & Licenses	4,521.40	
Lease and Rental -- includes In-Kind Building	262,678.55	
Meetings & Conferences	12,240.01	
Travel	49,651.45	
Printing	20,936.64	
Classified	4,934.19	
Teaching Materials	27,679.18	
Contract Services	41,481.15	
Legal Fees	4,775.00	
Sales/Taxes	2,844.46	
Regional Support	29,089.05	
Association Services	11,360.00	
Facilities	49,193.56	
Other Monetary	(569.51)	
Depreciation	17,180.82	
		$2,305,923.50
Decrease Net Assets		(1,629.37)

*The above represents CCE's financials as presented to us. Please note that all purchases by CCE are expensed at the time they are purchased. Depreciation is not a true expense but is shown as reported by CCE.

Addendum I -Contract Review

Contract #12-0174–This contract was written for the period January 1, 2012 – December 31, 2012 in the amount of $536,619. Funding was provided though various county departments (listed below). In addition, $237,308 for in-kind rent of the county-owned building is included in the contract for a total value of $773,927. This contract is 100% county funded.

Planning & Development in the amount of $311,000: $226,000 for Agriculture/Horticulture education and $85,000 for Environment education. Funding provided for educational programming, resources and information for residents.

Health Department in the amount of $75,000 for a Food, Nutrition and Wellness Program. This program includes Consumer education, Financial, Parent and family programs for county residents.

Youth Bureau in the amount of $150,619 for 4-H Youth Development Program. This program is for youth 5-19 years old.

Contract #12-0280- This contract was funded through the Dutchess County Planning Department and written for the period January 1, 2012 – December 31, 2012 in the amount of $1,000. This contract provided funding for the Agriculture and Farmland Protection Board. Funding provided for the review by the board of Ag Data statements, inclusions and for the preparation of the Purchase of Development Rights applications in order to protect agriculture in the county. This contract is 100% county funded.

Contract #10-0081- This contract was funded through the Dutchess County Office of the Aging Department and written for the period January 1, 2012 – December 31, 2012 in the amount of $10,200: $7,650 with a contractor match of $2,550. This contract provided for workshops, support groups, respite and counseling to Grandparents over the age of 55 who are raising children. This contract is 100% federally funded.

Finding: Agency Match was not submitted properly to the Office for the Aging. CCE only submitted $2,305.50 in matching funds out of the $2,550 as required by the contract. During the audit, claims were re-submitted to detail the total agency match.

Contract #10-0121- This contract was funded through the Dutchess County Youth Bureau and was written for the period January 1, 2012 – December 31, 2012 in the amount of $12,000 for the Green Teen Community Gardening Program. The focus is on gardening, nutrition and entrepreneurship. The total amount of the contract was claimed and paid for salaries. No discrepancies were noted.

Contract #11-0589- This contract was written for the period October 1, 2011 – September 30, 2012 in the amount of $247,993. Funding is provided from the Department of Social Services for the operation of a Food Stamp Nutrition Education Program. This program targets the Department of Social Service food stamp recipients. The program's purpose is improving dietary quality, increasing the use of plant-based foods to prevent chronic diseases including obesity. The total amount of the contract was claimed and paid. This contract is 100% federally funded.

Cornell University
Cooperative Extension
Dutchess County

2715 Route 44, Suite 1
Millbrook, New York 12545-5566
t. 845.677.8223
845.454.7140 (Poughkeepsie NIP)
845.485.2564 (Poughkeepsie Green Teen)
845.831.4294 (Beacon NIP)
845.831.4287 (Beacon Green Teen)
845.677.5067 (Master Gardener Hotline)
f. 845.677.6563
dutchess@cornell.edu
http://counties.cce.cornell.edu/dutchess

November 15, 2013

James L. Coughlan, Comptroller
Office of the Comptroller, Dutchess County
22 Market Street
Poughkeepsie, NY 12601

Dear Mr. Coughlan:

Thank you for the opportunity to respond to the financial audit of Cornell Cooperative Extension Dutchess County (CCEDC) for January 1-December 31, 2012. We appreciate the guidance and recommendations from your staff during the audit process to assist us in enhancing our fiscal operations.

Our responses to your audit findings and recommendations are as follows:

SUMMARY OF FINDINGS

CCEDC respectfully disagrees with your reconsideration of previously approved purchases totaling $16,310.18 which were within the scope of services and budgets in duly executed and approved contracts and requests for reimbursement. Our more detailed response to this finding is set forth below.

CCEDC respectfully disagrees with your finding of $126,191.45 for overcharges of indirect costs, which were within the scope of services and budgets in duly executed and approved contracts, and set forth in requests for reimbursement which were reviewed and consistently approved by Department funders. Our more detailed response to this finding is set forth below.

Your comments on Association inventory processes are appreciated. We plan to conduct more frequent inventories in the future and institute improved tagging of Association assets in conformance with Association policies.

Cornell Cooperative Extension provides equal program and employment opportunities. The County of Dutchess partially funds Cooperative Extension programming in Dutchess County.

DETAILED FINDINGS

Claims and Contract Review

You note that a number of expense claims were denied by the County Health Department prior to your audit and that those expenses provided sole benefit to employees or were not directly related to individual program scope and guidelines. Our records show that only $77.00 in expenses were denied by the Health Department during the program year for the cost of background checks on volunteers working on the relevant programs. Due to our Association privacy policy regarding release of names, we accepted the disallowance.

We have reviewed the expense vouchers and supporting documentation for the other disallowed amounts and find that in the vast majority of cases, the approved, reimbursed expenses are consistent with relevant contract scopes of services and budgets and were in support of the program mission. For example, food purchases were part of delivery of programs such as light refreshments for attendees or volunteers. We document attendance at these meetings or training sessions and monitor expenses commensurate with the value to achieving program goals.

In light of your staff recommendations during the course of the audit, the CCEDC Board adopted a meal policy at its July 22, 2013 meeting for inclusion in HR Policy #504, Business Expenses, as follows:

Business Meals – The Association will reimburse meal expenses not related to business travel when the majority of the attendees are stakeholders or volunteers, not CCE Dutchess County staff. A description of the business conducted or the agenda, as well as a list of attendees must be attached to the reimbursement request or voucher.

All staff received a copy of the revised policy and related training at a full staff meeting.

Cost Allocation of Indirect Expenses to County Contract #12-0174

We disagree with your finding that indirect costs were inequitably allocated to the county contract based on the percentage of county funding revenue to total agency revenue. This formula assumes that all items recorded as revenue are able to be assessed "indirect" costs. Fringe benefits totaling over $500,000, and County Law 224 State appropriated dollars are provided by Cornell University acting as agent for the State and cannot and should not be assessed indirect costs.

The County appropriation actually leverages these State contributions, as well as the ability for CCEDC to receive additional federal Smith Lever dollars, again without possibility of charging an indirect cost against them. The State contribution of fringe benefits directly benefited the County in 2012 through a benefit of over 50% in overall

personnel cost savings for requested services to Dutchess County residents, businesses and officials.

While recognizing that our 2012 County contracts generally do not characterize or limit indirect costs in the manner you recommend, under our calculation, utilizing your allocation for indirect costs, does show our Association shared costs expensed to the County as proportionate to the County contribution to the Association's overall revenues that can be assessed an indirect rate:

Shared Association Costs charged to County:	$233,917
Shared Association Costs charged to Non-County sources:	30,364
Total Shared Association Costs in 2012	$264,281
Total Agency revenues that can be charged indirect costs:	$1,069,658
Total Association revenue from County (minus in-kind building)	$ 805,262
County funding as a percent of total Association revenue (minus in-kind building, federal Smith-Lever Funds, NYS County Law 224 funds, and State fringe benefit payments	**75%**

Therefore, using the formula you recommend, Association indirect costs to be charged to the County would amount to $198,211. In our view, the small disparity of $35,706 is more than offset by the benefits of the State and Federal dollars directly contributed as a result of the County appropriation. You note that "program costs were not consistently presented." Program costs were consistent with the particular contract against which costs were expensed. We agree that different categories for expenses for different programs as directed by County departments were unwieldy and made it difficult to compare indirect costs across different contracts.

Fund Balances

No recommendations were made.

Bank and Cash Handling

Thank you for your observations and recommendations on banking and cash handling. We will strive to review and correct discrepancies in a timely manner.

We have also instituted the practice of better documenting in the Finance Committee and Board minutes that the Treasurer has reviewed the bank statements reconciliations at the meetings. We are also committed to complying with the outstanding check policy and we are working to clear up any outstanding checks in conformance with applicable law and policy. Finally, we have entered into an arrangement with our primary bank to assure that we do not exceed FDIC limits and we are strictly monitoring our account balances.

Cash Handling – Receipts

Thank you for your observations and comments on cash controls at the County Fair. In order to improve cash handling at the Fair, the Association opened a new account in a Rhinebeck bank to allow for daily deposits during the run of the Fair and to minimize the number of staff handling cash received from Fair activities. We also instituted a dual signature requirement for cash collections at the 2013 Fair.

Expenditure Review

You find that purchasing practices were not sufficiently stringent. The Association requires a supervisor and Executive Director signed approval on all purchases, no matter the amount. Pre-purchase approval requests were also required in 2012 for any purchase over $200.00.

We acknowledge your request to separate all food expenses from other meeting expenses. We are now recording food expenses separately for all contracts.

CCEDC follows GSA travel guidelines for meal expenses. These guidelines do not distinguish between in-county and out-of-county travel for purposes of meal allowances.

The finding that a refrigerator which was used by the entire agency was charged and disallowed by the DSS/Federal FSNEP grant is incorrect. A separate refrigerator used exclusively for the the FSNEP Program and located in a locked space away from the Association's shared break room was properly charged to the federal grant and was not disallowed by DSS.

We will assure that Finance staff receive appropriate training in the coming year. Beginning in October, 2013, the Shared Business Network CCE Finance Lead for the Hudson Valley Region will be providing training for all Association Finance Coordinators in the Region which will help assure consistent application of Cornell guidance on finance procedures.

Monitoring and oversight accounting processes has been a priority in 2013 as we adjust to new requirements and procedures from our County funders and integration with the Hudson Valley SBN. We have appointed a part-time grants administrator this year to assist with this oversight.

Inventory

Thank you for your recommendations on improving our inventory listings. We have begun the process of collecting and recording serial numbers on relevant equipment and will schedule an annual physical inventory going forward. We note that Cornell policy does not require tracking of equipment with a value of less than $1000. However,

in response to your recommendations, we created a list of such equipment which the Association has purchased beginning in 2012, and will continue to track such equipment purchases in the future. We also note that we have equipment such as furniture and file cabinets that date from as far back as the 1940s. Since we do not have serial numbers for this equipment, we have included them on our inventory with the Association tag.

On behalf of the CCEDC Board of Directors and staff, thank you for your observations and recommendations.

Sincerely,

Ruth A. Moore

Executive Director

cc: J. Borchert, M. Manning, O. Petroff, R. Churchill

IMPORTANT: These amounts are raw raw data. Actual distribution will vary based on interest earned and expenses incurred. as well as distribution to villages.

Summary of Mortgage Tax Received Oct 13 to Mar 14

Town	October 13	November	December	January 14	February	March	Total for six months
Amenia	$ 5,227.50	$ 2,697.30					
Beekman	$ 30,367.25	$ 16,952.62					
Clinton	$ 6,825.00	$ 14,972.50					
Dover	$ 4,531.50	$ 7,462.00					
East Fishkill	$ 74,485.50	$ 45,347.25					
Fishkill	$ 48,559.00	$ 34,237.56					
Hyde Park	$ 33,693.50	$ 16,169.50					
LaGrange	$ 27,944.50	$ 16,062.23					
Milan	$ 5,469.00	$ 1,948.65					
North East	$ 2,657.50	$ 7,674.15					
Pawling	$ 23,980.50	$ 4,413.00					
Pine Plains	$ 3,198.00	$ 2,317.85					
Pleasant Valley	$ 13,258.50	$ 13,532.50					
Poughkeepsie	$ 50,617.42	$ 108,474.29					
Red Hook	$ 20,088.03	$ 10,382.92					
Rhinebeck	$ 36,828.76	$ 10,136.58					
Stanford	$ 4,913.48	$ 6,045.85					
Union Vale	$ 6,238.50	$ 7,367.27					
Wappinger	$ 33,783.50	$ 32,022.57					
Washington	$ 23,016.02	$ 7,073.20					
City Beacon	$ 19,569.00	$ 15,770.00					
City Poughkeepsie	$ 22,416.08	$ 19,096.21					
Total	$ 497,668.04	$ 400,156.00	$ -	$ -	$ -	$ -	$ -
County Tax	$ 497,668.04	$ 400,156.00	$ -	$ -	$ -	$ -	$ 897,824.04
MTA	$ 281,068.88	$ 228,406.20					
Special Add	$ 19,722.75	$ 47,418.75					
1-6 Family	$ 193,494.77	$ 115,392.00					
Local Tax							
Taxes Held	$ 19,009.40	$ 1,260.00					
Ret/Out Cnty						$ 1,889.79	
Total	$ 1,010,963.84	$ 792,632.95	$ -	$ -	$ -	$ -	$ 897,824.04
MTA Take	$ 474,563.65	$ 343,798.20	$ -	$ -	$ -	$ -	$ 818,361.85

Wager, Leigh

From: Morris, Carolyn on behalf of CountyLegislature
Sent: Wednesday, December 11, 2013 10:36 AM
To: Wager, Leigh
Subject: FW: the homeless

Please print and place in communications. Thanks.

Carolyn Morris
Clerk
Dutchess County Legislature
845.486.2100

From: charles davenport [mailto:sallyhamm04@gmail.com]
Sent: Tuesday, December 10, 2013 11:33 AM
To: CountyLegislature
Subject: Fwd: the homeless

---------- Forwarded message ----------
From: **charles davenport** <sallyhamm04@gmail.com>
Date: Mon, Dec 9, 2013 at 10:44 PM
Subject: the homeless
To: countyexec@dutchessny.gov

Dear Mr. Molinaro:

From various news sources:

Speculation has been raised that Pope Francis has been venturing out of the Vatican at night, disguised as a priest and meeting with the homeless in Rome.

another source with inside knowledge of activities at the Vatican says that "Swiss guards confirmed that the Pope has ventured out at night, dressed as a regular priest, to meet with homeless men and women."

Must Pope Francis make a personal appearance in Dutchess County? Can't we take care of this?

sincerely,
Charles Davenport
Wappingers Falls

Morris, Carolyn

From: charles davenport [sallyhamm04@gmail.com]
Sent: Monday, December 16, 2013 3:33 PM
To: CountyLegislature
Subject: $10,000

Importance: Low

Dear County Legislators,

Thanks to those who voted to shelter the homeless this winter.

County Executive Molinaro feels county taxpayers can't afford $10,000 for this cause. On the other hand, $1.425 million for land for jail expansion isn't a problem.

Today in our nation's Capital, it is considered a wonderful thing for lawmakers to have reached a "bi-partisan" agreement on a national budget. In the coming year, the United States will be cutting out extended unemployment benefits, and cutting food stamp assistance for among others, senior citizens, veterans, military families (and their children), the working poor and their children. These cuts are happening when corporate profits are at an all time high, the stock market is at a record level, and CEO compensation also is setting records.

Homelessness has been "politically acceptable" for some time now. By "bi-partisan" agreement, hungry children by the millions now are "politically acceptable" in the richest country on the planet, in the land of the free and the home of the brave.

The world now has Pope Francis, who allegedly sneaks out of the Vatican to help the homeless. We can use his spirit here in Dutchess County, if not in our nation at large.

Sincerely,

Charles Davenport

December 4, 2013

Ms. Carolyn Morris
Clerk of the Legislature
Dutchess County Legislature
22 Market Street
Poughkeepsie, NY 12601

Dear Ms. Morris:

Enclosed please find the proposed budget for the Dutchess County Industrial Development Agency for Fiscal Year 2014.

If you have any questions, please do not hesitate to contact this office.

Sincerely,

CMaloney

Catherine A. Maloney
Executive Director

Enclosure

3 Neptune Road, Poughkeepsie, New York 12601-5545 Phone (845)463-5400, Fax (845)463-5401

Dutchess County
Industrial Development Agency
2014 Budget

Revenues:	
Charges for services	240,750
Interest Earnings	4,000
Total Revenue	**244,750**
Expenditures:	
Professional Services Contracts	658,000
Other	37,760
Supplies	1,850
Total Expense	**697,610**
Excess Income /Expense	(452,860)

DUTCHESS COUNTY LOCAL DEVELOPMENT CORPORATION

December 4, 2013

Ms. Carolyn Morris
Clerk of the Legislature
Dutchess County Legislature
22 Market Street
Poughkeepsie, NY 12601

Dear Ms. Morris:

Enclosed please find the proposed budget for the Dutchess County Local Development Corporation for Fiscal Year 2014.

If you have any questions, please do not hesitate to contact this office.

Sincerely,

Catherine A. Maloney
Executive Director

Enclosure

Dutchess County
Local Development Corporation
2014 Budget

Revenues:	
Charges for services	225,750
Interest Earnings	900
Total Revenue	**226,650**
Expenditures:	
Professional Service Contracts	97,500
Other	4,300
Supplies	2,800
Total Expense	**104,600**
Excess Income /Expense	122,050

DUTCHESS COUNTY
WATER AND WASTEWATER AUTHORITY

27 High St. 2nd Floor
Poughkeepsie
New York, 12601
(845) 486-3601
Fax (845) 486-3610
dcwwa@dutchessny.gov
www.DCWWA.org

Authority Board Members

Thomas LeGrand
Chairperson

Vincent DiMaso
Vice-Chairperson

Rudy Vavra
Treasurer

Ann Marie Donohue
Secretary

Lawrence R. Knapp

Ex officio Members

Ed Hoxsie
District Manager
Soil and Water Conservation District

M. Kealy Salomon
Commissioner
D.C. Dept. of Planning & Development

Staff

Bridget Barclay
Executive Director

Mary C. Morris
Deputy Director

TO: Carolyn Morris, Clerk of the Legislature
FROM: Bridget Barclay, Executive Director
DATE: December 5, 2013
RE: Year 2014 Final Assessment Levy – **Revised***
Dutchess County Water District
Dutchess County Part County Sewer District 1
Dutchess County Part County Sewer District 2
Dutchess County Part County Sewer District 3

Attached please find the Final Estimate of 2014 Debt Service Expenditures and Revenue Needs, and the Final Assessment Rolls for Zones of Assessment A, B, C (revised), D, H, J, K and L in the Dutchess County Water District, and for Part County Sewer Districts 1, 2 and 3.

* Revision to Zone of Assessment C

cc w/out Assessment Rolls:
James Fedorchak, County Attorney
Pamela Barrack, Commissioner of Finance
Valerie Sommerville, Budget Director

ESTIMATE OF 2014 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
ZONES OF ASSESSMENT A and B
IN THE DUTCHESS COUNTY WATER DISTRICT

The following is a summary of the installments of principal, interest and other expenditures, estimated revenues and benefit assessments to be levied in Zones A and B (covering the water service area formerly served by the Hyde Park Fire and Water District).

EXPENSES:

Debt Service and other expenses for Zones A and B (Hyde Park)

Principal and Interest	$1,405,856.82	
Repayment of County Service Fee	$105,088.49	
Administrative Expenses:		
Trustee Fees	$7,901.30	
DCWWA Admin.	$35,619.56	
TOTAL EXPENSES FOR ZONES A & B		**$1,554,466.17**

REVENUES:

Zone A Benefit Assessment Levy	$965,894.32
Zone B Benefit Assessment Levy	$526,557.41
Total Zones A & B	$1,492,451.73
Capital Contribution from Zone of Assessment D and L	$62,014.44
TOTAL REVENUES FROM ZONES A & B	**$1,554,466.17**

ESTIMATE OF 2014 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
ZONE OF ASSESSMENT C
IN THE DUTCHESS COUNTY WATER DISTRICT
Revised December 5, 2013*

The following is a summary of the installments of principal, interest and other expenditures, estimated revenues and benefit assessments to be levied in Zone C (covering the water service area formerly served by the Staatsburg Water Company and an expanded service area).

EXPENSES:

Debt service and other expenses for Zone C
(Towns of Hyde Park and Rhinebeck)

Principal and Interest	$288,965.93	
Administrative Expenses:		
Trustee Fees	$1,493.79	
DCWWA Admin.	$6,294.43	
TOTAL EXPENSES FOR ZONE C		**$296,754.16**

REVENUES:

Benefit Assessment Levy - Hyde Park	$250,007.31	
Benefit Assessment Levy - Rhinebeck	$39,544.57	
Total Zone C Levy	$289,551.88	
Capital Charges Against District Tenants	$7,202.28	
TOTAL REVENUES FROM ZONE C		**$296,754.16**

* The revision reflects a correction of the allocation of benefit assessment revenues between Hyde Park and Rhinebeck. The total Zone C levy amount has not changed. This revision does not affect the Final Assessment Rolls.

ESTIMATE OF 2014 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
ZONE OF ASSESSMENT D
IN THE DUTCHESS COUNTY WATER DISTRICT

The following is a summary of the installments of principal, interest and other expenditures, estimated revenues and benefit assessments to be levied in Zone D of the Dutchess County Water District.

EXPENSES:

Debt Service and other expenses for Zone D

Principal and Interest	$226,081.07	
Hyde Park Plant Capital Payment	$ 45,985.28	
Administrative Expenses:		
Trustee Fees	$ 4,123.52	
DCWWA Admin.	$ 4,598.80	
TOTAL EXPENSES FOR ZONE D		**$280,788.67**

REVENUES:

Zone D Assessment Levy	$280,258.58
Capital Charges Against District Tenants	$530.09
TOTAL REVENUES FROM ZONE D	**$280,788.67**

ESTIMATE OF 2014 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
ZONE OF ASSESSMENT H
IN THE DUTCHESS COUNTY WATER DISTRICT

The following is a summary of the installments of principal, interest and other expenditures, estimated revenues and benefit assessments to be levied in Zone H of the Dutchess County Water District.

EXPENSES:

Debt Service and other expenses for Zone H

Principal and Interest	$156,662.50	
Administrative Expenses:		
Trustee Fees	$ 1,750.00	
DCWWA Admin.	$ 3,752.74	
TOTAL EXPENSES FOR ZONE H		**$162,165.24**

REVENUES:

Zone H Assessment Levy	$162,165.24
TOTAL REVENUES FROM ZONE H	**$162,165.24**

ESTIMATE OF 2014 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
ZONE OF ASSESSMENT J
IN THE DUTCHESS COUNTY WATER DISTRICT

The following is a summary of the installments of principal, interest and other expenditures, estimated revenues and benefit assessments to be levied in Zone J of the Dutchess County Water District.

EXPENSES:

Debt Service and other expenses for Zone J

Principal and Interest	$110,454.44	
Administrative Expenses:		
Trustee Fees	$ 331.36	
DCWWA Admin.	$ 1,657.97	
TOTAL EXPENSES FOR ZONE J		**$112,443.77**

REVENUES:

Zone J Assessment Levy	$112,443.77
TOTAL REVENUES FROM ZONE J	**$112,443.77**

ESTIMATE OF 2014 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
ZONE OF ASSESSMENT K
IN THE DUTCHESS COUNTY WATER DISTRICT

The following is a summary of the installments of principal, interest and other expenditures, estimated revenues and benefit assessments to be levied in Zone K of the Dutchess County Water District.

EXPENSES:

Debt Service and other expenses for Zone K

Principal and Interest	$67,891.51	
Administrative Expenses:		
Trustee Fees	$ 369.49	
DCWWA Admin.	$ 967.95	
TOTAL EXPENSES FOR ZONE K		$69,228.95

REVENUES:

Zone K Assessment Levy	$69,228.95
TOTAL REVENUES FROM ZONE K	**$69,228.95**

ESTIMATE OF 2014 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
ZONE OF ASSESSMENT L
IN THE DUTCHESS COUNTY WATER DISTRICT

The following is a summary of the installments of principal, interest and other expenditures, estimated revenues and benefit assessments to be levied in Zone L of the Dutchess County Water District.

EXPENSES:

Debt Service and other expenses for Zone L

Principal and Interest	$75,993.07	
Hyde Park Plant Capital Payment	$16,029.16	
Administrative Expenses:		
Trustee Fees	$ 280.54	
DCWWA Admin.	$ 1,152.72	
TOTAL EXPENSES FOR ZONE L		**$93,455.49**

REVENUES:

Zone L Assessment Levy	$93,455.49
TOTAL REVENUES FROM ZONE L	**$93,455.49**

ESTIMATE OF 2014 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
DUTCHESS COUNTY
PART COUNTY SEWER DISTRICT #1

The following is a summary of the installments of principal, interest and other expenditures, estimated revenues and benefit assessments to be levied in Part County Sewer District #1.

EXPENSES:

Debt Service and other expenses for Sewer District #1

Principal and Interest	$115,781.26
Administrative Expenses:	
Trustee Fees	$ 1,500.00
DCWWA Admin.	$ 6,790.79

TOTAL EXPENSES FOR SEWER DISTRICT #1 **$124,072.05**

REVENUES:

District #1:

Zone A Benefit Assessment Levy	$122,003.02
Zone B Benefit Assessment Levy	$ 2,069.03
Total Zones A & B	$124,072.05

TOTAL REVENUES FROM SEWER DISTRICT #1 **$124,072.05**

ESTIMATE OF 2014 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
DUTCHESS COUNTY
PART COUNTY SEWER DISTRICT #2

The following is a summary of the installments of principal, interest and other expenditures, estimated revenues and benefit assessments to be levied in Part County Sewer District #2.

EXPENSES:

Debt Service and other expenses for Sewer District #2

Principal and Interest	$29,218.76	
Administrative Expenses:		
Trustee Fees	$ 1,500.00	
DCWWA Admin.	$ 1,486.23	
TOTAL EXPENSES FOR SEWER DISTRICT #2		**$32,204.99**

REVENUES:

District #2 Assessment Levy	$32,204.99
TOTAL REVENUES FROM SEWER DISTRICT #2	**$32,204.99**

ESTIMATE OF 2014 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
DUTCHESS COUNTY
PART COUNTY SEWER DISTRICT #3

The following is a summary of the installments of principal, interest and other expenditures, estimated revenues and benefit assessments to be levied in Part County Sewer District #3.

EXPENSES:

Debt Service and other expenses for Sewer District #3

Principal and Interest	$163,750.00	
Administrative Expenses:		
Trustee Fees	$ 1,750.00	
DCWWA Admin.	$ 3,585.29	
TOTAL EXPENSES FOR SEWER DISTRICT #3		**$169,085.29**

REVENUES:

District #3 Assessment Levy	$169,085.29
TOTAL REVENUES FROM SEWER DISTRICT #3	**$169,085.29**

CERTIFICATION

The undersigned, Executive Director of the Dutchess County Water and Wastewater Authority, hereby certifies that the foregoing estimates of the 2014 Debt Service Expenditures for Zones of Assessment A, B, C, D, H, J, K and L in the Dutchess County Water District, and Part County Sewer Districts #1, 2 and 3 accurately state the debt service and other expense requirements and projected revenues required to satisfy those requirements in the service areas covered by said Zones and said Part-County Districts.

Dated: Poughkeepsie, NY
December 5, 2013

Bridget Barclay, Executive Director
Dutchess County Water and
Wastewater Authority

THOMAS P. DiNAPOLI
COMPTROLLER

STATE OF NEW YORK
OFFICE OF THE STATE COMPTROLLER
110 STATE STREET
ALBANY, NEW YORK 12236

DIVISION OF LOCAL GOVERNMENT AND SCHOOL ACCOUNTABILITY
Tel: (518) 474-4037 Fax: (518) 486-6479

October 4, 2013

Mr. Robert H. Balkind, P.E.
Acting Commissioner of Public Works
County of Dutchess
22 Market Street
Poughkeepsie, NY 12601

Dear Mr. Balkind:

This is to acknowledge the receipt of the County of Dutchess' corrective action plan to our Report of Examination S9-13-5 entitled County Bridge Maintenance.

Very truly yours,

Daniel Duffy
Principal Examiner, Professional Standards Unit
Division of Local Government and School Accountability

cc: Ms. Carolyn Morris, Clerk of the Legislature
Mr. Marcus J. Molinaro, County Executive

THOMAS P. DiNAPOLI
COMPTROLLER

STATE OF NEW YORK
OFFICE OF THE STATE COMPTROLLER
110 STATE STREET
ALBANY, NEW YORK 12236

ANDREW S. SANFILIPPO
EXECUTIVE DEPUTY COMPTROLLER
OFFICE OF STATE AND LOCAL GOVERNMENT
ACCOUNTABILITY
Tel: (518) 474-4593 Fax: (518) 402-4892

July 19, 2013

Mr. Marcus J. Molinaro, County Executive
Members of the Legislature
County of Dutchess
22 Market Street
Poughkeepsie, NY 12601

Report Number: S9-13-5

Dear Mr. Molinaro and Members of the Legislature:

A top priority of the Office of the State Comptroller is to help officials manage their resources efficiently and effectively and, by so doing, provide accountability for tax dollars spent to support operations. The Comptroller oversees the fiscal affairs of local governments statewide, as well as compliance with relevant statutes and observance of good business practices. This fiscal oversight is accomplished, in part, through our audits, which identify opportunities for improving operations and governance. Audits also can identify strategies to reduce costs and to strengthen controls intended to safeguard assets.

In accordance with these goals, we conducted an audit of eight counties throughout New York State. The objective of our audit was to determine whether counties are properly maintaining their bridges to ensure the safety of those who travel on them. Included in this, we attempted to ascertain if counties have a plan in place to prioritize bridge maintenance and replacement needs. Additionally, we questioned whether the counties have consistently provided funding for maintenance and repairs of bridges and, if so, whether bridge ratings are improving. We included the County of Dutchess (County) in this audit. Within the scope of this audit, we examined the County's policies and procedures and reviewed the maintenance and funding of bridge repairs and the recent New York State Department of Transportation (NYSDOT) ratings of County-owned bridges for the period January 1, 2007, to December 31, 2011. We also reviewed financial data and inspections for the period January 1, 2002, to December 31, 2006, to gain additional understanding of the condition of the bridges.

This report of examination letter contains our findings and recommendations specific to the County of Dutchess. We discussed the findings and recommendations with County officials and considered their comments, which appear in Appendix A, in preparing this report. County officials agreed with our findings and recommendations and indicated they planned to initiate corrective action. Appendix B includes our comments on issues raised in the County's response.

Summary of Findings

Although the County has not developed a written plan for bridge maintenance and repair, it has taken action in recent years to improve and maintain bridge ratings. The Department of Public Works (DPW) has implemented an informal plan to annually select eight to 10 bridges to address, rather than addressing only those issues raised by the NYSDOT. During the audit period, the County maintained average bridge ratings and a consistent level of funding for bridge maintenance, repairs, and replacements.

The County also received a relatively consistent number of flags from the NYSDOT, with an average of 11 flags per year over the years reviewed. We tested the flags issued during the last five years of our audit period to determine if the County complied with the NYSDOT's response and action requirements. Of the 83 flags we tested, the County lacked sufficient documentation for nine flags. We could not determine if the County had responded to these nine flags in a timely manner. For the remaining 74 flags for which the County provided documentation, the County responded in a timely manner to 40 flags and failed to respond in a timely manner to 34 flags. Of these 34 flags, four were red, which indicates that structural failure was a potential outcome before the next bridge inspection. The County's response to these four flags was an average of 37 days later (79 days total) than the NYSDOT's six-week response requirement.

Background and Methodology

The County covers 796 square miles and has approximately 298,000 residents. The County's budgeted expenditures totaled $411 million in 2012; major costs included economic assistance, general government support, and transportation. These costs are funded primarily through property taxes, departmental income, and sales tax.

The County is governed by a 25-member County Legislature (Legislature). The County Executive is the chief executive officer and is responsible, along with other administrative staff, for the County's day-to-day management. The DPW is responsible for the maintenance and monitoring of approximately 150 County-owned bridges, including 12 pedestrian bridges. The DPW includes a professional engineer who is directly involved with the oversight of bridges. The operating budget of the DPW was $11.4 million for the 2012 fiscal year.

The NYSDOT requires that all highway bridges be inspected at least every two years, with certain bridges inspected annually if they are determined to be deficient. The inspections are performed by the NYSDOT inspectors and include an assessment of a bridge's individual parts and an evaluation, resulting in an overall condition score for a bridge. The NYSDOT issues a numeric rating of 1 to 7, with a rating of 5 or greater considered "in good condition." A rating of less than 5 is considered "deficient" and indicates that corrective maintenance or rehabilitation must be conducted to restore a bridge to a "non-deficient" condition. A rating of less than 5 does not necessarily mean that a bridge is unsafe, but highlights bridges that should be considered for further review and maintenance, repair, rehabilitation, or replacement. If a bridge is deemed unsafe, it must be closed to all traffic.

In addition to numeric ratings, the NYSDOT can issue one or more flags on a bridge, indicating a clear and present danger or a condition that would result in a clear and present danger prior to the next scheduled inspection. There are three levels of flags: safety, yellow, and red. A safety

flag represents a danger to vehicles or pedestrians, but no threat to the structural integrity of the bridge. A yellow flag represents a potentially hazardous structural condition which, if left unattended, could become a clear and present danger before the next scheduled inspection. The highest level of flag is red, indicating a failure or potential failure of a primary structural component of the bridge that is likely to occur before the next scheduled inspection. Additionally, the NYSDOT can issue a notice that prompt, interim action is required after issuance of a red or safety flag, indicating there is an extreme situation that requires a response within 24 hours. All of these flags require prompt acknowledgement[1] by the responsible government and prompt action, ranging from correcting the safety issue to closing the bridge. A State-certified professional engineer is required to certify any repairs made in response to both the yellow and red flags.

To complete our audit objective, we conducted interviews with County officials and reviewed adopted policies and procedures. We also reviewed the most recent 10 years of bridge inspection reports and corresponding years' budgets and actual expenditures. We reviewed available documentation addressing responses to notification of flags on bridges for the most recent five years. We conducted our audit in accordance with generally accepted government auditing standards (GAGAS). More information on such standards and the methodology used in performing this audit is included in Appendix C of this report.

Audit Results

Counties have a responsibility to taxpayers to ensure that public roadways, including bridges, are properly maintained and repaired. The failure to provide regular maintenance and needed repairs represents a hazard to the public and a potential liability to the County.

Due to the high costs of materials and limited financial flexibility, it is important that the County have a plan for both maintaining and repairing bridges. An established bridge maintenance and repair plan should include a mechanism for determining when and which bridges should be repaired and/or replaced. The County should ensure that the plan is sufficiently funded and feasible for the County to execute. Annual budgets for bridge repairs, replacement, and maintenance should be based on realistic expectations of expenditures. In addition, the Department should ensure that it complies with the NYSDOT requirements for responding to flags.

While the County does not have a written plan in place, it has implemented practices to maintain bridge ratings. The County selects eight to 10 bridges per year to be addressed. According to County officials, the estimated cost to complete these eight to 10 bridges is a basic estimate based on the evaluation done by the Engineering Division. Officials indicated that once bridges are selected, the Engineering Division then uses the approved budget to monitor the repairs.

In addition, County officials indicated that maintenance, construction, and planning for roads and bridges are included in the County's five-year capital project plans and that, while they budget for bridge replacement, funding is always subject to the approval of the Legislature. Additionally, the County does not track maintenance and repair costs by bridge, unless the bridge is being completely replaced or rehabilitated, which could make it more difficult to calculate

[1] This acknowledgement is considered overdue if it has been longer than six weeks since notification was issued.

reasonable estimates in the future or to determine when it is more economical to replace rather than repair a bridge.

During our audit period, the annual bridge expenditures remained relatively consistent, with any significant variations attributed to various projects. During the same period, the County's average bridge ratings fluctuated slightly, averaging a "non-deficient" rating overall. Ratings ranged from less than 5 (considered deficient) to more than 5 (considered in good condition).

Table 1: Dutchess County - Bridge Expenditures, Ratings, and Deficiency History

Year	Bridge Expenditures[a]	Average Bridge Rating (Scale: 1 to 7)[b]	Number of Bridges Inspected	Number of Deficient Bridges[c]	Bridge Deficiency Percentage[d]
2002	$235,075	3.81	27	8	30%
2003	$254,575	5.17	118	58	49%
2004	$237,920	5.39	29	14	48%
2005	$241,320	5.10	121	59	49%
2006	$233,712	5.59	31	18	58%
2007	$300,736	5.10	121	62	51%
2008	$305,284	5.26	30	15	50%
2009	$305,370	5.06	121	64	53%
2010	$357,105	5.45	30	16	53%
2011	$362,913	5.03	121	64	53%

a) Excludes capital projects and Federal aid, which is recorded separate from bridge maintenance
b) Based on average of NYSDOT Computer Condition Ratings for the bridges inspected during each year.
c) Number of inspected bridges each year that fell below a rating of 5.
d) The number of deficient bridges during the year divided by the number of bridges inspected during the year.

We reviewed all 83 flags issued by the NYSDOT for County-maintained bridges for the years 2007 to 2011. Of the flags reviewed, 43 (52 percent) were yellow, 30 (36 percent) were safety, and 10 (12 percent) were red, with three of the safety flags labeled as requiring prompt interim action. Nine flags, of the 83 flags reviewed, lacked sufficient documentation so we could not determine if the County responded in a timely manner. The County provided documentation for the remaining 74 flags showing that the County responded timely to 40 flags and failed to respond timely to 34 others. Of these 34 flags, four were red, which indicates that structural failure was a potential outcome before the next bridge inspection. The County's response to these four flags was an average of 37 days later (79 days total) than the NYSDOT's six-week response requirement.

Without having a written plan that prioritizes bridge maintenance and replacement needs, the County risks being faced with costly and unexpected bridge repairs, rehabilitations, or replacements in the future. In addition, the lack of records documenting the timeliness of the County's action in response to the NYSDOT flags and the failure to track bridge maintenance and repairs by bridge may increase the County's liability for any future vehicular damages because the County would have trouble demonstrating the adequacy of its repair actions.

Recommendations

1. The DPW should establish a written plan for bridge maintenance and replacement.

2. The DPW should record and monitor repairs and maintenance by bridge.

3. The DPW should ensure that bridge flags are responded to within the NYSDOT's required timeframe.

4. The DPW should ensure that response letters to the NYSDOT are maintained.

The Legislature has the responsibility to initiate corrective action. A written corrective action plan (CAP) that addresses the findings and recommendations in this report should be prepared and forwarded to our office within 90 days, pursuant to Section 35 of the General Municipal Law. For more information on preparing and filing your CAP, please refer to our brochure, *Responding to an OSC Audit Report*, which you received with the draft audit report. We encourage the Legislature to make this plan available for public review in the Clerk's office.

Our office is available to assist you upon request. If you have any further questions, please contact Ann Singer, Chief Statewide Projects, at (607) 721-8306.

Sincerely,

Andrew S. SanFilippo
Executive Deputy Comptroller
Office of State and Local Government
Accountability

APPENDIX A

RESPONSE FROM COUNTY OFFICIALS

The County officials' response to this audit can be found on the following pages.

MARCUS J. MOLINARO
COUNTY EXECUTIVE

ROBERT H. BALKIND, P.E.
ACTING COMMISSIONER OF PUBLIC WORKS

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

May 24, 2013

[redacted]
Associate Examiner
Statewide and Regional Projects
Division of Local Government and School Accountability
Office of the State Comptroller
295 Main Street, Room 1032
Buffalo, NY 14203-2510

RE: REPORT NUMBER: S9-13-44, Bridge Maintenance Audit, Dutchess County

Dear [redacted]

This letter is Dutchess County's response to the report of the Office of the State Comptroller's audit of Dutchess County's bridge maintenance and management program for the period January 1, 2007, to December 31, 2011. Dutchess County is committed to the safety of the traveling public on all bridges owned and maintained by Dutchess County.

Dutchess County appreciates the guidance provided by the Office of the State Comptroller regarding the County's bridge maintenance and management program and believes the recommendations in the audit report will help assist the Department of Public Works in maintaining the County's bridges in safe condition efficiently and economically.

During the audit period, the Dutchess County Department of Public Works experienced many challenges, including the relocation of the Engineering Division office and all records relating to County-owned bridges twice within an eighteen-month period and the assignment of bridge management engineering duties to three different staff members as the result of personnel changes and program cuts. We believe it is a testament to the dedication and professionalism of the Department of Public Works' staff to be able to effectively administer the County's bridge maintenance and management program in the midst of these challenges.

Regarding the results of the audit, Dutchess County submits that the audit report overstates the time the County took to respond to flags issued by the New York State Department of Transportation (NYSDOT). Based on supplemental information provided by the Office of the State Comptroller upon completion of the audit report, it appears

that the County's timeliness to acknowledge bridge flags was based upon the date NYSDOT discovered the flagged condition. According to NYSDOT's "Inspection Flagging Procedure for Bridges" as contained in the NYSDOT *Bridge Inspection Manual*, response times to flags are based on the date of written notification to the party responsible for the bridge. Since NYSDOT's flagging procedure does not specifically define the date of written notification of a flagged condition, Dutchess County contends that this date is the date written notification is received by the responsible party, not the flag discovery date. A Department of Public Works' review of the 34 flags in the audit report which were classified as not being responded to in a timely fashion by the County, revealed an average time between the discovery date of a flag by NYSDOT to receipt of written notification of the flagged condition by the County of approximately 10 calendar days and a maximum time of 33 days. As a result, the County's response to the four red flags identified in the audit report was 60 days versus 79 days as listed in the report. Also, the number of flags which were not timely responded to is reduced from 34, as listed in the report, to 31

See Note 1 Page 10

Dutchess County is pleased to note that the audit determined that the County has implemented practices to maintain consistent bridge ratings during the audit period, despite dwindling resources. Dutchess County remains committed to maintaining its bridges in a safe and cost-effective manner.

We are concerned that the report is not fully reflective of the frequent coordination between our office and the NYSDOT Region 8 Bridge Maintenance Group regarding our flagged bridge conditions. We note that although formal written acknowledgment receipt of some flags was only accomplished as of flag resolution, DCDPW acted swiftly to assure public safety and implement repairs or other appropriate responsive actions. Throughout the period of the study, our responsible bridge maintenance engineering staff have all been former NYSDOT Region 8 employees. In recent years, our Bridge Maintenance Engineer was a previous employee of the NYSDOT Region 8 Structures Group. Our engineers maintain frequent, direct communication with our NYSDOT counterparts regarding bridge safety, repairs, and flag resolution. These communications often involve emails and telephone conversations, for which we did not preserve documentation. In the case of red flags or prompt interim action flags, much direct coordination between our office and the New York State DOT has taken place between the time of receipt of a flag and our official written notice of correction. We have instituted practices which will ensure that all such future working level communication is appropriately documented in our bridge files.

See Note 2 Page 10

We thank you for the diligent and cooperative efforts of your audit staff and for the opportunity to review and comment upon the report. Dutchess County has implemented appropriate steps to ensure that bridge flags are responded to in accordance with

NYSDOT procedures in the future. We have also begun preparation of a Corrective Action Plan which will address the remaining recommendations contained in the report.

Sincerely,

Robert H. Balkind, P.E.
Acting Commissioner of Public Works

ls
c: Marcus J. Molinaro, Dutchess County Executive
Robert Rolison, Chairman, Dutchess County Legislature
Gregory V. Bentley, P.E., Director of Engineering

APPENDIX B

OSC COMMENTS ON THE COUNTY'S RESPONSE

Note 1

We maintain that the date of notification is the date on the notification itself. As such, our calculations for response times are unchanged.

Note 2

This was conveyed to the audit team during fieldwork; however, without adequate supporting documentation, we cannot change the response times that we calculated with records provided by County officials.

APPENDIX C

AUDIT METHODOLOGY AND STANDARDS

To complete our audit objective, we conducted interviews with County officials and reviewed adopted policies and procedures. We also reviewed the most recent 10 completed years of bridge inspection reports and the corresponding years' budgets and actual expenditures. We reviewed and documented all 83 flags received by County bridges for the period 2007 to 2011. We reviewed available documentation addressing responses to the NYSDOT's notification of flags on bridges.

We conducted this performance audit in accordance with generally accepted government auditing standards (GAGAS). Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

GENERAL MUNICIPAL LAW – SECTION 35

FILING OF REPORT OF EXAMINATION AND NOTICE THEREOF

Section 35. Filing of report of examination and notice thereof.

1. A report of such examination shall be made and shall be filed in the Office of the State Comptroller and in the office of the clerk of the municipal corporation, district, agency or activity, or with the secretary if there is no clerk. An additional copy thereof shall be filed with the chief fiscal officer, except that in the case of a school district, such additional copy shall be filed in the office of the chairman of the board of trustees, the president of the board of education or the sole trustee, as the case may be. When so filed, each such report and copy thereof shall be a public record open to inspection by any interested person.

2. (a) Within ten days after the filing of a report of examination performed by the Office of the State Comptroller, a report of an external audit performed by an independent public accountant or any management letter prepared in conjunction with such an external audit with the clerk of the municipal corporation, district, agency or activity, or with the secretary if there is no clerk, he shall give public notice thereof in substantially the following form: " Notice is hereby given that the fiscal affairs of (name of municipal corporation, district, agency or activity) for the period beginning on ..... and ending on ....., have been examined by (the Office of the State Comptroller or an independent public accountant), and that the (report of examination performed by the Office of the State Comptroller or report of, or management letter prepared in conjunction with, the external audit by the independent public accountant) has been filed in my office where it is available as a public record for inspection by all interested persons. Pursuant to section thirty-five of the general municipal law, the governing board of (name of municipal corporation, district, agency or activity) may, in its discretion, prepare a written response to the (report of examination performed by the Office of the State Comptroller or the report of external audit or management letter by independent public accountant) and file any such response in my office as a public record for inspection by all interested persons not later than (last date on which response may be filed)."

(b) Except as otherwise provided for a common school district, the clerk or secretary if there is no clerk, shall cause such notice to be published at least once in the official newspaper, or if there be no official newspaper, in a newspaper having general circulation in the municipal corporation, district or area served by the agency or activity. If there be no newspaper having general circulation, the clerk or the secretary if there is no clerk, shall post such notice conspicuously in ten public places in the municipal corporation, district or area served. In a common school district which maintains a home school, the clerk shall post such notice on the front door of the schoolhouse. In a common school district which does not maintain a home school, the clerk shall post such notice conspicuously in at least five public places in the district.

(c) The clerk of every municipal corporation, district, agency and activity or the secretary if there is no clerk, shall file in his office proof of the publication or posting of notices pursuant to this section. The proof so filed shall be in such form as may be prescribed by the State Comptroller.

(d) In each school district subject to the jurisdiction of a district superintendent, under the provisions of Article forty-five of the Education Law, such district superintendent shall ascertain that the public notice required by this subdivision has been published or posted, as the case may be.

3. The clerk, or secretary if there is no clerk, shall present the report of examination to the governing body of the municipal corporation, district agency or activity for its consideration at the first meeting thereof held after the filing of the report with the clerk or secretary.

4. (a) The governing board or other board, officer or employee of the municipal corporation, district, agency or activity receiving a report of an external audit performed by an independent public accountant or a management letter prepared in conjunction with such an audit shall file in the office of the clerk of the municipal corporation, district, agency or activity, or with the secretary if there is no clerk, and shall furnish to the comptroller, a copy of the report or letter within ten days after receipt. If the report or letter is not received by the governing board, a copy shall be provided to the governing board within three days after receipt by any other board, officer or employee receiving the same.

(b) (1) Not later than ninety days after presentation to the governing board of a report of examination performed by the Office of the State Comptroller, or receipt by the governing board of any report of an external audit performed by an independent public accountant or any management letter in conjunction with such an audit, the governing board may, in its discretion, provide to the comptroller, and file in the office of the clerk, or with the secretary if there is no clerk, of the municipal corporation, district, agency or activity, a written response to the findings and recommendations, if any, in the report or letter. In the case of municipal corporations, districts, agencies or activities subject to examination by the commissioner of education, any written response shall also be provided to such commissioner.

(2) A written response prepared pursuant to subparagraph one of this paragraph shall be in such form as may be prescribed by the comptroller and shall include, with respect to each finding or recommendation, a statement of the corrective actions taken or proposed to be taken, or if corrective action is not taken or proposed, an explanation of the reasons therefor. Any such written response shall also include a statement on the status of corrective actions taken on findings or recommendations contained in any previous report of examination, or report of an external audit, or any management letter prepared in conjunction therewith, by an independent public accountant for which a written response was required. All officers and employees of the municipal corporation, district, agency or activity shall fully cooperate with the governing board in the preparation of the response by the governing board.

(c) The provisions of this subdivision shall not apply to any city having a population of one million or more.

NOTE: Proof of publication shall be filed in the office of the clerk or secretary of the municipality or district. You are not required to file a copy of proof of publication with the Office of the State Comptroller.

AC 2612 (Rev. 1/89)
35

State of New York
Office of the State Comptroller
NOTICE

NOTICE IS HEREBY GIVEN THAT THE FISCAL AFFAIRS OF THE [ ] FOR THE PERIOD BEGINNING ON [ ] AND ENDING ON [ ] HAVE BEEN EXAMINED BY THE OFFICE OF THE STATE COMPTROLLER AND THAT THE REPORT OF EXAMINATION PREPARED BY THE OFFICE OF THE STATE COMPTROLLER HAS BEEN FILED IN MY OFFICE WHERE IT IS AVAILABLE AS A PUBLIC RECORD FOR INSPECTION BY ALL INTERESTED PERSONS. PURSUANT TO SECTION THIRTY-FIVE OF THE GENERAL MUNICIPAL LAW, THE GOVERNING BOARD OF THE

MAY, IN ITS DISCRETION, PREPARE A WRITTEN RESPONSE TO THE REPORT OF EXAMINATION PREPARED BY THE OFFICE OF THE STATE COMPTROLLER AND FILE ANY SUCH RESPONSE IN MY OFFICE AS A PUBLIC RECORD FOR INSPECTION BY ALL INTERESTED PERSONS NOT LATER THAN (LAST DATE ON WHICH RESPONSE MAY BE FILED - 90 DAYS AFTER PRESENTATION OF REPORT TO BOARD).

(NAME) _____

(TITLE) _____

1 In order to be in compliance with General Municipal Law, §35, this notice must be published within 10 days of the filing of this report with the clerk or secretary.

2 If the board has made a decision to respond to the report prior to publication of this notice, the following sentence may be substituted for the last sentence of the above notice:

PURSUANT TO SECTION THIRTY-FIVE OF THE GENERAL MUNICIPAL LAW, THE (NAME OF GOVERNING BOARD) HAS AUTHORIZED THE PREPARATION OF A WRITTEN RESPONSE TO THE REPORT OF EXAMINATION PREPARED BY THE OFFICE OF THE STATE COMPTROLLER AND WILL FILE SUCH RESPONSE, WHEN COMPLETED, IN MY OFFICE AS A PUBLIC RECORD FOR INSPECTION BY ALL INTERESTED PERSONS NOT LATER THAN (LAST DATE ON WHICH RESPONSE MAY BE FILED - 90 DAYS AFTER PRESENTATION OF REPORT TO BOARD).

AC2295-C(2/82)

FILL IN BELOW (1) OR (2) - whichever applies:

CERTIFICATION OF CLERK

TO BE FILED WITH PROOF OF PUBLICATION

(1) I CERTIFY that the _____ is the official
(Name of Newspaper)

newspaper of _____
(Name of Municipality, District, Agency or Activity)

Dated: _____ Signed: _____
(Clerk-Secretary)

(2) I CERTIFY that the _____ has
(Name of Municipality, District, Agency or Activity)

no official newspaper but that the _____
(Name of Newspaper)

is a newspaper having general circulation in such municipality, district, or area served by such agency or activity.

Dated: _____ Signed: _____
(Clerk-Secretary)

Morris, Carolyn

From: LGSA-Audits@osc.state.ny.us
Sent: Friday, July 19, 2013 8:56 AM
To: CountyLegislature
Subject: County Bridge Maintenance Letter Report -Dutchess
Attachments: Dutchess Co formatted.pdf; GML_clerk.pdf

Report No. S9-13-5

Dear Ms. Morris:

Enclosed is a Report of Examination for the County of Dutchess prepared by the Office of the State Comptroller. Also enclosed for your convenience is a copy of Section 35 of the General Municipal Law, which explains your filing and notification responsibilities, together with a sample publication notice and certification.

The examination was made, and report prepared, in accordance with Article 5, Section 1 of the State Constitution, and the authority granted to the State Comptroller by Article 3 of the General Municipal Law.

I trust that this report will be helpful to you. If you require assistance, or if you have any questions, please feel free to contact the local regional office for your county listed at the back of the enclosed report.

Very truly yours,

Andrew A. SanFilippo
Executive Deputy Comptroller
Division of Local Government
and School Accountability

Enclosures

(See attached file: Dutchess Co formatted.pdf)(See attached file: GML_clerk.pdf)

Dutchess County Magistrates Association
Casey McCabe, President
P.O. Box 77
Millerton, NY 12546
cmccabe@nycourts.gov

August 26, 2013

VIA EMAIL & REGULAR MAIL

Mr. Thomas Angell, Public Defender
Dutchess County Public Defender Office
22 Market Street
Poughkeepsie, NY 12601

Mr. Robert Rolison, Chairman
Dutchess County Legislature
22 Market Street
Poughkeepsie, NY 12601

Dear Tom and Rob,

First, I would like to introduce myself as the current President of the Dutchess County Magistrates Association. Second, I would like to congratulate you on being awarded the grant to provide counsel at first appearance.

It is my understanding that the county anticipates having counsel at arraignments beginning in October, and that a meeting will be held soon to discuss how to implement this new program. The magistrates would like to be a part of this process and would like to be present at the upcoming meeting(s).

I look forward to hearing from you soon. Please feel free to contact me at the address or email above or at 770.316.8641.

Sincerely yours,

Casey McCabe

Morris, Carolyn

From: Nancy Durand Lanson [nancydurandlanson@gmail.com]
Sent: Friday, October 04, 2013 6:08 AM
To: CountyLegislature
Subject: Opposing cutting funds for Bowdoin park

To Whom It May concern,

My 3 daughters are taking archery classes at Bowdoin Park, and 2 of them the native American class.I would like you to know that both program at Bowdoin Park are very important to the homeschooling community of Dutchess and Westchester country. It would be a major loss to the homeschooling community if those programs would be unavailable. All the kids involved in the program love attending and look forward to the classes.

Both classes have been a tremendous and invaluable tool to our children's education; the Native American survival classes allows them to learn about nature hands on, as well as respect it. The basic survival skills they learn are both useful and allow them to use critical thinking skills. Dave is a wonderful instructor and without this program, our children would not have had the opportunity to take this type of classes in the area, or learn to practice the beautiful art of Archery. Many of the homeschoolers have taken the series of classes at Bowdoin Park more than once and have become excellent archers!

Thank you,

Nancy Durand Lanson

--
Nancy Durand Lanson

Morris, Carolyn

From: Larry Gauchman [larrygwiz@gmail.com]
Sent: Thursday, October 03, 2013 3:38 PM
To: CountyLegislature
Subject: Please Do Not Cut the Archery Program at Bowdoin Park

To Whom It May concern,

I would like you to know that the Archery Program at Bowdoin Park is very important to the homeschooling community of Dutchess country. It would be a major loss to the homeschooling community if this program was to be cut. The kids involved in the program love attending and look forward to the classes. Many of the homeschoolers have taken the series of classes at Bowdoin Park more then once and have become excellent archers!

Thank you,

Larry Gauchman
(homeschooling parent of Ruby, 15 yrs old)

Morris, Carolyn

From: Doreentig@aol.com
Sent: Thursday, October 10, 2013 9:44 AM
To: CountyLegislature
Subject: In support of Resolution 2013190, neighbor notification of pesticide app...

As stated in my July 2013 email below to the Legislature, I support Resolution 2013190 to notify neighbors of pesticide application. Thank you.

Doreen Tignanelli
29 Colburn Drive
Poughkeepsie NY 12603

From: Doreentig@aol.com
To: countylegislators@dutchessny.gov
Sent: 7/11/2013 12:20:00 P.M. Eastern Daylight Time
Subj: In support of Resolution 2013190, neighbor notification of pesticide application

I support Resolution 2013190 regarding authorizing prior notification to neighbors when pesticides are to be applied.

As pesticides may present a risk to certain groups of people, notification would not stop the application but would allow those with concerns to take appropriate measures such as closing their windows, staying indoors, etc. For example, people with a family history of Parkinson's disease may want to take such precautions as studies have shown that exposure to pesticides increases risk of developing Parkinson's disease.

Thank you.

Doreen Tignanelli
29 Colburn Drive
Poughkeepsie NY 12603

Morris, Carolyn

From: Hicks, Ronald
Sent: Monday, November 25, 2013 2:28 PM
Subject: IBM's June 2013 Workforce Reduction Update - 11/25/13

As of last Friday, only 300 of the 697 IBM employees affected by the June workforce reduction have filed for Unemployment Insurance (UI), and 237 of those are active UI cases seeking an assortment of services such as counseling, workshops and some job or skills training. As mentioned before, we don't know if the balance of employees were transferred within IBM, reemployed, found jobs outside of IBM, or retired. FYI -RON

Ronald Hicks
Deputy Commissioner of Strategic Planning and Economic Development
Dutchess County
22 Market Street
Poughkeepsie NY 12601
Phone: 845-486-2565
Email: rhicks@dutchessny.gov

www.dutchessny.gov

Town of Poughkeepsie

SUSAN J. MILLER
ONE OVEROCKER ROAD
POUGHKEEPSIE, NY 12603

OFFICE OF TOWN CLERK
PHONE: (845) 485-3620
FAX: (845) 485-8583

November 12, 2013

Dutchess County Dept. of Planning
Dutchess County Legislature
Town Planning Board
Town Zoning Board
Town Clerk, Town of Pleasant Valley
City Clerk, Poughkeepsie, New York
Town Clerk, Town of Lagrange
Town Clerk, Town of Hyde Park
Town Clerk, Town of Wappinger
Town Clerk, Village of Wappingers Falls
Town Clerk, Town of Marlborough
Town Clerk, Town of Lloyd

NOTICE IS HEREBY GIVEN, pursuant to Section 239 of the General Municipal Law that the Town Board, Town of Poughkeepsie does hereby set **Wednesday, December 4, 2013 at 7:00 p.m.** as and for the time, date and place of a public hearing to amend Chapter 210 of the Town Code, entitled "Zoning", regarding amending the list of permitted accessory uses within a designated Senior Housing Overlay District project.

Please find copies of Resolution 11:6-#17 of 2013 and also the Public Hearing notice for your review and recommendation.

Sincerely,

Felicia Salvatore

Felicia Salvatore
Deputy Town Clerk
Town of Poughkeepsie

RESOLUTION 11:6 - # 17 of 2013

WHEREAS, the Town Board has received a recommendation from the Director of Municipal Development regarding amending the list of permitted accessory uses within a designated Senior Housing Overlay District project; and

WHEREAS, a copy of the proposed amendments to §210-20 of the Town Code is attached hereto and made part of this resolution and a verbatim reading of said amendment is hereby waived and the Town Clerk is directed to spread the proposed amendment across the record as if it had been read verbatim; and

WHEREAS, the action to amend the zoning law is an Unlisted Action under the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the amendment is subject to a public hearing.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Town Board hereby sets a public hearing on the proposed amendment to Chapter 210 for December 4, 2013, at 7:00 PM, or as soon thereafter as the matter may come to be heard, in the Town Hall, One Overocker Road, Poughkeepsie, New York; and

2. The Town Board hereby states that because only the Town Board can consider and adopt changes to the Town Code that it is the only involved agency, and the Board hereby declares that it is the Lead Agency for purposes of coordinating the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law; and

3. The Town Board refers this matter to the Dutchess County Department of Planning and Economic Development for a recommendation pursuant to GML 239-m; and

4. The Town Board refers this matter to the Planning Board for an advisory report pursuant to Town Code Sections 210-154.

5. The Town Board directs the Town Clerk to notify the Town Clerks of each of the surrounding municipalities of the public hearing pursuant to GML 239-nn.

Dated: November 06, 2013

Moved: Michael Cifone

Seconded: Sean Eagleton

Ayes 6 Nays 0

NW/meh
t-11/1/2013
m-11/6/2013

	AYE	NAY
Councilman Baisley	____	____
Councilman Eagleton	____	____
Councilman Conte (absent)	____	____
Councilman Cifone	____	____
Councilman Krakower	____	____
Councilwoman Shershin	____	____
Supervisor Tancredi	____	____

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BE IT ENACTED by the Town Board of the Town of Poughkeepsie as follows:

Article IV, §210-20(D)(5) of Chapter 210 of the Town of Poughkeepsie Zoning Code is hereby amended as follows:

5. Accessory uses. Subject to Town Board approval and such other limitations the Town Board may approve, up to 15% of the gross floor area of the principal SHOD structure may include the following as accessory uses, provided such uses are located within the principal SHOD structure.

    a. Bakery, retail.

    b. Bank or financial services, no drive-in or drive-through.

    c. Personal service business, no drive-in or drive-through.

    d. Restaurant, no drive in or drive-through.

    e. Retail business, use, store or shop.

    f. Service business, no drive-in or drive-through.

LEGAL NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that the Town Board of the Town of Poughkeepsie does hereby set the 4th day of December, 2013 at 7:00 p.m. at the Town of Poughkeepsie, Town Hall, One Overocker Road, Poughkeepsie, NY, as and for the time, date and place of a public hearing to amend Chapter 210, entitled "Zoning" in regard to amending the list of permitted accessory uses within a designated Senior Housing Overlay District

AND ALSO PLEASE TAKE FURTHER NOTICE, that the said proposed local law is available in full form at the Town Clerk's Office, One Overocker Road, Poughkeepsie, NY, Monday thru Friday between the hours of 8:00 AM-4:00 PM

AND ALSO PLEASE TAKE FURTHER NOTICE, that said local law, if adopted, shall take effect immediately upon filing with the Secretary of State.

Susan J. Miller, Town Clerk
Town of Poughkeepsie
November 12, 2013

Town of Poughkeepsie

SUSAN J. MILLER
ONE OVEROCKER ROAD
POUGHKEEPSIE, NY 12603

OFFICE OF TOWN CLERK
PHONE: (845) 485-3620
FAX: (845) 485-8583

November 12, 2013

Dutchess County Dept. of Planning
Dutchess County Legislature
Town Planning Board
Town Zoning Board
Town Clerk, Town of Pleasant Valley
City Clerk, Poughkeepsie, New York
Town Clerk, Town of Lagrange
Town Clerk, Town of Hyde Park
Town Clerk, Town of Wappinger
Town Clerk, Village of Wappingers Falls
Town Clerk, Town of Marlborough
Town Clerk, Town of Lloyd

NOTICE IS HEREBY GIVEN, pursuant to Section 239 of the General Municipal Law that the Town Board, Town of Poughkeepsie does hereby set **Wednesday, December 4, 2013 at 7:00 p.m.** as and for the time, date and place of a public hearing to amend Chapter 210 of the Town Code, entitled "Zoning", in regard to the definition of "Service Business" as stated in Article II, §210-9
Please find copies of Resolution 11:6-#18 of 2013 and also the Public Hearing notice for your review and recommendation.

Sincerely,

Felicia Salvatore

Felicia Salvatore
Deputy Town Clerk
Town of Poughkeepsie

RESOLUTION 11:6 - # 18 of 2013

WHEREAS, the Town Board has received a recommendation from the Director of Municipal Development regarding amending the definition of "service business"; and

WHEREAS, a copy of the proposed amendments to §210 is attached hereto and made part of this resolution and a verbatim reading of said amendment is hereby waived and the Town Clerk is directed to spread the proposed amendment across the record as if it had been read verbatim; and

WHEREAS, the action to amend the zoning law is an Unlisted Action under the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the amendment is subject to a public hearing.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Town Board hereby sets a public hearing on the proposed amendment to Chapter 210 for December 4, 2013, at 7:00 PM, or as soon thereafter as the matter may come to be heard, in the Town Hall, One Overocker Road, Poughkeepsie, New York; and

2. The Town Board hereby states that because only the Town Board can consider and adopt changes to the Town Code that it is the only involved agency, and the Board hereby declares that it is the Lead Agency for purposes of coordinating the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law; and

3. The Town Board refers this matter to the Dutchess County Department of Planning and Economic Development for a recommendation pursuant to GML 239-m; and

4. The Town Board refers this matter to the Planning Board for an advisory report pursuant to Town Code Sections 210-154.

5. The Town Board directs the Town Clerk to notify the Town Clerks of each of the surrounding municipalities of the public hearing pursuant to GML 239-nn.

Dated: November 06, 2013

Moved: Stephan Krakower

Seconded: Sean Eagleton

Ayes 6 Nays 0

NW/meh
t-11/1/2013
m-11/6/2013
G:\mllegal\r\2013\Nov\nov-6\Service Business Definition Amendment.doc

	AYE	NAY
Councilman Baisley		
Councilman Eagleton		
Councilman Conte (absent)		
Councilman Cifone		
Councilman Krakower		
Councilwoman Shershin		
Supervisor Tancredi		

BE IT ENACTED by the Town Board of the Town of Poughkeepsie as follows:

Article II, §210-9 of Chapter 210 of the Town of Poughkeepsie Zoning Code is hereby amended as follows:

SERVICE BUSINESS, USE, STORE OR SHOP - A business or nonprofit organization that provides services to the public; either on or off the premises, including but not limited to arts instruction or studio; theater and performing arts; building, electrical, plumbing and landscape contracting business; educational services; catering; health club; housecleaning services; locksmith; printing and photocopying; repair and restoration services; tailoring; typing and word processing; but not including a bank or financial service business, an adult business use, a motor vehicle accessory sales use, a motor vehicle rental facility, a motor vehicle sales and service use, a motor vehicle service facility use, a motor vehicle repair facility, clinic, veterinary office, hospital, animal hospital, or a tattoo parlor.

LEGAL NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that the Town Board of the Town of Poughkeepsie does hereby set the 4th day of December, 2013 at 7:00 p.m. at the Town of Poughkeepsie, Town Hall, One Overocker Road, Poughkeepsie, NY, as and for the time, date and place of a public hearing to amend Chapter 210, entitled "Zoning" in regard to the Definition of "Service Business" as stated in Article II, §210-9

AND ALSO PLEASE TAKE FURTHER NOTICE, that the said proposed local law is available in full form at the Town Clerk's Office, One Overocker Road, Poughkeepsie, NY, Monday thru Friday between the hours of 8:00 AM-4:00 PM

AND ALSO PLEASE TAKE FURTHER NOTICE, that said local law, if adopted, shall take effect immediately upon filing with the Secretary of State.

Susan J. Miller, Town Clerk
Town of Poughkeepsie
November 12, 2013

Town of Poughkeepsie

SUSAN J. MILLER
ONE OVEROCKER ROAD
POUGHKEEPSIE, NY 12603

OFFICE OF TOWN CLERK
PHONE: (845) 485-3620
FAX: (845) 485-8583

November 8, 2013
Via email
Town Clerk, Town of Pleasant Valley
City Clerk, Poughkeepsie, New York
Town Clerk, Town of Lagrange
Town Clerk, Town of Hyde Park
Town Clerk, Town of Wappinger
Town Clerk, Village of Wappingers Falls
Town Clerk, Town of Marlborough
Town Clerk, Town of Lloyd

NOTICE IS HEREBY GIVEN, pursuant to Section 239 of the General Municipal Law that the Town Board, Town of Poughkeepsie does hereby set **Wednesday, November 20, 2013 at 7:00 p.m.** as and for the time, date and place of a public hearing to amend Chapter 210 of the Town Code, entitled "Zoning", specifically the zoning designation of certain properties located at and near the intersections of Van Wagner Road, Springside Avenue and Parkview Terrace.

Please find copies of Resolution 11:6-#SC 16 of 2013 and also the Public Hearing notice for your review and recommendation.

Sincerely,

Felicia Salvatore

Felicia Salvatore
Deputy Town Clerk
Town of Poughkeepsie

RESOLUTION 11:6 - # 16 of 2013

WHEREAS, the Town Board has received a recommendation from the Planning Board in regard to an application from Built Parcel 4, LLC requesting an amendment of the zoning designation of certain properties located at and near the intersections of Van Wagner Road, Springside Avenue, and Parkview Terrace; and

WHEREAS, the proposed amendments are attached hereto and incorporated herein and the Town Board does hereby waive a verbatim reading of said amendments and does direct that said amendments be spread across the record as if they, in fact, had been read verbatim; and

WHEREAS, the amendments require a public hearing.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Town Board hereby sets a public hearing on the proposed amendments for November 20, 2013, at 7:00 PM, or as soon thereafter as the matter may come to be heard, in the Town Hall, One Overocker Road, Poughkeepsie, New York; and

2. The Town Board directs the Town Clerk to notify the Town Clerks of each of the surrounding municipalities of the public hearing pursuant to GML 239-nn.

Dated: November 06, 2013

Moved: Sean Eagleton

Seconded: Gregory Baisley

Ayes 6 Nays 0

NW/meh
t-11/1/2013
m-11/6/2013

	AYE	NAY
Councilman Baisley		
Councilman Eagleton		
Councilman Conte (absent)		
Councilman Cifone		
Councilman Krakower		
Councilwoman Shershin		
Supervisor Tancredi		

BE IT ENACTED by the Town Board of the Town of Poughkeepsie as follows:

Article III §210-11 of Chapter 210 of the Town of Poughkeepsie Code is hereby amended as follows:

> The zoning designation of tax parcel numbers 6161-08-838906, 821910, 841912 is hereby amended from Highway Business (B-H) District to Arlington Town Center (ATC) District; and the zoning designation of tax parcel number 6161-08-809927, and the land presently owed by the Town of Poughkeepsie and the State of New York located between the north side of Route 44/55 (i.e. the West Bound Arterial) the south side of Parkview Terrace and east of Springside Avenue abutting tax parcel number 821910 is hereby amended from Residence, Single-Family 20,000 Square Foot (R-20,000) District to Arlington Town Center (ATC) District.

G:\mllegal\r\2013\Nov\nov-6\Springside Map Amendment.doc

LEGAL NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that the Town Board of the Town of Poughkeepsie does hereby set the 20th day of November, 2013 at 7:00 p.m. at the Town of Poughkeepsie, Town Hall, One Overocker Road, Poughkeepsie, NY, as and for the time, date and place of a public hearing to amend the Zoning Map to amend the zoning designation of certain properties located at or near the intersections of Van Wagner Road, Springside Avenue, and Parkview Terrace

AND ALSO PLEASE TAKE FURTHER NOTICE, that the said proposed zoning amendment is available in full form at the Town Clerk's Office, One Overocker Road, Poughkeepsie, NY, Monday thru Friday between the hours of 8:00 AM-4:00 PM

AND ALSO PLEASE TAKE FURTHER NOTICE, that said local law, if adopted, shall take effect immediately upon filing with the Secretary of State.

Susan J. Miller, Town Clerk
Town of Poughkeepsie
November 7th, 2013

DEPARTMENT OF THE NAVY
USS ROOSEVELT (DDG 80)
FPO AA 34092-1297

1000
Ser DDG 80/112
25 Oct 13

From: Commanding Officer, USS ROOSEVELT (DDG 80)
To: The People of Dutchess County, New York

Subj: VETERANS' DAY 2013 MESSAGE

1. It is my great pleasure to send these greetings to you as we prepare to celebrate Veterans' Day 2013. Your continued support of the USS ROOSEVELT (DDG 80) and its superb Crew demonstrates your appreciation for all who serve and have served by wearing the cloth of our nation. For that, on behalf of the men and women of ROOSEVELT, I thank you.

2. To the Veterans in Dutchess County in the great state of New York, thank you for your service; thank you for your sacrifice; thank you for the example you set for future generations.

3. Best wishes to all of you on this day honoring America's Veterans. I wish that the ship was closer to be able to share in the celebration with you all, but know that we are there in spirit! Be certain that we are thinking of you as well as we continue training in preparation for our upcoming overseas deployment.

4. May God bless our veterans, may God bless all who wear the uniform, and may God continue to bless the United States of America.

F. J. CLARK

Morris, Carolyn

From: Sommerville, Valerie
Sent: Monday, December 02, 2013 9:57 AM
To: Serino, Susan
Cc: Ellison, Michael; O'Neil, William; Armstrong, Rachel; White, Jessica; Morris, Carolyn; Rolison, Robert
Subject: 2914 Budget - Request for Information
Attachments: Non-Union Employee Cost and Count.xls

Good Morning Sue,

The attached table summarizes the non-union employee count and cost.

Val

From: sueserino@optonline.net [mailto:sueserino@optonline.net]
Sent: Friday, November 29, 2013 10:56 AM
To: Sommerville, Valerie
Subject: Re: RE: RE: Comptroller Advisory 2013 and 2014 Budgets

Hi Val,
I hope you had a nice Thanksgiving, I'm still full!
I spoke to Mike on Wednesday and he gave me the figures, I believe it was 209 managerial positions and the cost savings would be just under $900,000 at a 5 % reduction. I think I would like to have you send me the information and if you could include any other positions that are non union as well that could take a 5% reduction.
Thank you,
Sue

----- Original Message -----
From: "Sommerville, Valerie"
Date: Friday, November 29, 2013 9:48 am
Subject: RE: RE: Comptroller Advisory 2013 and 2014 Budgets
To: "Serino, Susan"

> Hi Sue,
>
> I understood from Marc and Mike that your request had been
> withdrawn. If not or if something changed, please let me know.
>
> Regards,
>
> Val
>
> From: sueserino@optonline.net [mailto:sueserino@optonline.net]
> Sent: Tuesday, November 26, 2013 12:06 PM
> To: Sommerville, Valerie
> Subject: Re: RE: Comptroller Advisory 2013 and 2014 Budgets
>
> Hi Val,

>
> I was wondering if you had the numbers yet for the non union
> managerial positions for 2013 and 2014? Number of positions and
> salary amount for all of those positions? I had spoken to Marcus
> on Thursday and he said that I would receive the information.
> I also want to thank you for always being so pleasant and
> concise with all of your information for us, it's a pleasure
> working with you. I know that this is a daunting task that we
> have but I made a promise to my constituents that I would not
> raise taxes so I am exploring any and all possible options.
> Thank you,
> Sue
>
> ----- Original Message -----
> From: "Sommerville, Valerie"
> Date: Thursday, November 21, 2013 6:04 pm
> Subject: RE: Comptroller Advisory 2013 and 2014 Budgets
> To: "Rolison, Robert" , "Miccio, James"
> Cc: "Rolison, Robert" , "Durland, Catherine" , "Morris, Carolyn"
> , "Ellison, Michael" , "O'Neil, William" , "Armstrong, Rachel" ,
> "White, Jessica" , "Pillus, Colleen" , "Surman, Alan" ,
> "Macavery, Alison E." , "Flesland, Angela" , "Jeter-Jackson,
> Barbara" , "Traudt, Benjamin" , "Borchert, Dale" , Debra Blalock
> , "Bolner, Donna" , "Amparo, Francena" , "Hutchings, Gerald" ,
> "Doxsey, James" , "Miccio, James" , "Tyner, Joel" , John Forman
> , "Thomes, John" , "Incoronato, Joseph" , "Roman, Kenneth" ,
> "Horton, Marge" , "Kelsey, Michael" , "Wilkinson, Peter" ,
> "Perkins, Richard" , "Weiss, Robert" , "Rolison, Robert" ,
> "White, Steve" , "Serino, Susan"
>
> > Rob & Jim,
> >
> > Attached is my response. Hard copies will follow.
> >
> > Val
> >
> > From: Rolison, Robert
> > Sent: Thursday, November 21, 2013 5:54 PM
> > To: Sommerville, Valerie
> > Cc: Rolison, Robert; Durland, Catherine
> > Subject: Comptroller Advisory 2013 and 2014 Budgets
> >
> > Dear Val,
> > Please review the attached document and report back if any are
> > viable. Your assistance in this matter is greatly appreciated.
> >
> > Best,
> > Rob
> >
> >
> > Robert G. Rolison

> > Chairman of the Dutchess County Legislature
> >
>

Non-Union Employee Count and Cost

	2012 Adopted - FTE	2012 Adopted - Amount	2013 Adopted - FTE	2013 Adopted - Amount	2014 Recommended - FTE	2014 Recommended - Amount
Confidential-7 Hours	46	$ 2,338,765	44	$ 2,170,573	43	$ 2,084,644
Management PT	1.5	$ 61,851	2	$ 99,551	1	$ 45,683
Management -7 Hours	149	$ 13,687,443	151	$ 13,746,134	156	$ 13,929,303
Management-8 Hours	6	$ 503,988	6	$ 481,206	6	$ 516,448
Unrepresented	3	$ 16,137	3	$ 16,137	3	$ 16,137
Total	**205.5**	**$ 16,608,184**	**206**	**$ 16,513,601**	**209**	**$ 16,592,215**

5% of 2014 Recommended: $ 829,611

TOWN OF LAGRANGE

CHRISTINE O'REILLY-RAO
TOWN CLERK
120 STRINGHAM ROAD
LAGRANGEVILLE, NY 12540
845-452-1830 845-452-2289 FAX

COMMUNICATIONS

November 14, 2013

Clerk, Dutchess County Legislature
22 Market Street
Poughkeepsie, NY 12601

Re: Town of LaGrange Proposed Local Law

A LOCAL LAW OF THE YEAR 2013, TO AMEND CHAPTER 240 "ZONING" OF THE TOWN CODE OF THE TOWN OF LAGRANGE, DUTCHESS COUNTY, NEW YORK TO ADD A NEW SECTION 240-106 TO LIMIT FOR AN INTERIM PERIOD OF 180 DAYS DEVELOPMENT OF DRIVE-THROUGH SERVICE FACILITIES WITHIN THE TC-B ZONING DISTRICT PENDING REVISION OF THE TOWN'S EXISTING LAND USE LAWS.

Dear Sir or Madam:

Enclosed please find the following document:

1. Text of proposed local law including Notice of Public Hearing

Please provide your comments to the Town, if possible, by the time of the scheduled public hearing of **December 11, 2013.**

Sincerely,
TOWN OF LAGRANGE

Christine O'Reilly-Rao

CHRISTINE O'REILLY-RAO,
TOWN CLERK

COR/mms
Enclosure

RESOLUTION

Councilman Polhemus introduced, and Councilman Bell seconded, the following local law for the Town of LaGrange, to be known as Local Law No. ___ of the Year 2013, and entitled A LOCAL LAW OF THE TOWN OF LAGRANGE, DUTCHESS COUNTY, NEW YORK, AMENDING CHAPTER 240, "ZONING", OF THE LAGRANGE TOWN CODE TO ADD A NEW SECTION 240-106 ENTITLED "REGULATION FOR AN INTERIM PERIOD OF DEVELOPMENT AND USE OF DRIVE-THROUGH SERVICE FACILITIES WITHIN THE TC-B ZONING DISTRICT".

Section 1. BE IT ENACTED by the Town Board of the Town of LaGrange that Section 240-106, entitled "REGULATION FOR AN INTERIM PERIOD OF DEVELOPMENT AND USE OF DRIVE-THROUGH SERVICE FACILITIES WITHIN THE TC-B ZONING DISTRICT" is added to Chapter 240, "Zoning", of the Town Code as follows:

Section 240-106. REGULATION FOR AN INTERIM PERIOD OF DEVELOPMENT AND USE OF DRIVE-THROUGH SERVICE FACILITIES WITHIN THE TC-B ZONING DISTRICT

A. LEGISLATIVE INTENT AND FINDINGS

Consistent with its comprehensive plan, and in 2003, the LaGrange Town Board enacted legislation establishing standards for the Town Center Business District "TC-B" and the Town Center

Residential District "TC-R". The use and design standards for Town Center were established to create walkable, highly integrated, multi-functional public and private spaces through a network of connected uses, streets, and sidewalks. A primary objective of the TC-B District was to create a traditional main street environment. The TC-B District standards called for new buildings to have 2-3 stories, with retail on the ground floor and office or residential uses above.

Design principles for the TC-B District included:

(1) establishing a coordinated image for the Town Center;

(2) bringing buildings up to sidewalk and street edges;

(3) promoting a mix of commercial and residential uses in multi-story buildings;

(4) prominent positioning of civic buildings and central green spaces;

(5) promoting pedestrian activity through a safe and walkable environment;

(6) establishing narrow tree-lined streets to slow traffic;

(7) minimizing visual impacts of the automobile;

(8) creating an interconnected street system for both pedestrians and vehicle traffic; and

(9) encouraging on-street parking and parking areas shared among nearby uses.

The TC-B District regulations encourage a mixture of retail uses, restaurants, services, work places, entertainment and civic facilities, and moderate to high density housing in a compact pattern that balances automobile access with strong pedestrian elements to create a walkable environment.

In furtherance of a pedestrian-centric theme, the regulations envision restaurants able to operate outdoor cafes in front of and along public sidewalks, as well as the facilitating the enjoyment by retail businesses of sidewalk display of store merchandise. There is a goal of establishing frequent store entrances along town center streets to maintain the retail continuity and viability. There was specific opportunity for the relaxation of height and setback requirements landmark civic buildings, and for pedestrian-oriented places such as plazas or outdoor eating areas.

On-street parking was encouraged, as well as the placement of off-street parking areas behind buildings as opposed to locating them in front yards between business establishments and streets.

In furtherance of these legislative purposes (particularly the promoting of pedestrian activity in a safe and walkable environment of traditional main street design including interconnected streets systems, on-street parking, and public

spaces for civic buildings and green space), the 2003 TC-B District regulations prohibited drive-through windows and lanes (Town Code, Section 240-35[H][2][a][8]). The policy was to increase the range of pedestrian activity and to reduce consumerism in reliance upon, and from within, vehicles.

In 2012, in the context of establishing special permit regulation of drive-thru facilities in the town-at-large (See Town Code Section 240-70.1), the municipality amended Section 240-35(H)(2)(a)(8) to prohibit drive-through facilities in the TC-B Zoning District for restaurants or fast-food restaurants. The amendment allowed potential establishment of drive-through facilities for other commercial uses in the TC-B district, such as banks and pharmacies, subject to special permit review by the Planning Board.

The Town Code's definition of fast-food restaurant is as follows:

> "Any premises where the principal business is the preparation and retail sale of food and beverages in a ready-to-consume state where two or more of the following procedures are followed: the food is served in paper, plastic, or other similar disposable containers; the customer orders the food at a central point on the premises and the food is distributed to the customer at a central

> distribution point within the building or at a drive-in window facility, or both; the food is consumed within the building, at a dining area located outside the building, in motor vehicles parked on the premises, or off the premises. Without limitation of the foregoing definition and solely for illustrative purposes, it is the intention of this definition to include franchise and nonfranchise restaurants commonly selling pizza, doughnuts, hamburgers, fried chicken, fired fish, tacos and sandwiches using the procedures set forth herein."

Reliance upon the current definition of fast-food restaurant within the zoning law's prohibition of drive-through service facilities in the TC-B district raises issues of interpretation not anticipated by the legislative body at the time of the 2012 drive-through amendment, a purpose of which was to address the sale and distribution of ready-to-consume foods or beverages in the TC-B district from drive-through facilities. The issue of interpretation is (a) whether a fast-food restaurant or operation needs to be a distinct principal use of premises in the TC-B zone before the drive-through proscription would apply, or (b) whether the drive-through proscription covers any commercial or retail establishment's sale and dispensing of ready-to-consume food or beverage items regardless of whether it is asserted that such

activity will be an accessory or subordinate aspect of the use. This issue of interpretation is particularly problematic within the TC-B District, because its regulations allow for multiple uses on the same lot (Section 240-35[H][1][b][2]).

Additionally, it is apparent that commercial trends for various retail establishments, which may or may not fall into the category of restaurants or fast-food restaurants, either associated with or independent of the sale of fuel for vehicles, include the sale and dispensing of ready-to-consume foods or beverages, either with or without the incorporation of fast-food franchising, thereby creating the dynamic of potential multiple commercial uses and users at retail premises and the challenge of ascertaining which user or which activity is principal, and indeed whether the use of a drive-through facility itself is, or may become, principal. This fluid and adjustable mixture of commercial activity and users threatens, absent clarifying legislative amendments, to interfere with zoning administration and to thwart the policy of the municipality to proscribe the dispensing of ready-to-consume foods or beverages from a drive-through service facility in the TC-B District, whether based on a franchise model or not, in order to preserve and to promote the Town Center land use goals which are set forth above.

In order to maintain the goals and standards underlying its Town Center land use plan, The Town of LaGrange requires the

time and opportunity to amend this Chapter to develop more particular standards governing use and development of drive-through service facilities within the Town Center-Business (TC-B) zoning district. It is anticipated that these activities may culminate in significant legislative revisions.

Interim development of drive-through facilities in the TC-B zoning district, or the issuance of approvals for such development, which are inconsistent with the current purposes or future result of this legislative revision process would negate or circumvent the process and, thus, would be contrary to the public interest and welfare.

In order to prevent land use development which may be inconsistent with the results of this legislative exercise, appropriate interim measures should be taken in the form of a temporary moratorium on review and approval of drive-through service facilities within the TC-B zoning district.

B. SCOPE OF COVERAGE

1. Chapter 240 of the Code of the Town of LaGrange (the local law entitled "ZONING") shall be superseded, only where inconsistent herewith, to the extent that in the TC-B zoning district:

a) No application for issuance of special use permits for drive-through service facilities pursuant to Section 240-70.1 or 240-71 of the LaGrange Town Code for properties

within the TC-B zoning district shall be accepted by the officers or boards authorized to do so under the provision of local laws of the Town relating to such applications.

b) No filed and pending applications for issuance of special use permits for drive-through service facilities pursuant to Section 240-70.1 or 240-71 of the LaGrange Town Code for properties within the TC-B zoning district shall be processed, reviewed or granted by the officers or boards authorized to do so under the provisions of local laws of the Town relating thereto.

C. EXCLUSIONS

Notwithstanding the foregoing provisions hereof, this local law shall not apply to:

1. Certificates of occupancy for any and all construction pursuant to building permits or construction permits issued prior to the effective date of this local law; or

3. Renovation or repair of any structure or accessory site development devoted to any lawfully existing drive-through service facility in the TC-B district.

D. PENALTIES

Any person or entity that shall undertake, or permit, the use of, development upon, construction upon, or alteration of any lands or buildings in violation of the provisions of this local law, or shall otherwise violate any of the provisions

hereof, shall:

1. Be guilty of an offense, punishable by a fine not exceeding two hundred and fifty dollars ($250.00) or imprisonment for a period not to exceed 15 days, or both. Each week's continued violation shall constitute a separate offense, and

2. Be subject to appropriate action or proceedings by the proper authorities of the Town to enjoin, correct, or abate any violation(s).

E. VARIANCES

The Town Board is authorized to accept and to review applications for variances from application of the provisions of this local law, in the case of unnecessary hardship to the applicant for a variance as defined within Town Law § 267-b(2)(b).

F. VALIDITY

The invalidity of any provisions of this section shall not affect the validity of any other part of this section which can be given effect.

G. EFFECTIVE DATE AND DURATION

This section shall remain in force and effect for a period of 180 days after the effective date of the local law adopting it.

Section 2. This local law shall take effect immediately upon filing with this state's Secretary of State.

Pursuant to the Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this local law. Councilman Polhemus offered the following resolution

which was seconded by Councilman Bell, who moved its adoption:

WHEREAS, on November 13, 2013, Councilman Polhemus introduced this local law for the Town of LaGrange, to be known as "Town of LaGrange Local Law No. _____ of the Year 2013, AMENDING CHAPTER 240, "ZONING", OF THE LAGRANGE TOWN CODE TO ADD A NEW SECTION 240-106 ENTITLED "REGULATION FOR AN INTERIM PERIOD OF DEVELOPMENT AND USE OF DRIVE-THROUGH SERVICE FACILITIES WITHIN THE TC-B ZONING DISTRICT".

RESOLVED, that a public hearing be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties in interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, 120 Stringham Road, LaGrangeville, New York, on December 11, 2013, at 7:00 o'clock p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of LaGrange, by the Town Clerk, at least five (5) days before such hearing and that such notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Town Board of the Town of LaGrange will hold a public hearing at the Town Hall, 120 Stringham Road, LaGrangeville, New York on December 11, 2013, at 7:00 o'clock p.m., Prevailing Time on Local Law No. ___ of the Year 2013, to amend Chapter 240 "Zoning" of the Town Code of the Town of LaGrange, Dutchess County, New York to add a new Section 240-106 to limit for an interim period of 180 days development of drive-through service facilities within the TC-B Zoning District pending revision of the Town's existing land use laws.

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of LaGrange, at the Town Hall, 120 Stringham Road, LaGrangeville, New York, between the hours of 8:30 a.m. and 4:00 p.m. on all business days except Tuesdays when the hours are between 8:00 a.m. and 3:30 p.m., from the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all persons interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED: LaGrangeville, New York
November 13, 2013

CHRISTINE O'REILLY-RAO,
TOWN CLERK

The foregoing resolution was voted upon with all councilmen voting as follows:

Supervisor Luna	AYE
Councilman Jessup	AYE
Councilman Polhemus	AYE
Councilman Dyal	AYE
Councilman Bell	AYE

DATED: LaGrangeville, New York
November 13, 2013

CHRISTINE O'REILLY-RAO
TOWN CLERK

TOWN OF LAGRANGE

CHRISTINE O'REILLY-RAO
TOWN CLERK
120 STRINGHAM ROAD
LAGRANGEVILLE, NY 12540
845-452-1830 845-452-2289 FAX

December 12, 2013

Clerk, Dutchess County Legislature
22 Market Street
Poughkeepsie, NY 12601

Re: Town of LaGrange Proposed Local Law

THIS IS A RE-CIRCULATION DUE TO A CHANGE IN THE DATE OF THE PUBLIC HEARING

A LOCAL LAW OF THE YEAR 2014, TO AMEND CHAPTER 240 "ZONING" OF THE TOWN CODE OF THE TOWN OF LAGRANGE, DUTCHESS COUNTY, NEW YORK TO ADD A NEW SECTION 240-106 TO LIMIT FOR AN INTERIM PERIOD OF 180 DAYS DEVELOPMENT OF DRIVE-THROUGH SERVICE FACILITIES WITHIN THE TC-B ZONING DISTRICT PENDING REVISION OF THE TOWN'S EXISTING LAND USE LAWS.

Dear Sir or Madam:

Enclosed please find the following document:

1. Text of proposed local law including Notice of Public Hearing

Please provide your comments to the Town, if possible, by the time of the scheduled public hearing of **January 8, 2014.**

Sincerely,

Christine O'Reilly-Rao

CHRISTINE O'REILLY-RAO,
TOWN CLERK

COR/mms
Enclosure

RESOLUTION

Councilman Bell re-introduced, and Councilman Jessup seconded, the following local law for the Town of LaGrange, to be known as Local Law No. 1 of the Year 2014, and entitled A LOCAL LAW OF THE TOWN OF LAGRANGE, DUTCHESS COUNTY, NEW YORK, AMENDING CHAPTER 240, "ZONING", OF THE LAGRANGE TOWN CODE TO ADD A NEW SECTION 240-106 ENTITLED "REGULATION FOR AN INTERIM PERIOD OF DEVELOPMENT AND USE OF DRIVE-THROUGH SERVICE FACILITIES WITHIN THE TC-B ZONING DISTRICT".

Section 1. BE IT ENACTED by the Town Board of the Town of LaGrange that Section 240-106, entitled "REGULATION FOR AN INTERIM PERIOD OF DEVELOPMENT AND USE OF DRIVE-THROUGH SERVICE FACILITIES WITHIN THE TC-B ZONING DISTRICT" is added to Chapter 240, "Zoning", of the Town Code as follows:

Section 240-106. REGULATION FOR AN INTERIM PERIOD OF DEVELOPMENT AND USE OF DRIVE-THROUGH SERVICE FACILITIES WITHIN THE TC-B ZONING DISTRICT

A. LEGISLATIVE INTENT AND FINDINGS

Consistent with its comprehensive plan, and in 2003, the LaGrange Town Board enacted legislation establishing standards for the Town Center Business District "TC-B" and the Town Center Residential District "TC-R". The use and design standards for

Town Center were established to create walkable, highly integrated, multi-functional public and private spaces through a network of connected uses, streets, and sidewalks. A primary objective of the TC-B District was to create a traditional main street environment. The TC-B District standards called for new buildings to have 2-3 stories, with retail on the ground floor and office or residential uses above.

Design principles for the TC-B District included:

(1) establishing a coordinated image for the Town Center;

(2) bringing buildings up to sidewalk and street edges;

(3) promoting a mix of commercial and residential uses in multi-story buildings;

(4) prominent positioning of civic buildings and central green spaces;

(5) promoting pedestrian activity through a safe and walkable environment;

(6) establishing narrow tree-lined streets to slow traffic;

(7) minimizing visual impacts of the automobile;

(8) creating an interconnected street system for both pedestrians and vehicle traffic; and

(9) encouraging on-street parking and parking areas shared among nearby uses.

The TC-B District regulations encourage a mixture of retail uses, restaurants, services, work places, entertainment and civic

facilities, and moderate to high density housing in a compact pattern that balances automobile access with strong pedestrian elements to create a walkable environment.

In furtherance of a pedestrian-centric theme, the regulations envision restaurants able to operate outdoor cafes in front of and along public sidewalks, as well as the facilitating the enjoyment by retail businesses of sidewalk display of store merchandise. There is a goal of establishing frequent store entrances along town center streets to maintain the retail continuity and viability. There was specific opportunity for the relaxation of height and setback requirements landmark civic buildings, and for pedestrian-oriented places such as plazas or outdoor eating areas.

On-street parking was encouraged, as well as the placement of off-street parking areas behind buildings as opposed to locating them in front yards between business establishments and streets.

In furtherance of these legislative purposes (particularly the promoting of pedestrian activity in a safe and walkable environment of traditional main street design including interconnected streets systems, on-street parking, and public spaces for civic buildings and green space), the 2003 TC-B District regulations prohibited drive-through windows and lanes (Town Code, Section 240-35[H][2][a][8]). The policy was to increase the range of pedestrian activity and to reduce

consumerism in reliance upon, and from within, vehicles.

In 2012, in the context of establishing special permit regulation of drive-thru facilities in the town-at-large (See Town Code Section 240-70.1), the municipality amended Section 240-35(H)(2)(a)(8) to prohibit drive-through facilities in the TC-B Zoning District for restaurants or fast-food restaurants. The amendment allowed potential establishment of drive-through facilities for other commercial uses in the TC-B district, such as banks and pharmacies, subject to special permit review by the Planning Board.

The Town Code's definition of fast-food restaurant is as follows:

"Any premises where the principal business is the preparation and retail sale of food and beverages in a ready-to-consume state where two or more of the following procedures are followed: the food is served in paper, plastic, or other similar disposable containers; the customer orders the food at a central point on the premises and the food is distributed to the customer at a central distribution point within the building or at a drive-in window facility, or both; the food is consumed within the building, at a dining area located outside the building, in motor vehicles parked on the premises, or off the premises. Without limitation of the foregoing definition and solely for illustrative purposes, it is the intention of this definition to

include franchise and nonfranchise restaurants commonly selling pizza, doughnuts, hamburgers, fried chicken, fired fish, tacos and sandwiches using the procedures set forth herein."

Reliance upon the current definition of fast-food restaurant within the zoning law's prohibition of drive-through service facilities in the TC-B district raises issues of interpretation not anticipated by the legislative body at the time of the 2012 drive-through amendment, a purpose of which was to address the sale and distribution of ready-to-consume foods or beverages in the TC-B district from drive-through facilities. The issue of interpretation is (a) whether a fast-food restaurant or operation needs to be a distinct principal use of premises in the TC-B zone before the drive-through proscription would apply, or (b) whether the drive-through proscription covers any commercial or retail establishment's sale and dispensing of ready-to-consume food or beverage items regardless of whether it is asserted that such activity will be an accessory or subordinate aspect of the use. This issue of interpretation is particularly problematic within the TC-B District, because its regulations allow for multiple uses on the same lot (Section 240-35[H][1][b][2]).

Additionally, it is apparent that commercial trends for various retail establishments, which may or may not fall into the category of restaurants or fast-food restaurants, either associated with or independent of the sale of fuel for vehicles, include the sale and dispensing of ready-to-consume foods or

beverages, either with or without the incorporation of fast-food franchising, thereby creating the dynamic of potential multiple commercial uses and users at retail premises and the challenge of ascertaining which user or which activity is principal, and indeed whether the use of a drive-through facility itself is, or may become, principal. This fluid and adjustable mixture of commercial activity and users threatens, absent clarifying legislative amendments, to interfere with zoning administration and to thwart the policy of the municipality to proscribe the dispensing of ready-to-consume foods or beverages from a drive-through service facility in the TC-B District, whether based on a franchise model or not, in order to preserve and to promote the Town Center land use goals which are set forth above.

In order to maintain the goals and standards underlying its Town Center land use plan, The Town of LaGrange requires the time and opportunity to amend this Chapter to develop more particular standards governing use and development of drive-through service facilities within the Town Center-Business (TC-B) zoning district. It is anticipated that these activities may culminate in significant legislative revisions.

Interim development of drive-through facilities in the TC-B zoning district, or the issuance of approvals for such development, which are inconsistent with the current purposes or future result of this legislative revision process would negate or circumvent the process and, thus, would be contrary to the

public interest and welfare.

In order to prevent land use development which may be inconsistent with the results of this legislative exercise, appropriate interim measures should be taken in the form of a temporary moratorium on review and approval of drive-through service facilities within the TC-B zoning district.

B. SCOPE OF COVERAGE

1. Chapter 240 of the Code of the Town of LaGrange (the local law entitled "ZONING") shall be superseded, only where inconsistent herewith, to the extent that in the TC-B zoning district:

a) No application for issuance of special use permits for drive-through service facilities pursuant to Section 240-70.1 or 240-71 of the LaGrange Town Code for properties within the TC-B zoning district shall be accepted by the officers or boards authorized to do so under the provision of local laws of the Town relating to such applications.

b) No filed and pending applications for issuance of special use permits for drive-through service facilities pursuant to Section 240-70.1 or 240-71 of the LaGrange Town Code for properties within the TC-B zoning district shall be processed, reviewed or granted by the officers or boards authorized to do so under the provisions of local laws of the Town relating thereto.

C. EXCLUSIONS

Notwithstanding the foregoing provisions hereof, this

local law shall not apply to:

1. Certificates of occupancy for any and all construction pursuant to building permits or construction permits issued prior to the effective date of this local law; or

2. Renovation or repair of any structure or accessory site development devoted to any lawfully existing drive-through service facility in the TC-B district.

D. PENALTIES

Any person or entity that shall undertake, or permit, the use of, development upon, construction upon, or alteration of any lands or buildings in violation of the provisions of this local law, or shall otherwise violate any of the provisions hereof, shall:

1. Be guilty of an offense, punishable by a fine not exceeding two hundred and fifty dollars ($250.00) or imprisonment for a period not to exceed 15 days, or both. Each week's continued violation shall constitute a separate offense, and

2. Be subject to appropriate action or proceedings by the proper authorities of the Town to enjoin, correct, or abate any violation(s).

E. VARIANCES

The Town Board is authorized to accept and to review applications for variances from application of the provisions of this local law, in the case of unnecessary hardship to the applicant for a variance as defined within Town Law § 267-

b(2)(b).

F. VALIDITY

The invalidity of any provisions of this section shall not affect the validity of any other part of this section which can be given effect.

G. EFFECTIVE DATE AND DURATION

This section shall remain in force and effect for a period of 180 days after the effective date of the local law adopting it.

Section 2. This local law shall take effect immediately upon filing with this state's Secretary of State.

Supervisor Luna advised the Town Board that, pursuant to the Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this re-introduced local law. He offered the following resolution which was seconded by Councilman Bell, who moved its adoption:

WHEREAS, on December 11, 2013, Councilman Bell re-introduced this local law for the Town of LaGrange, to be known as "Town of LaGrange Local Law No.1 of the Year 2014, AMENDING CHAPTER 240, "ZONING", OF THE LAGRANGE TOWN CODE TO ADD A NEW SECTION 240-106 ENTITLED "REGULATION FOR AN INTERIM PERIOD OF DEVELOPMENT AND USE OF DRIVE-THROUGH SERVICE FACILITIES WITHIN THE TC-B ZONING DISTRICT".

WHEREAS, this local law in this form was previously introduced by the Town Board by resolution adopted on November 13, 2013, but a notice of public hearing was not published for the date of December 11, 2013 which was designated as the date for public hearing for the local law.

WHEREAS, due to the non-publication of the initial public hearing notice, this local law is being re-introduced for the purpose of establishing a new public hearing date.

RESOLVED, that a public hearing be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties in interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, 120 Stringham Road, LaGrangeville, New York, on January 8, 2014, at 7:30 o'clock p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of LaGrange, by the Town Clerk, at least five (5) days before such hearing and that such notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Town Board of the Town of LaGrange will hold a public hearing at the Town Hall, 120 Stringham Road, LaGrangeville, New York on January 8, 2014, at 7:30 o'clock p.m., Prevailing Time on Local Law No. 1 of the Year 2014, to amend Chapter 240 "Zoning" of the Town Code of the Town of LaGrange, Dutchess County, New York to add a new Section 240-106 to limit for an interim period of 180 days development of drive-through service facilities within the TC-B Zoning District pending revision of the Town's existing land use laws.

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of LaGrange, at the Town Hall, 120 Stringham Road, LaGrangeville, New York, between the hours of 8:30 a.m. and 4:00 p.m. on all business days except Tuesdays when the hours are between 8:00 a.m. and 3:30 p.m., from the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all persons interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED: LaGrangeville, New York
December 11, 2013

Christine O'Reilly-Rao

CHRISTINE O'REILLY-RAO
TOWN CLERK

The foregoing resolution was voted upon with all councilmen voting as follows:

Supervisor Luna	AYE
Councilwoman Jessup	AYE
Councilman Polhemus	ABSENT
Councilman Dyal	ABSENT
Councilman Bell	AYE

DATED: LaGrangeville, New York
December 11, 2013

CHRISTINE O'REILLY-RAO
TOWN CLERK

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COUNTY OF DUTCHESS, NEW YORK

Basic Financial Statements, Required Supplementary Information and Federal Assistance Information for the Year Ended December 31, 2012 and Independent Auditors' Reports

COUNTY OF DUTCHESS, NEW YORK

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FINANCIAL SECTION

Drescher & Malecki LLP
3083 William Street, Suite 5
Cheektowaga, New York 14227
Telephone: 716.565.2299
Fax: 716-565-2201

Certified Public Accountants

INDEPENDENT AUDITORS' REPORT

Honorable County Legislature
County of Dutchess, New York

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of County of Dutchess, New York (the "County") as of and for the year ended December 31, 2012, and the related notes to the financial statements, which collectively comprise the County's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

The County's management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We did not audit the financial statements of the Dutchess Community College, the Dutchess County Resource Recovery Agency, or the Dutchess County Water and Wastewater Authority, which represent 52.2%, 18.9%, and 27.6%, respectively, of the assets and 71.5%, 19.7%, and 7.7%, respectively of the revenues of the aggregate discretely presented component units. We did not audit the financial statements of the Dutchess County Industrial Development Agency, the Dutchess County Soil and Water Conservation District, or the Dutchess County Local Development Corporation which are aggregated as non-major component units and represent 100% of the aggregated non-major component units and 1.3% and 1.1%, respectively of the assets and revenues of the aggregate discretely presented component units. Those statements were audited by other auditors whose reports thereon have been furnished to us, and our opinion, insofar as it relates to the amounts included for the aggregate discretely presented component units, is based on the reports of the other auditors. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, based on our audit and the reports of other auditors, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the County of Dutchess, New York, as of December 31, 2012, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Emphasis of Matter

As discussed in Note 2 to the financial statements, the County has restated its Governmental Activities net position, General Fund fund balance and Dutchess Tobacco Asset Securitization Corporation ("DTASC") fund balance as of December 31, 2011. Our opinion is not modified with respect to this matter.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the Management Discussion and Analysis on pages 4-13 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the County's basic financial statements. The accompanying required supplementary budgetary schedule for the General Fund and the schedule of expenditures of federal awards as required by U.S. Office of Management and Budget Circular A-133, *Audits of States, Local Government, and Non-Profit Organizations* are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The accompanying required supplementary budgetary schedule for the General Fund and the schedule of expenditures of federal awards are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the financial statements. Such information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the basic financial statements taken as a whole.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated September 9, 2013 on our consideration of the County's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the County's internal control over financial reporting and compliance.

Brown & Mahoney LLP

September 9, 2013

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As management of the County of Dutchess (the "County"), we offer readers of the County's financial statements this narrative overview and analysis of the County's financial activities for the fiscal year ended December 31, 2012. We encourage readers to consider the information presented here in conjunction with additional information contained in the financial statements and notes to the financial statements. For comparative purposes, certain items relating to the year ended December 31, 2011 presentations have been reclassified. All amounts, unless otherwise indicated, are expressed in dollars.

Financial Highlights

- The liabilities of the County exceeded assets and deferred outflows of resources of the County at December 31, 2012 by $21,374,430 (deficit net position) compared to $2,623,777 (deficit net position) at December 31, 2011, as restated. The County anticipates net position to continue to decrease due to the effect of recognizing the other postemployment benefits liability. The County's total net position decreased by $18,750,653. Governmental Activities decreased the County's net position by $16,599,099, while the net position of Business-type Activities decreased by $2,151,554.

- On December 13, the County issued a total of $10,671,442 in Public Improvement (Serial) Bonds with a true interest cost represented by an average interest rate of 1.78% providing funding of $10,341,842 for the governmental activities and $329,600 for business type activities. The funding was used for a variety of capital projects, including improvements to various county facilities, equipment and vehicle purchases.

- In the fiscal year 2012, Government Accounting Standards Board (GASB) Statement No. 63, *"Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position"* was implemented for the year end December 31, 2012. GASB Statement No. 63 establishes a framework detailing how these elements should be reported, which will result in standardizing the presentation of deferred balances and their effect on the government's net position. In addition, GASB Statement No. 65, *Items Previously Reported as Assets and Liabilities,* which clarifies the appropriate reporting of deferred outflows of resources and deferred inflows of resources to ensure consistency in financial reporting, was implemented early.

- At December 31, 2012, unassigned fund balance for the General Fund was $12,072,960.

- The principal sources of County revenue, other than state and federal aid, consist of property taxes and sales tax. Property tax collections for 2012, including adjustments (interest and penalty; real property tax auction) were $112,220,983 which represents a 3.1% increase over 2011 and 25.4% of total revenues.

- In 2012, the County offered a "Workforce Adjustment Incentive Program" to reduce the County's workforce. The program provided an opportunity for eligible county employees to receive a one-time $20,000 cash benefit to voluntarily leave County service no later than November 30, 2012.

Overview of the Financial Statements

This discussion and analysis are intended to serve as an introduction to the County's basic financial statements. The County's basic financial statements comprise three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

Government-wide financial statements. The *government-wide financial statements* are designed to provide readers with a broad overview of the County's finances, in a manner similar to a private-sector business.

The *statement of net position* presents information on all of the County's assets, liabilities, and deferred inflows/outflows of resources, with the differences reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the County is improving or deteriorating.

The *statement of activities* presents information showing how the County's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, *regardless of the timing of related cash flows*. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., uncollected taxes and earned but unused vacation leave).

Both of the government-wide financial statements distinguish function of the County that principally are supported by taxes and intergovernmental revenues (governmental activities) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (business-type activities). The governmental activities of the County include general government, county roads, health and social services, public safety, general administrative services, culture and recreation, and home and community services.

The government-wide financial statements can be found on pages 14-15 of this report.

Fund financial statements. A *fund* is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The County, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the County can be divided into three categories: governmental funds, proprietary funds, and the fiduciary fund.

Governmental funds. *Governmental funds* are used to account for essentially the same functions reported as *governmental activities* in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on *near-term inflows and outflows of spendable resources,* as well as on *balances of spendable resources* available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for *governmental funds* with similar information presented for *governmental activities* in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between *governmental funds* and *governmental activities*.

The County maintains six individual governmental funds. Information is presented separately in the governmental fund balance sheet and in the governmental fund statement of revenues, expenditures, and changes in fund balances for the General Fund, the Capital Projects Fund and the DTASC, which are considered to be major funds. Data from the other three governmental funds are combined into a single, aggregated presentation.

The County adopts an annual appropriated budget for its General Fund. A budgetary comparison statement has been provided as required supplementary information for the general fund to demonstrate compliance with this budget.

The basic governmental fund financial statements can be found on pages 16-19 of this report.

Proprietary funds. The County maintains two enterprise funds. Enterprise funds are used to report the same functions presented as business-type activities in the government-wide financial statements. The County uses an enterprise fund to account for the operations of its Airport and Mass Transportation.

Proprietary funds provide the same type of information as the government-wide financial statements, only in more detail.

The basic proprietary fund financial statements can be found on pages 20-23 of this report.

Fiduciary funds. Fiduciary funds are used to account for resources held for the benefit of parties outside the government. Fiduciary funds are *not* reported in the government-wide financial statements because the resources of the funds are not available to support the County's own programs. The accounting for fiduciary funds is much like that used for proprietary funds.

The basic fiduciary fund financial statements can be found on page 24 and 25 of this report.

Discretely presented component units. The combining statements of discretely presented component units present the major component units in separate columns and the non-major component units aggregated into a single column. These statements are presented separately from the financial data of the primary government to emphasize that they are legally separate from the County.

The combining statements of discretely presented component units can be found on page 26 and 27 of this report.

Notes to the financial statements. The notes provide additional information that is essential to acquire a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements can be found on pages 28-77 of this report.

Other information. In addition to the basic financial statements and accompanying notes, this report also presents certain *required supplementary information.*

The additional required supplementary information can be found on page 78 of this report.

The Federal Awards section presents the County's Schedule of Expenditures of Federal Awards. This section can be found beginning on page 79 of this report.

Government-wide Financial Analysis

At December 31, 2012, the County liabilities exceeded its assets and deferred outflows of resources of the primary government by $21,374,430 at the close of the most recent fiscal year.

The County's combined deficit net position for fiscal year ended December 31, 2012 decreased from $2,623,777, as restated, to $21,374,430. By far, the largest portion of the County's net position, $61,104,737, reflects its investment in capital assets (e.g. land, buildings, machinery and equipment and infrastructure) net of any related debt used to acquire those assets that is still outstanding. The County uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the County's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided by other sources, as the capital assets themselves cannot be used to liquidate these liabilities.

An additional portion of the County's net position, $16,134,292, represents resources subject to external restrictions on how they may be used and are reported as restricted net position. The remaining category of total net position, $98,613,459, is considered to be an unrestricted net deficit. The negative unrestricted net position is a result of accounting and financial reporting by employers for postretirement benefits other than pensions, which results in a cumulative unfunded liability for the County of $119,672,612, $880,833 for the Airport and $12,874 for Mass Transit.

Our analysis on the next page focuses on the net position (Table 1), and changes in net position (Table 2), of the County's Governmental and Business-type Activities.

Table 1—Condensed Statements of Net Position—December 31, 2012 and December 31, 2011

	Governmental activities		Business-type activities		Total	
	2012	2011	2012	2011	2012	2011
Current assets	$ 198,805,551	$ 204,049,768	$ 5,631,109	$ 6,114,104	$ 204,436,660	$ 210,163,872
Noncurrent assets	9,053,405	13,778,092	-	-	9,053,405	13,778,092
Capital assets	170,055,503	161,499,441	24,972,033	26,475,588	195,027,536	187,975,029
Total assets	377,914,459	379,327,301	30,603,142	32,589,692	408,517,601	411,916,993
Deferred outflows of resources	2,189,374	-	-	-	2,189,374	-
Current liabilities	84,908,323	94,623,464	1,568,792	1,327,989	86,477,115	95,951,453
Noncurrent liabilities	339,329,569	304,480,823	6,274,681	6,353,440	345,604,250	310,834,263
Total liabilities	424,237,892	399,104,287	7,843,473	7,681,429	432,081,365	406,785,716
Net position:						
Net investment in capital assets	40,918,597	36,125,187	20,186,140	20,853,187	61,104,737	56,978,374
Restricted	16,134,292	13,935,908	-	-	16,134,292	13,935,908
Unrestricted	(101,186,988)	(69,838,081)	2,573,529	4,058,036	(98,613,459)	(65,780,045)
Total net position	$ (44,134,099)	$ (19,776,986)	$ 22,759,669	$ 24,911,223	$ (21,374,430)	$ 5,134,237

Total State and Federal Receivables within the General Fund, which is included in the governmental activities as current and other assets, have decreased from $56.1 million in 2011 to $52.4 million in 2012. Such reimbursements are principally for mental health and other ongoing programs.

Table 2, as presented below, shows the changes in net position for the years ending December 31, 2012 and December 31, 2011.

Table 2—Condensed Statement of Revenues, Expenses and Changes in Net Position—Years Ended December 31, 2012 and December 31, 2011

	Governmental activities		Business Type Activities		Total	
	2012	2011	2012	2011	2012	2011
Revenues:						
Program revenues	$ 148,274,512	$ 158,218,303	$ 8,544,714	$ 10,206,500	$ 156,819,226	$ 168,424,803
General revenues	287,247,905	281,014,742	145,163	174,082	287,393,068	281,188,824
Total revenues	435,522,417	439,233,045	8,689,877	10,380,582	444,212,294	449,613,627
Total program expenses	450,567,182	450,159,539	12,395,765	11,640,983	462,962,947	461,800,522
Transfers	(1,554,334)	(1,528,199)	1,554,334	1,528,199	-	-
Change in net position	(16,599,099)	(12,454,693)	(2,151,554)	267,798	(18,750,653)	(12,186,895)
Net position—beginning	(19,776,986)	(7,322,293)	24,911,223	24,643,425	5,134,237	17,321,132
Restatement per note 2	(7,758,014)	-	-	-	(7,758,014)	-
Net position—beginning, restated	(27,535,000)	(7,322,293)	24,911,223	24,643,425	(2,623,777)	17,321,132
Net position—ending	$ (44,134,099)	$ (19,776,986)	$ 22,759,669	$ 24,911,223	$ (21,374,430)	$ 5,134,237

A summary of sources of revenues for the years ended December 31, 2012 and December 31, 2011 is presented below in Table 3.

Table 3—Summary of Sources of Revenues—Governmental Activities

	Year Ended December 31,		Increase/(decrease)	
	2012	2011	Dollars	Percent
Charges for services	$ 30,770,157	$ 30,779,257	$ (9,100)	(0.0)
Operating grants and contributions	110,271,621	118,007,280	(7,735,659)	(6.6)
Capital grants and contributions	7,232,734	9,431,766	(2,199,032)	(23.3)
Real property taxes	113,407,550	108,326,493	5,081,057	4.7
Sales and other taxes	169,858,218	168,273,807	1,584,411	0.9
DTASC revenues	3,698,671	3,637,363	61,308	1.7
Other general revenues	283,466	777,079	(493,613)	(63.5)
Total revenues	$ 435,522,417	$ 439,233,045	$ (3,710,628)	(0.8)

As presented in Table 3, the most significant source of revenues is sales and other taxes, which accounts for $169,858,218 or 39.0 percent of total governmental activities revenues, for the year ended December 31, 2012, and $168,273,807 or 38.3 percent of total governmental activities revenues, for the year ended December 31, 2011. The next largest source of revenue is property taxes, which comprises 26.0 percent

and 24.7 percent of total governmental activities revenues for the years ended December 31, 2012 and 2011, respectively.

A summary of program expenses for the years ended December 31, 2012 and December 31, 2011 is presented below in Table 4.

Table 4—Program Expenses—Governmental Activities

	Year Ended December 31,		Increase/(decrease)	
	2012	2011	Dollars	Percent
General government support	$ 84,524,322	$ 85,582,430	$ (1,058,108)	(1.2)
Education	13,208,023	11,790,629	1,417,394	12.0
Public safety	87,301,462	84,489,510	2,811,952	3.3
Public health	63,118,670	66,526,375	(3,407,705)	(5.1)
Transportation	25,082,607	25,650,178	(567,571)	(2.2)
Economic assistance and opportunity	150,603,997	150,879,387	(275,390)	(0.2)
Culture and recreation	4,059,045	3,493,500	565,545	16.2
Home and community services	14,524,012	13,782,198	741,814	5.4
Interest on long-term debt	8,145,044	7,965,332	179,712	2.3
Total program expenses	$ 450,567,182	$ 450,159,539	$ 407,643	0.1

As presented in Table 4, the County's significant expense items for governmental activities were economic assistance and opportunity of $150.6 million or 33.4 percent of total governmental activities expenses, public safety of $87.3 million or 19.4 percent of total governmental activities expenses, and general government support of $84.5 million or 18.8 percent of total governmental activities expenses for the year ended December 31, 2012. Similarly, for the year ended December 31, 2011 significant expense items were economic assistance and opportunity of $150.8 million or 33.5 percent of total governmental activities expenses, general government support of $85.6 million or 19.0 percent of total governmental activities expenses, public safety of $84.5 million or 18.8 percent of total governmental activities expenses of total governmental activities expenses.

Financial Analysis of the Government's Funds

Governmental funds. As noted earlier, the County uses fund accounting to ensure and demonstrate compliance with finance related legal requirements.

Table 7—Summary of Fund Balances (Deficits)—Governmental Funds

	General	Capital Projects	DTASC	Other Governemental
Net change in fund balances	$ 2,019,445	$ (5,699,538)	$ 241	$ 190,835
Unassigned or assigned to the fund's specific use	12,072,960	26,582,016	39,317	2,682,515
Total fund balance	47,483,834	26,852,016	3,533,223	2,974,452
Percentage unassigned or assigned to specific use	25.4%	99.0%	1.1%	90.2%

- Total December 31, 2011 General Fund fund balance, as restated, increased during the year ended December 31, 2012 primary due to favorable tax revenues.

- The ending fund balance for the Capital Projects fund can be attributed to proceeds from prior years and the 2012 borrowing of $10.3 million. These funds are intended to provide funding for capital projects during 2012 and beyond.

General Fund Budgetary Highlights

Significant differences between the original budget and the modified budget for certain appropriations are summarized as follows (modified accrual basis of accounting):

Appropriations	Original	Increase	Modified	Actual
General Government Support	$ 36,498,196	$ 32,679,497	$ 69,177,693	$ 65,658,913
Public Safety	56,680,384	3,825,083	60,505,467	57,571,889
Total	$ 93,178,580	$ 36,504,580	$ 129,683,160	$ 123,230,802

- GASB Statement No. 33 "Accounting and Reporting for Non-exchange Transactions", as amended by Statement No. 36 "Recipient Reporting for Certain Shared Non-exchange Revenues", requires the County to recognize sales tax revenues on a gross basis and record expenditures for sales tax revenues that are shared. Gross Sales tax collected in 2012 is $166.2 million with $30.7 million in Sales Tax revenue shared between the cities, towns and villages leaving the County portion to be $135.5 million.

- Increases to Public Safety were required due to increased costs to house inmates at jails outside Dutchess County.

Capital Assets and Debt Administration

Capital assets. The County's investment in capital assets for its governmental and business-type activities as of December 31, 2012, amounted to $195,027,536 (net of accumulated depreciation). This investment in capital assets includes land, buildings and improvements, machinery and equipment, infrastructure, and construction in progress. A breakdown of certain current year investments is as follows:

$5.0 million	Various improvements to roads and bridges
$4.3 million	Various improvements within Enterprise Funds
$9.6 million	Various building improvements and purchase of vehicles and equipment
$2.2 million	Public Safety improvements
$5.1 million	Various health, community service, culture and recreation improvements

The above have been offset by $21.0 million in depreciation expense in the current year.

The County expended $0.5 million on various improvements at Dutchess Community College. Financing for these projects was provided through operations and state and federal funds.

A summary of the County's capital assets is shown below.

Table 8—Capital Assets, net of depreciation

	Governmental activities		Business-type activities		Total	
	2012	2011	2012	2011	2012	2011
Land	$ 8,840,052	$ 7,683,552	$ 3,385,364	$ 3,385,364	$ 12,225,416	$ 11,068,916
Right of way and easements	11,281,682	8,467,938	-	-	11,281,682	8,467,938
Construction in progress	14,136,888	7,402,364	292,672	1,035,326	14,429,560	8,437,690
Buildings and improvements	54,842,699	57,796,822	3,912,185	3,232,177	58,754,884	61,028,999
Machinery and equipment	19,846,030	14,250,497	4,356,573	5,819,107	24,202,603	20,069,604
Infrastructure	61,108,152	65,898,268	13,025,239.00	13,003,614	74,133,391	78,901,882
Total	$ 170,055,503	$ 161,499,441	$ 24,972,033	$ 26,475,588	$ 195,027,536	$ 187,975,029

Additional information on the County's capital assets can be found in Note 5 to the basic financial statements.

Debt Administration. The New York State Local Finance Law limits the County's power to contract indebtedness to 7% of the five-year average full valuation of taxable real estate. At the end of 2012, the County's outstanding debt totaled $107.7 million (without the Tobacco Asset Securitization Corporation) and represents approximately 3.96 % of the County's debt limit.

Economic Factors and Next Year's Budgets and Rates

Dutchess County, like other counties in New York State, is challenged on a fiscal level by State imposed mandates. Medicaid is a federally mandated program that provides health benefits to low income individuals and their families. Medicaid continues to be one of the single largest mandated programs for counties.

The following summarizes the County's spending in this area:

Medicaid Costs	
2011	$ 41,499,889
2012	43,341,836
2013 (budgeted)	43,264,984

In addition to Medicaid costs, Dutchess County participates in the New York State Retirement System, a cost sharing, multiple public employers system. The County of Dutchess is required to contribute at an actuarially determined rate. The following summarizes the County's spending for this appropriation:

New York State Retirement	
2011	$ 16,437,430
2012	20,096,929
2013 (budgeted)	22,306,587

The County has appropriated $7.4 million in fund balance to finance the 2013 budget from various funds to meet budgetary needs. The unassigned fund balance is $12.1 million in the General Fund as of December 31, 2012.

The total tax levy for the 2013 budget is $105.9 million resulting in a property tax rate of $3.45 per thousand of assessed value which is 6.2% higher than $3.25 in 2012. The true value assessment for the County has decreased from $31.9 billion for the 2012 budget to $30.65 billion for the 2013 budget; a decrease of 3.892%.

Dutchess County contains a diverse mix of industries, including service related sectors, state and local governments, microelectronics, education, high tech manufacturing, agriculture and retail trades. IBM is the largest single employer with approximately 8,000 employees. ReCommunity (formerly Hudson Baylor Corporation) recently opened its $17 million 56,000 square feet Materials Recovery Facility. Located in the City of Beacon, the development created nearly 100 construction jobs, and now has more than 60 full-time employees. Vassar Brothers Medical Center recently opened its 78,000 square foot medical building housing a same-day ambulatory surgery center and office suites. Vassar College announced plans for an 80,000 square foot, $120 million science facilities project. The project will include rehabilitation of three existing buildings and construction of a new building. The Culinary Institute of America broke ground on a 40,000 square foot facility to advance the culinary arts and provide conference space. Marist College completed construction of a 23,000 square foot academic building and simultaneously completed a 99,000 square foot renovation of its Student Center. IBM has committed to a $50 million investment in the Hudson Valley Research Park in the Town of East Fishkill. The commitment is part of a PILOT deal worked out with the Dutchess County Industrial Development agency. This is in addition to the $50 million investment IBM agreed to in April 2011 for improvements at its Poughkeepsie site. While no new jobs are anticipated from these investments, it will help IBM to remain competitive in the market and retain jobs in Dutchess County. The Walkway Over The Hudson and related Rail Trail continue to be a strong model for success. The Walkway, which is now the second most visited park in the state, broke ground on its elevator to the City of Poughkeepsie Waterfront.

Agriculture continues to play a significant role in the economy of the County. There are dairy, produce and horse farms as well as vineyards and wine operations which in recent years have increased in importance, and the County participated in a first-ever regional Food shed Conservation Plan, as well as the establishment of the Food and Beverage Alliance at the Culinary Institute of America in Hyde Park,

which supports farms like Madava Farms in the Town of Dover. Madava expanded its maple syrup production and completed a multimillion dollar visitors center, creating a agri-tourism destination in Dutchess County. Approximately 1,500 workers benefit from direct employment through these operations and an additional 2,000 from farm related jobs. Annually, the agricultural sector contributes between $100 to $150 million to the County's economy.

Wealth levels for Dutchess County residents are above National averages. The Bureau of Economic Analysis estimated the per capita personal income of the County residents in 2011 was $45,521 which placed the County eleventh among all counties in the State for the year. Unemployment for the County was 7.1% as of July 2013, which is lower than both New York State (7.5) and the United States (7.4) rates.

Contacting the County's Financial Management

This financial report is designed to provide our citizens, taxpayers, customers, investors and creditors with a general overview of the County's finances and to demonstrate the County's accountability for the money it receives. If you have questions about this report or need additional financial information, contact Pamela Barrack, Commissioner of Finance, 22 Market Street, Poughkeepsie, New York 12601.

BASIC FINANCIAL STATEMENTS

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COUNTY OF DUTCHESS, NEW YORK
Statement of Net Position
December 31, 2012

	Primary Government			
	Governmental Activities	Business-type Activities	Total	Component Units
ASSETS				
Current assets:				
Cash and cash equivalents	$ 33,778,401	$ 3,963,139	$ 37,741,540	$ 27,083,991
Restricted cash and investments	41,755,056	-	41,755,056	16,294,206
Receivables (net of allowances for estimated uncollectible amounts):				
Taxes	49,994,357	-	49,994,357	-
Accounts receivable	4,451,242	305,953	4,757,195	11,439,352
Due from other governments	63,332,054	1,367,544	64,699,598	1,283,132
Internal balances	93,037	(93,037)	-	-
Prepaid items	5,316,142	33,057	5,349,199	1,560,439
Inventories	85,262	54,453	139,715	542,466
Total current assets	198,805,551	5,631,109	204,436,660	58,203,586
Noncurrent assets:				
Other assets	9,053,405	-	9,053,405	10,777,708
Capital assets:				
Capital assets not being depreciated	34,258,622	3,678,036	37,936,658	3,232,651
Capital assets being depreciated (net of accumulated depreciation)	135,796,881	21,293,997	157,090,878	160,679,804
Total noncurrent assets	179,108,908	24,972,033	204,080,941	174,690,163
Total assets	377,914,459	30,603,142	408,517,601	232,893,749
DEFERRED OUTFLOWS OF RESOURCES				
Deferred charges	2,189,374	-	2,189,374	1,492,756
Total deferred outflows of resources	2,189,374	-	2,189,374	1,492,756
LIABILITIES				
Current liabilities:				
Accounts payable	39,926,326	1,430,108	41,356,434	9,795,690
Accrued liabilities	648,567	131,862	780,429	7,089,871
Due to other governments	39,520,320	-	39,520,320	2,004,552
Unearned revenue	2,874,488	6,822	2,881,310	5,146,589
Other liabilities	1,938,662	-	1,938,662	-
Total current liabilities	84,908,363	1,568,792	86,477,155	24,036,702
Noncurrent liabilities:				
Due within one year	14,142,662	560,211	14,702,873	5,916,438
Due in more than one year	325,186,907	5,714,470	330,901,377	123,649,879
Total noncurrent liabilities	339,329,569	6,274,681	345,604,250	129,566,317
Total liabilities	424,237,932	7,843,473	432,081,405	153,603,019
DEFERRED INFLOWS OF RESOURCES				
Deferred charges	-	-	-	27,145,167
Total deferred inflows of resources	-	-	-	27,145,167
NET POSITION				
Net investment in capital assets	40,918,597	20,186,140	61,104,737	57,067,122
Restricted for:				
Debt service restrictions	3,493,906	-	3,493,906	-
Capital projects	7,227,062	-	7,227,062	-
Other	5,413,324	-	5,413,324	22,293,442
Unrestricted	(101,186,988)	2,573,529	(98,613,459)	(25,722,245)
Total net position	$ (44,134,099)	$ 22,759,669	$ (21,374,430)	$ 53,638,319

The notes to the financial statements are an integral part of this statement.

COUNTY OF DUTCHESS, NEW YORK
Statement of Activities
Year Ended December 31, 2012

Functions/Programs	Expenses	Program Revenues: Charges for Services	Program Revenues: Operating Grants and Contributions	Program Revenues: Capital Grants and Contributions	Net (Expense) Revenue and Changes in Net Position: Primary Government: Governmental Activities	Primary Government: Business-type Activities	Primary Government: Total	Component Units
Primary government:								
Governmental activities:								
General government support	$ 84,524,322	$ 6,941,127	$ 1,709,494	$ 70,113	$ (75,803,588)	$ -	$ (75,803,588)	$ -
Education	13,208,023	900	-	2,151,051	(11,056,072)	-	(11,056,072)	-
Public safety	87,301,462	4,928,033	4,318,056	-	(78,055,373)	-	(78,055,373)	-
Public health	63,118,670	5,847,400	28,272,991	-	(28,998,279)	-	(28,998,279)	-
Transportation	25,082,607	2,010,121	1,931,214	5,011,570	(16,129,702)	-	(16,129,702)	-
Economic assistance and opportunity	150,603,997	9,640,350	70,246,129	-	(70,717,518)	-	(70,717,518)	-
Culture and recreation	4,059,045	783,091	292,454	-	(2,983,500)	-	(2,983,500)	-
Home and community services	14,524,012	619,135	3,501,283	-	(10,403,594)	-	(10,403,594)	-
Interest and fiscal charges	8,145,044	-	-	-	(8,145,044)	-	(8,145,044)	-
Total governmental activities	450,567,182	30,770,157	110,271,621	7,232,734	(302,292,670)	-	(302,292,670)	-
Business-type activities:								
Airport	4,281,306	1,840,139	-	1,055,820	-	(1,385,347)	(1,385,347)	-
Transportation	8,114,459	1,154,114	4,137,999	356,642	-	(2,465,704)	(2,465,704)	-
Total business-type activities	12,395,765	2,994,253	4,137,999	1,412,462	-	(3,851,051)	(3,851,051)	-
Total primary government	$ 462,962,947	$ 33,764,410	$ 114,409,620	$ 3,381,683	(302,292,670)	(3,851,051)	(306,143,721)	-
Component units:								
Dutchess Community College	$ 81,133,253	$ 45,431,542	$ 16,187,080	$ 480,707				$ (19,033,924)
Resource Recovery Agency	18,991,512	15,864,543	-	-				(3,126,969)
Water and Wastewater Authority	7,614,623	4,959,789	-	-				(2,654,834)
Aggregated non-major component units	1,159,012	323,339	622,896	-				(212,777)
Total component units	$ 108,898,400	$ 66,579,213	$ 16,809,976	$ 480,707				$ (25,028,504)
General revenues:								
Property taxes, levied for general purpose					101,626,198	-	101,626,198	-
Property taxes, levied for debt service					11,781,352	-	11,781,352	-
Sales taxes and use taxes					166,186,650	-	166,186,650	-
Other taxes					3,671,568	-	3,671,568	-
Use of money and property					283,466	145,163	428,629	946,829
DTASC revenues					3,698,671	-	3,698,671	-
Payments from primary government					-	-	-	18,013,042
Transfers					(1,554,334)	1,554,334	-	-
Total general revenues and transfers					285,693,571	1,699,497	287,393,068	18,959,871
Change in net position					(16,599,099)	(2,151,554)	(18,750,653)	(6,068,633)
Net position—beginning, as restated (see note 2)					(27,535,000)	24,911,223	(2,623,777)	59,706,952
Net position—ending					$ (44,134,099)	$ 22,759,669	$ (21,374,430)	$ 53,638,319

The notes to the financial statements are an integral part of this statement.

COUNTY OF DUTCHESS, NEW YORK
Balance Sheet—Governmental Funds
December 31, 2012

	General	Capital Projects	DTASC	Other Governmental Funds	Total Governmental Funds
ASSETS					
Cash	$ 30,186,136	$ -	$ 49,611	$ 3,542,654	$ 33,778,401
Restricted cash	8,299,935	29,961,215	3,493,906	-	41,755,056
Receivables (net of allowances for estimated uncollectible amounts):					
Taxes	49,994,357	-	-	-	49,994,357
Accounts receivable	4,327,896	-	-	123,346	4,451,242
Due from other funds	1,265,497	-	-	-	1,265,497
Due from other governments	54,526,082	4,320,315	-	983,649	59,830,046
Inventory	85,262	-	-	-	85,262
Prepaid items	5,024,205	-	-	291,937	5,316,142
Total assets	$ 153,709,370	$ 34,281,530	$ 3,543,517	$ 4,941,586	$ 196,476,003
LIABILITIES					
Accounts payable	$ 32,047,913	$ 5,913,262	$ 10,294	$ 1,954,857	$ 39,926,326
Due to other governments	39,520,320	-	-	-	39,520,320
Due to other funds	-	1,172,460	-	-	1,172,460
Unearned revenue	3,564,963	-	-	-	3,564,963
Other liabilities	1,312,593	613,792	-	12,277	1,938,662
Total liabilities	76,445,789	7,699,514	10,294	1,967,134	86,122,731
DEFERRED INFLOWS OF RESOURCES					
Unavailable revenues—grants and aid	11,056,678	-	-	-	11,056,678
Unavailable revenues—property taxes	18,723,069	-	-	-	18,723,069
Total deferred inflows of resources	29,779,747	-	-	-	29,779,747
FUND BALANCES					
Nonspendable	5,109,467	-	-	291,937	5,401,404
Restricted	7,890,649	-	3,493,906	-	11,384,555
Assigned	22,410,758	26,582,016	39,317	2,682,515	51,714,606
Unassigned	12,072,960	-	-	-	12,072,960
Total fund balances	47,483,834	26,582,016	3,533,223	2,974,452	80,573,525
Total liabilities, deferred inflows of resources and fund balances	$ 153,709,370	$ 34,281,530	$ 3,543,517	$ 4,941,586	$ 196,476,003

The notes to the financial statements are an integral part of this statement.

COUNTY OF DUTCHESS, NEW YORK
Reconciliation of Balance Sheet of Governmental Funds to the Government-wide Statement of Net Position
December 31, 2012

Amounts reported for governmental activities in the statement of net position (page 14) are different because:

Fund balances—total governmental funds (page 16)		$ 80,573,525
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds. The cost of the assets is $407,894,420 and the accumulated depreciation is $237,838,917.		170,055,503
To recognize interest accrual on long term debt. Accrued interest for general obligation bonds is:		(648,567)
Other long-term assets are not available to pay for current period expenditures and, therefore, are recorded as unearned revenues or deferred inflows of resources in the funds but are considered government-wide revenues:		
Unearned revenues	$ 690,475	
Deferred inflows of resources - aid and other revenue	11,056,678	
Deferred inflows of resources - property taxes	18,723,069	30,470,222
Intangible assets used in governmental activities are not financial resources and therefore are not reported in the governmental funds.		9,053,405
Certain accrued DTASC revenues reported in the statement of net position are received after the availability period for recognition of revenue in the governmental funds.		3,502,008
Long-term liabilities, including bonds payable, judgments and claims, other post-employment benefits ("OPEB"), compensated absences, and environmental clean up costs are not due and payable in the current period and, therefore are not reported in the funds. Also, bond premiums and discounts are recorded as other financing sources in the fund financial statements and amortized over the life of the debt issuance. The effect of these items are:		
General obligation bonds ("GOB")	$ (102,355,337)	
Premiums on GOB bonds	(3,945,173)	
DTASC bonds	(59,516,279)	
Discount on DTASC Bonds	1,326,613	
Accreted interest on DTASC bonds	(15,664,368)	
Judgments and claims	(30,710,899)	
OPEB	(119,672,612)	
Compensated absences	(8,471,514)	
Environmental clean up costs	(320,000)	(339,329,569)
For refunding bonds, the difference between the reacquisition price and the net carrying amount of the old debt should be reported as a deferred charge and recognized as a component of interest expense over either the lesser of the life of the debt issuance or the bonds refunded for the government-wide statements. The deferred charge on refunding debt is:		2,189,374
Net position of governmental activities		$ (44,134,099)

The notes to the financial statements are an integral part of this statement.

COUNTY OF DUTCHESS, NEW YORK

Statement of Revenues, Expenditures, and Changes in Fund Balances—Governmental Funds

Year Ended December 31, 2012

	General	Capital Projects	DTASC	Other Governmental Funds	Total Governmental Funds
REVENUES					
Real property taxes	$ 100,423,214	$ -	$ -	$ 11,797,769	$ 112,220,983
Sales and use tax	166,186,650	-	-	-	166,186,650
Other taxes	3,671,568	-	-	-	3,671,568
Departmental income	26,789,009	-	-	1,919,820	28,708,829
Use of money and property	987,730	25,000	164,701	5,564	1,182,995
Miscellaneous	8,632,246	-	3,508,941	157,065	12,298,252
Grants and aid	104,733,642	7,376,372	-	5,557,416	117,667,430
Total revenues	411,424,059	7,401,372	3,673,642	19,437,634	441,936,707
EXPENDITURES					
Current:					
General government support	65,658,913	-	71,107	-	65,730,020
Education	13,065,156	-	-	-	13,065,156
Public safety	57,571,889	-	-	261,999	57,833,888
Health	53,349,045	-	-	-	53,349,045
Transportation	2,712,623	-	-	8,457,695	11,170,318
Economic assistance and opportunity	133,169,702	-	-	2,725,885	135,895,587
Culture and recreation	1,923,276	-	-	-	1,923,276
Home and community services	9,308,710	-	-	3,625,101	12,933,811
Employee benefits	55,018,848	-	-	4,176,119	59,194,967
Debt service:					
Principal	13,138,171	-	1,585,000	-	14,723,171
Interest and fiscal charges	3,940,803	-	2,017,294	-	5,958,097
Capital outlay	-	22,435,896	-	-	22,435,896
Total expenditures	408,857,136	22,435,896	3,673,401	19,246,799	454,213,232
Excess (deficiency) of revenues over expenditures	2,566,923	(15,034,524)	241	190,835	(12,276,525)
OTHER FINANCING SOURCES (USES)					
Transfers in	1,626,394	-	-	-	1,626,394
Transfers out	(2,173,872)	(1,006,856)	-	-	(3,180,728)
Proceeds of issuance of serial bonds	-	10,341,842	-	-	10,341,842
Total other financing sources (uses)	(547,478)	9,334,986	-	-	8,787,508
Net change in fund balances	2,019,445	(5,699,538)	241	190,835	(3,489,017)
Fund balances—beginning, as restated (see note 2)	45,464,389	32,281,554	3,532,982	2,783,617	84,062,542
Fund balances—ending	$ 47,483,834	$ 26,582,016	$ 3,533,223	$ 2,974,452	$ 80,573,525

The notes to the financial statements are an integral part of this statement.

COUNTY OF DUTCHESS, NEW YORK
Reconciliation of the Statement of Revenues, Expenditures, and Changes in Fund Balances of Governmental Funds to the Government-wide Statement of Activities
Year Ended December 31, 2012

Amounts reported for governmental activities in the statement of activities (page 15) are different because:

Net change in fund balances (deficit)—total governmental funds (page 18)		$ (3,489,017)
Governmental funds report capital outlays as expenditures. However, in the statement of activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which capital outlays exceeded depreciation in the current period.		
Capital asset additions	$ 26,219,590	
Depreciation expense	(17,503,464)	8,716,126
Net disposition of capital assets is recorded in the statement of activities but not in the statement for governmental funds.		(160,064)
Governmental funds report the Wastewater Authority's other asset capital outlays as expenses in the statement of activities amortized over its estimated useful life.		(274,570)
For refunding bonds, the difference between the reacquisition price and the net carrying amount of the old debt should be reported as a deferred charge on the government-wide statements and recognized as a component of interest expense over the remaining life of the old debt or the life of the new debt, whichever is shorter.		(223,400)
Certain tax and other revenue in the governmental funds is deferred or not recognized because it is not available soon enough after year end to pay for the current period's expenditures. On the accrual basis, however, this is recognized regardless of when it is collected.		
Change in deferred inflows of resources - property taxes	$ 1,186,567	
Change in deferred inflows of resources	(1,323,323)	
Change in long-term receivable	25,029	(111,727)
The issuance of long-term debt provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of governmental funds. Neither transaction, however, has any effect on net assets. Also, interest is recognized as an expenditure in the governmental funds when it is due. In the statement of activities, interest expense is recognized as it accrues, regardless of when it is due. The net effect of these differences in the treatment of general obligation bonds, installment purchase debt and related items is as follows:		
Principal payments on serial bonds	$ 14,723,171	
Issuance of serial bonds	(10,341,842)	
Accreted interest on DTASC bonds	(2,685,551)	
Adjustment to premium and accreted interest	57,878	
Amortization of bond premium	261,907	
Amortization of bond discount	(75,742)	
Change in accrued interest	65,129	2,004,950
In the statement of activities, certain operating expenses—other post employment benefits ("OPEB"), compensated absences (vacation & compensatory time) and judgements and claims—are measured by the amounts earned during the year. In the governmental funds, however, expenditures for these items are measured by the amount of financial resources used (essentially, the amounts actually paid). The net effect of these differences is as follows:		
Judgments and claims	$ (946,920)	
OPEB	(22,842,707)	
Compensated absences	728,230	(23,061,397)
Change in net position of governmental activities		$ (16,599,099)

The notes to the financial statements are an integral part of this statement.

COUNTY OF DUTCHESS, NEW YORK
Statement of Net Position
Proprietary Funds
December 31, 2012

	Business-type Activities— Airport	Transportation	Total
ASSETS			
Current assets:			
Cash	$ 266,458	$ 3,696,681	$ 3,963,139
Accounts receivable, net of allowances for estimated uncollectible amounts	84,925	221,028	305,953
Inventories	54,453	-	54,453
Due from other governments	583,819	783,725	1,367,544
Prepaid items	29,352	3,705	33,057
Total current assets	1,019,007	4,705,139	5,724,146
Noncurrent assets:			
Capital assets not being depreciated:			
Land	3,136,399	248,965	3,385,364
Construction in progress	-	292,672	292,672
Capital assets net of accumulated depreciation:			
Buildings and improvements	554,576	3,357,609	3,912,185
Infrastructure	13,025,238	-	13,025,238
Machinery and equipment	1,697,181	2,659,393	4,356,574
Total noncurrent assets	18,413,394	6,558,639	24,972,033
Total assets	19,432,401	11,263,778	30,696,179
LIABILITIES			
Current liabilities:			
Accounts payable	607,111	822,997	1,430,108
Accrued liabilities	128,932	2,930	131,862
Unearned revenues	6,822	-	6,822
Due to other funds	48,907	44,130	93,037
Total current liabilities	791,772	870,057	1,661,829
Noncurrent liabilities:			
Due within one year	393,506	166,705	560,211
Compensated absences	34,870	-	34,870
Long-term debt	3,309,417	1,476,476	4,785,893
Other postemployment benefits	880,833	12,874	893,707
Total noncurrent liabilities	4,618,626	1,656,055	6,274,681
Total liabilities	5,410,398	2,526,112	7,936,510
NET POSITION			
Net investment in capital assets	15,103,977	5,082,163	20,186,140
Unrestricted	(1,081,974)	3,655,503	2,573,529
Total net position	$ 14,022,003	$ 8,737,666	$ 22,759,669

The notes to the financial statements are an integral part of this statement.

COUNTY OF DUTCHESS, NEW YORK
Statement of Revenues, Expenses and Changes in Fund Net Position
Proprietary Funds
Year Ended December 31, 2012

	Business-type Activities—		
	Airport	Transportation	Total
Operating revenues:			
Charges for services	$ 1,840,139	$ 1,154,114	$ 2,994,253
Operating grants and revenues	-	4,137,999	4,137,999
Other	5,803	6,412	12,215
Total operating revenues	1,845,942	5,298,525	7,144,467
Operating expenses:			
Personal services	631,177	81,535	712,712
Employee benefits	548,598	46,651	595,249
Depreciation	1,673,330	1,541,136	3,214,466
Contracted services	1,274,733	6,398,264	7,672,997
Total operating expenses	4,127,838	8,067,586	12,195,424
Operating loss	(2,281,896)	(2,769,061)	(5,050,957)
Nonoperating revenues (expenses):			
Interest income	130,443	2,505	132,948
Interest expenses	(153,468)	(46,873)	(200,341)
Total nonoperating revenues (expenses)	(23,025)	(44,368)	(67,393)
Income (loss) before contributions and transfers	(2,304,921)	(2,813,429)	(5,118,350)
Capital contributions	1,055,820	356,642	1,412,462
Transfers in	866,138	1,577,986	2,444,124
Transfers out	(890)	(888,900)	(889,790)
Change in net position	(383,853)	(1,767,701)	(2,151,554)
Total net position—beginning	14,405,856	10,505,367	24,911,223
Total net position—ending	$ 14,022,003	$ 8,737,666	$ 22,759,669

The notes to the financial statements are an integral part of this statement.

COUNTY OF DUTCHESS, NEW YORK
Statement of Cash Flows
Proprietary Funds
Year Ended December 31, 2012

	Business-type Activities—		
	Airport	Transportation	Total
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts from services provided and other	$ 1,676,283	$ 2,852,100	$ 4,528,383
Receipts from operating grants and revenue	-	3,354,274	3,354,274
Receipts from other operating revenue	5,803	6,412	12,215
Payments to employees	(1,032,214)	(171,571)	(1,203,785)
Payments to suppliers of contracted services	(1,110,660)	(6,106,623)	(7,217,283)
Net cash used for operating activities	(460,788)	(65,408)	(526,196)
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES			
Operating transfers in	866,138	1,577,986	2,444,124
Operating transfers out	(890)	(888,900)	(889,790)
Net cash provided by noncapital financing activities	865,248	689,086	1,554,334
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES			
Capital contributions to non-current asset	1,055,820	356,642	1,412,462
Capital purchases	(1,282,551)	(628,701)	(1,911,252)
Proceeds received from debt issuance	-	329,600	329,600
Principal paid on long-term debt	(505,729)	(100,167)	(605,896)
Interest paid on long-term debt	(153,468)	(46,873)	(200,341)
Net cash used for capital and related financing activities	(732,460)	(42,626)	(775,086)
CASH FLOWS FROM INVESTING ACTIVITIES			
Interest received	130,443	2,505	132,948
Net cash provided by investing activities	130,443	2,505	132,948
Net (decrease) increase in cash and cash equivalents	(197,557)	583,557	386,000
Cash and cash equivalents—beginning	464,015	3,113,124	3,577,139
Cash and cash equivalents—ending	$ 266,458	$ 3,696,681	$ 3,963,139

(continued)

The notes to the financial statements are an integral part of this statement.

COUNTY OF DUTCHESS, NEW YORK
Statement of Cash Flows
Proprietary Funds
Year Ended December 31, 2012

(concluded)

	Business-type Activities—		
	Airport	Transportation	Total
Reconciliation of operating loss to net cash used for operating activities:			
Operating loss	$ (2,281,896)	$ (2,769,061)	$ (5,050,957)
Adjustments to reconcile operating loss to net cash used for operating activities:			
Depreciation expense	1,673,330	1,541,136	3,214,466
(Increase) decrease in receivables	(131,168)	883,573	752,405
Decrease in inventories	29,693	-	29,693
(Increase) in other assets	(4,785)	(1,389)	(6,174)
Increase in accounts payable	134,380	291,641	426,021
(Decrease) in accrued liabilities	(38,511)	(48,676)	(87,187)
(Decrease) in compensated absences	(7,290)	-	(7,290)
(Decrease) increase in due to/from other funds	(35,076)	30,688	(4,388)
Increase in unearned revenues	2,388	-	2,388
Increase in other postemployment benefits	198,147	6,680	204,827
Total adjustments	1,821,108	2,703,653	4,524,761
Net cash used for operating activities	$ (460,788)	$ (65,408)	$ (526,196)

The notes to the financial statements are an integral part of this statement.

COUNTY OF DUTCHESS, NEW YORK
Statement of Net Position—Fiduciary Funds
December 31, 2012

	Private Purpose	Agency
ASSETS		
Cash	$ 4,352	$ 5,852,992
Due from other governments	-	412,976
Investments, at fair value	1,500	-
Total assets	5,852	$ 6,265,968
LIABILITIES		
Agency liabilities	-	6,265,968
Total liabilities	-	$ 6,265,968
NET POSITION		
Restricted	$ 5,852	

The notes to the financial statements are an integral part of this statement.

COUNTY OF DUTCHESS, NEW YORK
Statement of Changes in Net Position—Fiduciary Funds
December 31, 2012

	Private Purpose
Additions	
Total additions	$ -
Deductions	
Economic assistance and opportunity	3
Change in net position	(3)
Net position, beginning	5,855
Net position, ending	$ 5,852

The notes to the financial statements are an integral part of this statement.

COUNTY OF DUTCHESS, NEW YORK
Combining Statements of Net Position—
Discretely Presented Component Units
December 31, 2012

	Dutchess Community College	Dutchess County Resource Recovery Agency	Dutchess County Water and Wastewater Authority	Aggregated Non-Major Component Units	Total Aggregate Discretely Presented Component Units
ASSETS					
Current assets:					
Cash and cash equivalents	$ 20,065,218	$ 395,754	$ 3,742,579	$ 2,880,440	$ 27,083,991
Restricted cash and investments	7,732,516	6,461,288	2,086,907	13,495	16,294,206
Receivables, net	8,584,288	1,308,137	1,543,488	3,439	11,439,352
Due from other governments	-	1,204,974	-	78,158	1,283,132
Prepaid items	1,432,220	48,474	78,086	1,659	1,560,439
Inventories	542,466	-	-	-	542,466
Noncurrent assets:					
Other assets	1,902,427	6,173,489	2,701,792	-	10,777,708
Capital assets, not being depreciated	1,180,881	517,591	1,534,179	-	3,232,651
Capital assets, net of accumulated depreciation	80,292,022	27,737,676	52,646,684	3,422	160,679,804
Total assets	121,732,038	43,847,383	64,333,715	2,980,613	232,893,749
DEFERRED OUTFLOWS OF RESOURCES					
Deferred charges	-	491,569	1,001,187	-	1,492,756
Total deferred outflows of resources	-	491,569	1,001,187	-	1,492,756
LIABILITIES					
Current liabilities:					
Accounts payable	8,946,477	309,133	452,752	87,328	9,795,690
Accounts liabilities	3,169,962	3,513,839	393,697	12,373	7,089,871
Due to other governments	-	2,004,552	-	-	2,004,552
Unearned revenues	5,146,589	-	-	-	5,146,589
Nocurrent liabilities:					
Due within one year	551,434	3,410,004	1,955,000	-	5,916,438
Due within more than one year	68,515,075	20,134,123	35,000,681	-	123,649,879
Total liabilities	86,329,537	29,371,651	37,802,130	99,701	153,603,019
DEFERRED INFLOWS OF RESOURCES					
Deferred revenues	-	257,935	26,887,232	-	27,145,167
Total deferred outflows of resources	-	257,935	26,887,232	-	27,145,167
NET POSITION					
Net investment in capital assets	51,874,859	5,343,897	(155,056)	3,422	57,067,122
Restricted	8,011,579	11,648,374	2,621,904	11,585	22,293,442
Unrestricted	(24,483,937)	(2,282,905)	(1,821,308)	2,865,905	(25,722,245)
Total net position	$ 35,402,501	$ 14,709,366	$ 645,540	$ 2,880,912	$ 53,638,319

The notes to the financial statements are an integral part of this statement.

COUNTY OF DUTCHESS, NEW YORK
Combining Statements of Activities—
Discretely Presented Component Units
Year Ended December 31, 2012

	Dutchess Community College	Dutchess County Resource Recovery Agency	Dutchess County Water and Wastewater Authority	Aggregated Non-Major Component Units	Total Aggregate Discretely Presented Component Units
Operating Expenses:					
Disposal fees	$ -	$ 2,963,907	$ -	$ -	$ 2,963,907
Service fees	-	11,256,248	-	-	11,256,248
Administrative expenses	5,539,912	1,563,578	1,489,187	32,431	8,625,108
Interest expenses	128,778	1,128,449	1,491,666	-	2,748,893
Depreciaton	2,369,924	1,984,778	1,259,176	882	5,614,760
Amortization	-	94,552	79,260	-	173,812
Instruction	32,228,696	-	-	-	32,228,696
Public service	49,880	-	-	-	49,880
Academic support	3,774,427	-	-	-	3,774,427
Libraries	1,263,128	-	-	-	1,263,128
Student services	6,450,157	-	-	-	6,450,157
General institution	7,134,754	-	-	-	7,134,754
Operation and maintenance of plant	9,363,470	-	3,257,818	186,837	12,808,125
Student aid	8,079,807	-	-	-	8,079,807
Personal services	-	-	-	433,733	433,733
Employee benefits	-	-	-	155,568	155,568
Purchases and contracted services	-	-	37,516	349,561	387,077
Other	4,750,320	-	-	-	4,750,320
Total operating expenses	81,133,253	18,991,512	7,614,623	1,159,012	108,898,400
Program revenues:					
Tipping fees	-	12,957,726	-	-	12,957,726
Energy sales	-	2,906,817	-	-	2,906,817
Other charges for services	1,839,361	-	4,926,841	322,823	7,089,025
Student tuition and fees	20,654,357	-	-	-	20,654,357
Grants and contracts	14,313,418	-	-	-	14,313,418
Other	8,624,406	-	32,948	516	8,657,870
Operating grants and contributions	16,187,080	-	-	622,896	16,809,976
Capital grants and contributions	480,707	-	-	-	480,707
Total program revenues	62,099,329	15,864,543	4,959,789	946,235	83,869,896
Net program expense	(19,033,924)	(3,126,969)	(2,654,834)	(212,777)	(25,028,504)
General revenues:					
Payments from Dutchess County	10,837,898	4,138,682	2,797,085	239,377	18,013,042
Unrestricted interest and other	562,598	230,477	148,849	4,905	946,829
Total general revenues	11,400,496	4,369,159	2,945,934	244,282	18,959,871
Change in net position	(7,633,428)	1,242,190	291,100	31,505	(6,068,633)
Net position—beginning, as restated (see note 2)	43,035,929	13,467,176	354,440	2,849,407	59,706,952
Net position—ending	$ 35,402,501	$ 14,709,366	$ 645,540	$ 2,880,912	$ 53,638,319

The notes to the financial statements are an integral part of this statement.

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1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Description of Government-wide Financial Statements

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the nonfiduciary activities of the primary government of the County of Dutchess, New York (the "County") and its component units. All fiduciary activities are reported only in the fund financial statements. *Governmental activities*, which normally are supported by taxes, intergovernmental revenues, and other nonexchange transactions, are reported separately from *business-type activities*, which rely to a significant extent on fees and charges to external customers for support. Likewise, the primary government is reported separately from certain legally separate component units for which the primary government is financially accountable.

B. Financial Reporting Entity

Dutchess County, New York (the "County") is a municipal corporation which performs local governmental functions within its jurisdiction, including public safety, health and economic assistance and opportunity. The County charter was adopted April 17, 1967 and became effective January 1, 1968. The County is governed by an elected County Executive and a twenty-five member County Legislature.

The accompanying financial statements present the government and its component units, entities for which the government is considered to be financially accountable. Blended component units are, in substance, part of the primary government's operations, even though they are legally separate entities. Thus, blended component units are appropriately presented as funds of the primary government. The discretely presented component units are reported in combining statement after the fund financial statements to emphasize that each unit is legally separate from the government.

Blended component unit—The Dutchess Tobacco Asset Securitization Corporation (the "DTASC") is a special purpose local development corporation organized pursuant to Section 1411 of the Not-For-Profit Corporation Law of the State of New York, created by Dutchess County for the purposes of: (i) purchasing from the County all rights, title and interest in certain litigation awards under the Consent Decree and Final Judgment of the Supreme Court of the State of New York dated December 23, 1998 and in all portions due to the County under the Master Settlement Agreement with respect to tobacco related litigation among various settling states and participating manufacturers, (ii) to purchase, acquire, own, hold, sell, dispose of tobacco assets and any future rights of tobacco assets and (iii) to issue and sell bonds to pay for the acquisition of such tobacco assets. The sole member of the Corporation is the County Attorney. There are three directors, one appointed by the County Executive, one appointed by the Chairman of the Dutchess County Legislature and one jointly appointed by the County Executive and Chairman of the County Legislature.

Discretely presented component units—The combining statements of discretely presented component units present the major component units in separate columns and the non-major component units aggregated into a single column. These statements are presented separately from the financial data of the primary government to emphasize that they are legally separate from the County.

Dutchess Community College (Major Component Unit)—The Dutchess Community College ("DCC" or the "College") was established under Article 126 of the Education Act of the State of New York under the sponsorship of the County and is operated by a Board of Trustees under Paragraph I of Subdivision 6 of Section 6304 of the Education Act of the State of New York. DCC's year end is August 31. The Dutchess Community College Association, Inc. (the "Association") is organized under the not-for-profit laws of New York State to supplement and conduct activities and services for the students, faculty, staff and alumni of the College. The Association is presented as a component unit of the College, and its year end is June 30. The Dutchess Community College Foundation, Inc. (the "Foundation") is organized under the not-for-profit laws of New York State to raise funds to provide scholarships and to provide support for initiatives that will have a significant and measurable impact on the students, faculty and staff of the College. The Foundation is a component unit of the College and its year end is August 31.

Pursuant to New York State Education Law relating to community colleges, title to real property is held by the County in trust for the use of the College in carrying out its institutional purposes. The accompanying debt is also a legal obligation of the County. No revenues or assets of the College have been pledged or will be available to pay the principal and interest on this debt. Principal and interest payments on the debt are payable from amounts appropriated each year by the State of New York pursuant to the State Education Law, and the County in the case of County-related debt through the College's budget, and from monies in the debt service reserve fund held by the DASNY trustees. Capital appropriations include the annual debt service requirements on the Dutchess County debt. The provisions of the State Education Law regarding the State appropriations for principal and interest payments do not constitute a legally enforceable obligations of the State.

Equipment made available to the College from its inception are stated at cost and were purchased from appropriations of the County and New York State, designated for that purpose, and from Federal grants.

Dutchess County Resource Recovery Agency (Major Component Unit)—The Dutchess County Resource Recovery Agency ("RRA" or the "Agency") was established as a public benefit corporation to perform the function of solid waste management. The Agency constructed a solid waste disposal resource recovery plant to be used for that purpose. The construction of the plant was financed primarily by the issuance of Dutchess County Resource Recovery Agency revenue bonds and New York State Environmental Quality Bond Act ("EQBA") grant proceeds. The New York State Environmental Quality Bond Act grant proceeds have been recorded as contributed capital in these financial statements. In fulfilling its function, the Agency also operates a materials recycling facility. The Dutchess County Executive and/or members of the County Legislature appoint all of the Agency's board members.

Dutchess County Water and Wastewater Authority (Major Component Unit)—The Dutchess County Water & Wastewater Authority ("WWA" or the "Authority") is a public benefit corporation established under Section 1123 of the New York Local Water and Sewer Act, duly enacted into law as Chapter 592 of the Laws of the State of New York. The Act was requested by the Dutchess County Legislature to assist the County and its municipalities with managing water supplies and wastewater disposal. The legislation empowers the Authority to make plans and studies; develop, construct or maintain projects; acquire or lease real and personal property; to issue bonds and notes for financing; and fix rates and collect charges for the purpose of supplying and selling water and to collect, treat and discharge sewage in Dutchess County. The governing body of the Authority consists of eight members – five voting and three nonvoting. Voting members serve five year terms with two members appointed by the County Executive, two appointed by the Chairman of the County Legislature and the fifth being a joint appointment

confirmed by the entire Legislature. The nonvoting members include the Director of the Dutchess County Environmental Management Council, the Director of the Dutchess County Soil and Water Conservation District, and the Commissioner of the Dutchess County Department of Planning and Economic Development.

Revenues are derived generally from quarterly billing of user fees to customers and are considered to be operating revenues. Non-operating revenues include Dutchess County-funded revenues based on a contract with the Dutchess County Division of Water Resources to provide countywide water and wastewater planning and management. The Authority also derives revenues from Service Fee payments from the County pursuant to several Service Agreements, which are used to pay debt service and related expenses pertaining to debt obligations incurred for specific districts and/or systems.

Receivables represent outstanding user fees. The Authority has an agreement with Dutchess County that provides for collection of outstanding user fees through the real property tax levy. Therefore, the Authority has not established an allowance for uncollectible accounts.

Dutchess County Industrial Development Agency (Nonmajor Component Unit)—The Dutchess County Industrial Development Agency ("IDA") is a public benefit corporation established June 28, 1977 under the mandate of Article 18-A, "New York State Industrial Development Agency Act," of New York State general municipal law. The seven member board is appointed by the legislature of Dutchess County. The IDA was established to promote and assist in acquiring or constructing various business and recreational facilities and, in the process, advances the job opportunities, health, general prosperity and economic welfare of the people of Dutchess County. The IDA's function is to authorize the issuance of industrial revenue bonds for industrial development projects. The IDA reviews and determines whether to recommend approval of those applicants wishing to obtain financing. The IDA receives application fees from applicants and closing fees from those accepted for industrial revenue financing, such fees are recorded when earned.

Dutchess County Soil and Water Conservation District (Nonmajor Component Unit)—The Dutchess County Soil and Water Conservation District ("SWCD") (including the Dutchess County Environmental Management Council) is a nonprofit organization set up to coordinate state and federal conservation programs on a local level. The SWCD provides education and technical assistance on managing soil, water and related natural resources to municipalities, farmers, business owners and homeowners.

Dutchess County Local Development Corporation (Nonmajor Component Unit)—The Dutchess County Local Development Corporation ("LCD") is a public benefit corporation established in 2010 under section 1411 of the New York not-for-profit corporation law to act as an "on behalf of" issuer of conduit tax exempt bonds. In January 2008, civic facility legislation expired and Industrial Development Agencies no longer had the authority to issue tax exempt bonds or provide other financial assistance to 501(3) organizations. The LCD was established to address the capital needs of these organizations. The LCD's function is via the issuance of industrial revenue bonds and other means to promote economic development. The LDC reviews and determines whether to recommend approval of those applicants wishing to obtain financing. The LDC receives fees from applicants and closing fees from those accepted for industrial revenue financing.

Separately issued financial statements for all component units except Dutchess County Soil and Water Conservation District may be obtained from Dutchess County Finance Office at 22 Market Street, Poughkeepsie, New York.

C. Basis of Presentation—Government-wide Financial Statements

While separate government-wide and fund financial statements are presented, they are interrelated. The governmental activities column incorporates data from governmental funds and internal service funds, while business-type activities incorporate data from the government's enterprise funds. Separate financial statements are provided for governmental funds, proprietary funds, and fiduciary funds, even though the latter are excluded from the government-wide financial statements.

As a general rule, the effect of interfund activity has been eliminated from the government-wide financial statements. Exceptions to this general rule are payments in lieu of taxes where the amounts are reasonably equivalent in value to the interfund services provided and various other functions of the government. Elimination of these changes would distort the direct costs and program revenues reported for the various functions covered.

D. Basis of Presentation—Fund Financial Statements

The fund financial statements provide information about the government's funds, including its fiduciary funds and blended component units. Separate statements for each fund category – governmental, proprietary, and fiduciary – are presented. The emphasis of fund financial statements is on major governmental and enterprise funds, each displayed in a separate column. All remaining governmental and enterprise funds are aggregated and reported as nonmajor funds. Major individual governmental and enterprise funds are reported as separate columns in the fund financial statements.

The County reports the following major governmental funds:

- *General Fund*—This fund is the principal operating fund of the County and is used to account for all financial resources except those required to be accounted for in other funds.

- *Capital Projects Fund*—The Capital Projects Fund is used to account for and report financial resources to be used for the acquisition, construction or renovation of major capital facilities or equipment other than those financed by enterprise funds.

- *Dutchess Tobacco Asset Securitization Corporation ("DTASC")*—The DTASC is used to account for the receipt and disbursement of resources related to Tobacco Assets and related obligations.

The County presents the following major enterprise funds:

Enterprise Funds—The enterprise funds are used to account for the operations of the Dutchess County Airport (Airport) and the Dutchess County Bus Transportation System (Transportation). Both are considered to be major funds. These entities are financed and operated in a manner similar to a private business enterprise. The intent of the County is that the operating expenses (including depreciation and amortization expense) of providing goods or services to the general public on a continuous basis are to be financed or recovered primarily through user charges. The County may provide administrative, legal and operational assistance to the proprietary funds, which are not charged. Additionally, the General Fund periodically provides advances to the proprietary funds for operational needs.

Additionally, the County reports the following fund types:

Special Revenue Funds—used to account for the proceeds of specific revenue sources that are legally restricted to expenditures for specified purposes. The following Special Revenue Funds are utilized:

- *County Road Fund*—used to account for expenditures for highway purposes authorized by Section 114 of the Highway Law.
- *Road Machinery Fund*—used to account for the purchase, repair, maintenance and storage of highway machinery, tools and equipment pursuant to Section 133 of the Highway Law.
- *Special Grant Fund*—used to account for funds received under the Job Training Partnership Act/Workforce Investment Act and for Community Block Grant funds received from the Department of Housing and Urban Development.

Fiduciary Fund—Fiduciary Funds are used to account for assets held by the County in a trustee or custodial capacity, and therefore are not available to support the County's programs.

The following are the County's Fiduciary Funds:

Agency Funds—Agency funds are used to account for assets held by the County in a trustee capacity or as an agent for individuals or other governmental units.

Private Purpose Trust Funds—This fund represents a trust arrangement under which cemetery plots are maintained.

During the course of operations the government has activity between funds for various purposes. Any residual balances outstanding at year end are reported as due from/due to other funds and advances to/from other funds. While these balances are reported in fund financial statements, certain eliminations are made in the preparation of the government-wide financial statements. Balances between the funds included in governmental activities (i.e., the governmental and internal service funds) are eliminated so that only the net amount is included as internal balances in the governmental activities column. Similarly, balances between the funds included in business-type activities (i.e., the enterprise funds) are eliminated so that only the net amount is included as internal balances in the business-type activities column.

Further, certain activity occurs during the year involving transfers of resources between funds. In fund financial statements these amounts are recorded at gross amounts as transfers in/out. While reported in fund financial statements, certain eliminations are made in the preparation of government-wide financial statements. Transfers between the funds included in governmental activities are eliminated as transfer in the governmental activities column. Similarly, balances between the funds included in business-type activities are eliminated so that only the net amount is included as transfers in the business-type activities column.

E. Measurement Focus and Basis of Accounting

The accounting and financial reporting treatment is determined by the applicable measurement focus and basis of accounting. Measurement focus indicates the type of resources being measured such as current financial resources or economic resources. The basis of accounting indicates the timing of transactions or events for recognition in the financial statements.

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are

recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

The governmental fund financial statements are reported using the current financial resources measurement focus and modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the period or soon enough thereafter to pay liabilities of the current period. For this purpose, the County considers property tax collected within 60 days after year end to be available and recognizes them as revenues of the current year, all other revenues are deemed to be available if they are collected within 90 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences, and claims and judgments, are recorded only when payment is due. General capital asset acquisitions are reported as expenditures in governmental funds. Issuance of long-term debt and acquisitions under capital leases are reported as other financing resources.

Property taxes, sales taxes, licenses, and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. Entitlements are recorded as revenues when all eligibility requirements are met, including any time requirements, and the amount is received during the period or within the availability period for this revenue source (within one year of year-end). Expenditure-driven grants are recognized as revenue when the qualifying expenditures have been incurred and all other eligibility requirements have been met, and the amount is received during the period or within the availability period for this revenue source (within 90 days of year-end). All other revenue items are considered to be measurable and available only when cash is received by the government.

The proprietary and private purpose trust funds are reported using the economic resources measurement focus and the accrual basis of accounting. The agency fund has no measurement focus but utilizes the accrual basis of accounting for reporting its assets and liabilities.

F. Budgetary Information

Annual budgets are adopted on a basis consistent with generally accepted accounting principles for the General, County Road and Road Machinery Funds. The Capital Projects Fund is appropriated on a project-length basis. Other special revenue funds do not have appropriated budgets since other means control the use of these resources (e.g., grant awards) and sometimes span a period of more than one fiscal year.

The appropriated budget is prepared by fund, department and object. The government's department heads may make transfers of appropriations within a department. Transfers of appropriations between departments require the approval of council. The legal level of budgetary control (i.e., the level at which expenditures may not legally exceed appropriations) is the department level. For the year ended December 31, 2012, expenditures exceeded appropriations in the home and community services and interfund transfers function by $1,903,633 and $650,000, respectively. These negative variances occurred due to unanticipated costs within these functions.

Appropriations in all budgeted funds lapse at the end of the fiscal year even if they have related encumbrances. Encumbrances are commitments related to unperformed (executory) contracts for goods or services (i.e., purchase orders, contracts, and commitments). Encumbrance accounting is utilized to the extent necessary to assure effective budgetary control and accountability and to facilitate effective cash planning and control. While all appropriation and encumbrances lapse at year end, valid outstanding encumbrances (those for which performance under the executor contract is expected in the next year) are re-appropriated and become part of the subsequent year's budget pursuant to state regulations.

G. Assets, Liabilities Deferred Outflows/Inflows of Resources, and Net Position/Fund Balance

Cash and Cash Equivalents

The County's cash and cash equivalents consist of cash on hand, demand deposits, and short-term investments with original maturities of three months or less from the date of acquisition. Short-term investments consist of certificates of deposit, obligations of New York State, the United States Government and its agents.

Investments

Investments are recorded at fair value.

Receivables

Receivables are stated net of allowances for estimated uncollectible amounts. Amounts due from state and federal governments represent amounts owed to the County to reimburse it for expenditures incurred pursuant to state and federally funded programs.

All major revenues of the County are considered "susceptible to accrual" under the modified accrual basis. These include property tax, sales tax, state tax, State and Federal aid, and various grant program revenues.

Inventory and Prepaid Items

Inventory associated with the governmental and business-type activities is considered immaterial at year-end. Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both the government-wide and fund financial statements. The cost of prepaid items is recorded as expenditures/expenses when consumed rather than when purchased.

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both the government-wide and fund financial statements. The cost of prepaid items is recorded as expenditures/expense when consumed rather than when purchased.

Capital Assets

Capital assets are reported at historical cost or extended historical cost based on appraisals. Contributed assets are reported at estimated fair value at the time received. Capitalization thresholds (the dollar values above which asset acquisitions are added to the capital asset accounts), depreciation method, and estimated useful lives of capital assets reported in the government-wide statements and proprietary funds are as follows:

Capitalization Threshold and Useful Lives

Class of Asset	Threshold	Depreciation Method	Useful Life
Buildings and improvements	$ 100,000	Straight-line	5-40 years
Infrastructure	100,000	Straight-line	10-50 years
Machinery and equipment	5,000	Straight-line	3-15 years

Deferred Outflows/Inflows of Resources

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, *deferred outflows of resources*, represents a consumption of net position that applies to a future period(s) and so will *not* be recognized as an outflow of resources (expense/expenditure) until then. The County has one item

that qualifies for reporting in this category. The item is a deferred charge on refunding bonds that is being amortized over the life of the refunded debt.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represents an acquisition of net position that applies to a future period(s) and so will *not* be recognized as an inflow of resources (revenue) until that time. The County has two types of items, which arise only under a modified accrual basis of accounting that qualify for reporting in this category. Accordingly, the items, *unavailable revenue*, are reported as deferred inflows of resources only in the governmental funds balance sheet. The governmental funds report unavailable revenues from two sources: property taxes and some grants and aid that will more than likely not be realized within one year. These amounts are deferred and recognized in the period that the amounts become available.

Net Position Flow Assumption

Sometimes the County will fund outlays for a particular purpose from both restricted (e.g., restricted bond or grant proceeds) and unrestricted resources. In order to calculate the amounts to report as restricted—net position and unrestricted—net position in the government-wide and proprietary fund financial statements, a flow assumption must be made about the order in which the resources are considered to be applied. It is the County's position to consider restricted—net position to have been depleted before unrestricted—net position is applied.

Fund Balance Flow Assumptions

Sometimes the County will fund outlays for a particular purpose from both restricted and unrestricted resources (the total of committed, assigned, and unassigned fund balance). In order to calculate the amounts to report as restricted, committed, assigned, and unassigned fund balance in the governmental fund financial statements a flow assumption must be made about the order in which the resources are considered to be applied. It is the County's policy to consider restricted fund balance to have been depleted before using any of the components of unrestricted fund balance. Further, when components of unrestricted fund balance can be used for the same purpose, committed fund balance is depleted first, followed by assigned fund balance. Unassigned fund balance is applied last.

Fund Balance Policies

Fund balance of governmental funds is reported in various categories based on the nature of any limitations requiring the use of resources for specific purposes. The County itself can establish limitations on the use of resources through either a commitment (committed fund balance) or an assignment (assigned fund balance).

The committed fund balance classification includes amounts that can be used only for specific purposes determined by a formal action of the government's highest level of decision-making authority. The Board of Legislators is the highest level of decision-making authority for the government that can, by adoption of an ordinance prior to the end of the fiscal year, commit fund balance. Once adopted, the limitation imposed by the ordinance remains in place until a similar action is taken (the adoption of another ordinance) to remove or revise the limitation.

Amounts in the assigned fund balance classification are intended to be used by the government for specific purposes but do not meet the criteria to be classified as committed. The Board of Legislators has by resolution authorized the Commissioner of Finance to assign amounts for specific purposes. The Board may also assign fund balance as it does when appropriating fund balance to cover a gap between estimated revenue and appropriations in the subsequent year's appropriated budget. Unlike

commitments, assignments generally only exist temporarily. In other words, an additional action does not normally have to be taken for the removal of an assignment. Conversely, as discussed above, an additional action is essential to either remove or revise a commitment.

H. Revenues and Expenditures/expenses

Program revenues

Amounts reported as program revenues include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment and 2) grants and contributions that are restricted to meeting the operation or capital requirements of a particular function or segment. All taxes, including those dedicated for specific purposes, and other internally dedicated resources are reported as general revenues rather than as program revenues.

Real Property Taxes

The County levies its real property taxes on December 31, prior to the year of collection and attached as an enforceable lien on January 1. On March 1 interest is accrued on all unpaid taxes in accordance with real property tax law. Property tax is only recognized as revenue in the year for which the levy is made, and to the extent that such taxes are received within the reporting period or 60 days thereafter in the Governmental Fund financial statements.

Tax collections are the responsibility of either the city tax collectors for the Cities of Poughkeepsie and Beacon or the town receivers or collectors for the towns in the County and are collected through May 31 or August 31, the later date being for certain towns that pay in installments. After these dates, uncollected real property taxes receivables of the towns are turned over for collection by the County. The towns satisfy the full amount of their tax levies from the first monies collected and remit all amounts thereafter to the County.

A local law provides for the collection, by the County, of delinquent village taxes. This law requires the amount of returned delinquent village taxes remaining unpaid, be paid to the village by the County by the first day of April following the return.

Tax rates are calculated using assessments prepared by individual city and town assessors utilizing the equalization rates established by the New York State Board of Equalization and Assessment for the purpose of comparability. The total taxable equalized assessed value of real property included in the tax levy of 2012 is $31,895,759,238. The effective tax rate on this value is $3.25 per thousand. The constitutional tax limit is 1.5% of the 5-year average of the equalized assessment. The 2012 levy represents approximately 16.7% of the constitutional tax limit.

Compensated absences

Vacation leave and other compensated absences with similar characteristics of $8,471,514 and $34,870 in the governmental activities and business type activities, respectively at December 31, 2012, are accrued as a liability as the benefits are earned by the employees if the leave is attributable to past service and it is probable that the employer will compensate the employees for the benefits through paid time off or some other means, such as cash payments at termination or retirement.

Proprietary funds operating and nonoperating revenues and expenses

Operating revenues of enterprise funds consist of user fees. Operating expenses of enterprise funds consist of salaries, wages and benefits, contractual services and depreciation and amortization. Transactions related to capital and financing activities, non-capital financing activities, investing

activities and interfund transfers from other funds and State appropriations are components of non-operating income. Subsidies and grants to proprietary funds which finance capital activities are reported as nonoperating revenue.

I. Other

Judgments and Claims

Costs associated with workers' compensation or legal liabilities for both reported and unreported insured events totaling $30,710,899 at December 31, 2012, which include estimates of both future payment of losses and related claim adjustment expenses, are recorded as long-term liabilities in the government wide financial statements.

Pensions

Nearly all County employees are members of various New York State retirement systems. The County is invoiced annually by the systems for its share of the costs.

Postemployment Benefits

The County provides health insurance coverage and survivor benefits for retired employees and their survivors. The County's employees may become eligible for these benefits upon retirement, with a minimum of ten years of service. The County's annual OPEB expense is calculated based on the annual required contribution (ARC), an amount actuarially determined in accordance with generally accepted accounting principles. The ARC represents a level of funding that, if paid on an ongoing basis, is projected to cover normal cost each year and amortize any unfunded actuarial liabilities over a period of thirty years beginning in 2007. The obligation at December 31, 2012 was $119,672,612 for the County, $880,833 for the airport and $12,874 for transportation.

Use of Estimates

The preparation of the financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of revenues, expenditures, assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and during the reported period. Actual results could differ from those estimates.

Impacts of Accounting Pronouncements

During the year ended December 31, 2012, the County implemented GASB Statement No. 63, *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position*. This statement amends the net assets reporting requirements in GASB Statement No. 34, *Basic Financial Statements—and Management's Discussion and Analysis—for State and Local Governments,* and other pronouncements by incorporating deferred outflows of resources and deferred inflows of resources into the definitions of the required components of the residual measure and by renaming that measure as net position, rather than net assets. The County also elected to early implement the provisions of GASB Statement No. 65, *Items Previously Reported as Assets and Liabilities*. This statement establishes accounting and financial reporting standards that reclassify, as deferred outflows of resources or deferred inflows of resources, certain items that were previously reported as assets and liabilities and recognizes, as outflows of resources, certain items that were previously reported as assets and liabilities. Other than that discussed in Note 2, GASB Statement Nos. 63 and 65 did not have a material impact on the County's financial position or results from operations.

Additionally, during the year ended December 31, 2012, the County completed the process of evaluating the impact that will result from adopting GASB Statements No. 57, *OPEB Measurements by Agent Employers and Agent Multiple-Employer Plans*, No. 60, *Accounting and Financial Reporting for Service Concession Arrangements*; No. 62, *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements*; and No. 64, *Derivative Employer Plans*; *Instruments: Application of Hedge Accounting Termination Provisions—an amendment of GASB Statement No. 53*. GASB Statements No. 57, 60, 62 and 64 did not have a material impact on the County's financial position or results from operations.

Future Impacts of Accounting Pronouncements—The County has not completed the process of evaluating the impact that will result from adopting GASB Statements No. 61, *The Financial Reporting Entity: Omnibus—an amendment of GASB Statements No. 15 and No. 34;* and No. 66, *Technical Corrections—2012—an amendment of GASB Statements No. 10 and No. 62*, effective for the year ending December 31, 2013; No. 67, *Financial Reporting for Pension Plans—an amendment of GASB Statement No. 25*; No. 69, *Government Combinations and Disposals of Government Operations*; and No. 70, *Accounting and Financial Reporting for Nonexchange Financial Guarantees*, effective for the year ending December 31, 2014; and No. 68, *Accounting and Financial Reporting for Pensions—an amendment of GASB Statement No. 27*, effective for the year ending December 31, 2015. The County is therefore unable to disclose the impact that adopting GASB Statements No. 61, 66, 67, 68, 69 and 70 will have on its financial position and results of operations.

J. Stewardship, Compliance and Accountability

Budgets and Budgetary Accounting

The County's annual procedures in establishing the budgetary data reflected in the basic financial statements are as follows:

- No later than November 1, the County Executive submits a tentative budget to the Board of Legislators for the fiscal year commencing the following January 1. The tentative budget includes proposed expenditures and the proposed means of financing for all funds.

- After public hearings are conducted to obtain taxpayer comments, no later than December 21, the governing board adopts the budget.

- All modifications of the budget must be approved by the governing board. (However, the Budget Officer is authorized to transfer certain budgeted amounts within departments, upon request of the department head).

- Budgets are prepared for proprietary funds to establish the estimated contributions required from other funds and to control expenditures.

2. CHANGES IN ACCOUNTING PRINCIPLES AND RESTATEMENT OF PRIOR YEAR FUND BALANCE AND NET POSITION

CHANGES IN ACCOUNTING PRINCIPLES

During the year ended December 31, 2012, the County elected to change its revenue recognition period for governmental funds to 90 days. Previously, revenues estimated to be received within one year of the end of the current fiscal period were considered available and recognized in governmental funds. Fund balance at December 31, 2011 has been restated by $12,380,001 to remove revenues recognized in the prior year beyond the 90 day availability period. The County believes that this is the preferable policy of

revenue recognition and that it more accurately reflects its availability period under the modified accrual basis of accounting.

Tobacco settlement payments to be received by the County during the year ending December 31, 2013 are based on tobacco sales made during the year ended December 31, 2012. While they are not considered receivable under the modified accrual basis of accounting, they are considered receivable within the governmental activities during the current year. Previously, DTASC accrued an estimate of the tobacco settlement revenue to be received in the subsequent year in both the governmental fund financial statements and the government-wide financial statements. Fund balance at December 31, 2011 has been restated to remove the tobacco settlement revenue receivable of $3,476,979 from the fund financial statements.

As discussed in Note 1, during the year ended December 31, 2012, the County implemented GASB Statement No. 65. As a result of this implementation, existing bond issuance costs are expensed. Net position at December 31, 2011 has been restated to remove unamortized bond issuance costs of $1,036,446.

PRIOR PERIOD ADJUSTMENT

Based on the County's aging analysis, an outstanding receivable balance in the amount of $7,711,771 was determined to be recorded in error in the 2010 fiscal year. During the 2011 fiscal year, an allowance of $990,208 was set up against this receivable. As a result of this error, revenues and fund balance were overstated for the year ended December 31, 2010 in the amount of $7,711,771. Subsequently, the net change in fund balance/net position and ending fund balance/net position were understated by $990,208 and overstated by $6,721,568, respectively for the year ended December 31, 2011.

To correct this error, fund balance and net position at December 31, 2011 have been restated in the amount of $6,721,568.

The effect of these changes to beginning fund balance is summarized below:

	General Fund	DTASC Fund	Governmental Funds
Fund balance, December 31, 2011, as previously reported	$ 64,565,958	$ 7,009,961	$ 106,641,090
Change in revenue recognition policy	(12,380,001)	-	(12,380,001)
Change in recognition of TSR Revenues	-	(3,476,979)	(3,476,979)
Correction of error in receivables	(6,721,568)	-	(6,721,568)
Fund balance, December 31, 2011, as restated	$ 45,464,389	$ 3,532,982	$ 84,062,542

The effect of these changes to beginning net position is summarized below:

	Primary Government Governmental Activities
Beginning net position, as previously reported	$ (19,776,986)
Recognition of unamortized issuance costs	(1,036,446)
Correction of error in receivables	(6,721,568)
Beginning net position, as restated	$ (27,535,000)

A. Discretely Presented Componenet Unit

i) Dutchess Community College

CHANGE IN ACCOUNTING PRINCIPLE

In fiscal 2012, the College changed its method of revenue recognition for capital assets contributed by the State and County.

Contributions of capital assets are now recognized when the assets are purchased by the County, as opposed to when the State and County make debt service payments on related borrowings.

The change in revenue recognition for State and County appropriations is preferable and is consistent with accounting for capital grants. As the debt is a legal obligation of the State and County the change will more accurately reflect the debt on the State and County financial statements and not on the College's financial statements. The College believes that this is the preferable method of revenue recognition and that it more accurately reflects the nature of the transaction.

The change in accounting policy resulted in an increase to beginning net position of the College by $20,080,231.

The effect of this change to beginning net position is summarized below:

	DCC
Beginning net position, as previously reported	$ 22,955,698
Cumulative effect of change in accounting policy	20,080,231
Beginning net position, as restated	$ 43,035,929

3. CASH, CASH EQUIVALENTS AND INVESTMENTS

Statutes authorize the County to maintain deposits with financial institutions and to invest in certificates of deposit, obligations of New York State, the United States Government and its agencies, and repurchase agreements collateralized by U.S. obligations.

Cash and cash equivalents and restricted cash and cash equivalents at year-end consisted of:

	Governmental Activities	Business-type Activities	Fiduciary Funds	Total Balance
Petty cash (uncollateralized)	$ 25,515	$ 900	$ -	$ 26,415
Money market funds	53,018	-	-	53,018
Discount note	3,440,888	-	-	3,440,888
Deposits	72,014,036	3,962,239	5,857,344	81,833,619
Total	$ 75,533,457	$ 3,963,139	$ 5,857,344	$ 85,353,940

Cash equivalents include money market accounts and a discount note with a maturity date within three months of year end. These investments are carried at fair value.

Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment.

Deposits—All deposits are carried at fair value.

	Bank Balance	Carrying Amount
Insured (FDIC)	$ 4,171,270	$ 4,138,630
Uninsured:		
Collateral held by bank's agent in the County's name	92,283,104	77,694,989
Total	$ 96,454,374	$ 81,833,619

Custodial Credit Risk—In the case of deposits, this is the risk that in the event of a bank failure, the County's deposits may not be returned to it. For investments, this is the risk that, in the event of the failure of the counterparty, the County will not be able to recover the value of its investments that are in the possession of an outside party. By State statute all deposits in excess of FDIC insurance coverage must be collateralized. As of December 31, 2012, all uninsured bank deposits were fully collateralized with securities held by the pledging financial institution's trust department or agent in the County's name.

Restricted cash—Restricted cash of the County consists of unexpended debt proceeds restricted for capital projects in the amount of $29,961,215 and cash restricted for future debt service within both the General Fund and DTASC of $2,477,325 and $3,493,906, respectively. Also included in restricted cash is General Fund (including self-insurance) balances subject to externally enforceable legal purpose restrictions, totaling $5,822,610.

A. Discretely presented component units

i) Dutchess Community College

Cash and Cash Equivalents

Cash and cash equivalents consist of funds deposited in demand deposit accounts, time deposit accounts and certificates of deposit with maturities of less than three months at the time of purchase.

The College's investment policies are governed by State statutes. The College has adopted its own written investment policy which provides for the deposit of funds in FDIC insured commercial banks or trust companies located within the State. The College is authorized to use demand deposit accounts, time deposit accounts and certificates of deposit. Permissible investments include obligations of the U.S. Treasury, U.S. Agencies and obligations of New York State or its municipalities.

Collateral is required for demand deposits, time deposits and certificates of deposit at 100% of all deposits not covered by Federal deposit insurance. Obligations that may be pledged as collateral are obligations of the United States and its agencies and obligations of the State and its municipal and school district subdivisions.

Custodial credit risk is the risk that in the event of a bank failure, the College's deposits may not be returned to it. GASB Statement No. 40 directs that deposits be disclosed as exposed to custodial credit risk if they are not covered by depository insurance and the deposits are either uncollateralized, collateralized by securities held by the pledging financial institution or collateralized by securities held by the pledging financial institution's trust department but not in the College's name. The College's aggregate bank balances that were not covered by depository insurance were not exposed to custodial credit risk at August 31, 2012.

Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment then the greater the sensitivity of its fair value to changes in market interest rates. One of the ways that the College manages its exposure to interest rate risk is by purchasing a combination of shorter term and longer term investments and by timing cash flows from maturities so that a portion of the portfolio is maturing or coming close to maturity evenly over time as necessary to provide the cash flow and liquidity needed for operations.

Information about the sensitivity of the fair value of the College's investments held by bond trustees to market interest rate fluctuations is provided by the following table that shows the distribution of the College's investments by maturity. All of the investments below have a remaining maturity of less than one year.

Investments

Investments consist of certificates of deposit with initial maturities of greater than three months.

The College was invested only in the above mentioned obligations and, accordingly, was not exposed to any interest rate risk or credit risk.

ii) Dutchess County Resource Recovery Agency

Statutes authorize the Agency to maintain deposits with financial institutions and to invest in certificates of deposit, obligations of New York State, the United States of America Government and its agencies, and repurchase agreements collateralized by U.S. obligations.

Repurchase agreements involve purchases by a broker of portfolio securities concurrently with an agreement by the broker to sell the same securities at a later date at a fixed price. Generally, the effect of such a transaction is that the Agency can invest its excess cash balances at competitive interest rates. The Agency is subject to certain risks, specifically credit risk that parties to the repurchase agreement will not perform as required, market risk in that the value of the underlying securities may decline below cost and legal risk in that investments may be made in securities not authorized by state and local regulations. The Agency believes its contractual arrangements and short-term nature of its investments minimize these risks. Market value of the repurchase agreements, and other investments, approximates cost plus accrued interest.

In addition, the Agency, through the General Bond Resolution adopted August 6, 1998, is authorized to invest funds held under the Resolution in "Qualified Investments". Qualified Investments include the above described investments as well as certain types of commercial paper, money market accounts and investment agreements.

In January 1999, the Agency entered into a Flexible Draw Investment Agreement between the Agency, a commercial entity, and the Bond Trustee, which provides for the investment of certain restricted funds until the maturity date of the bonds. The Agency has obtained a financial guaranty insurance policy, which provides for payment of amounts due under the agreement, if not made when due.

As of December 31, 2012, the Agency had cash deposited in various banks aggregating approximately $350,000, as insured by the FDIC or collateralized with securities held by the entity's agent in the entity's name. As of December 31, 2012, the Agency had cash and cash equivalents and investments of $11,694,035 (includes non-current investments of $5,187,086 reported as part of other assets) in various accounts, which are not covered by FDIC.

Bank balances differ from the Agency's cash balances by the amount of outstanding items clearing in the following month. The cash balances and repurchase agreements are collateralized with securities held by the counter party's trust department or agent in the entity's name and the investments are held by the counter party's trust department in the entity's name.

Cash and cash equivalents, and investments are as follows at December 31, 2012:

Bank Balance	$ 1,975,200
U.S. Treasury Bills	4,531,749
Insured Investment	5,187,086
Total	$ 11,694,035

Disclosures relating to risk and type of investments as presented above are indicative of activity and positions held during the year.

Restricted Cash and Investments

In accordance with the terms of the general bond resolution, bond and note proceeds, accrued interest receivable, the initial collection of tipping fees and energy revenues, and investments are administered and reported upon by a trustee on behalf of the Agency and are restricted.

As of December 31, 2012, the trustee reported the following restricted cash and cash equivalents and investments:

1999 Series A	
Project Funds	$ 48,059
Debt Service Reserve Funds	3,600,233
Current Restricted Funds	3,648,292
Reserve and Contingency Fund	447,957
Debt Service Reserve Fund	3,794,303
Non-Current Restricted Funds	4,242,260
Total 1999 Series A	$ 7,890,552
2007 Series	
Project Fund	$ 413,893
Cost of Issuance Fund	98,199
Debt Service Reserve Fund	371,346
Current Restricted Funds	883,438
Reserve and Contingency Fund	85,891
Debt Service Reserve Fund	858,935
Non-Current Restricted Funds	944,826
Total 2007 Series	$ 1,828,264

The Debt Service Reserve Funds are funded in an amount equal to the greater of any annual principal and interest or sinking fund payments, but limited to 10% of the original principal amount of the 1998 C and 1999 A Series bonds. The Reserve and Contingency Fund is funded in an amount at least equal to 10% of the debt service payments required for the current year. However, since these funds are not anticipated to be used in the subsequent year, they have been classified as restricted noncurrent assets in the statement of net assets.

The proceeds from collections of energy revenues, which had not yet been released by the trustee, and funds available for the January 1, bond principal and interest payments, amounted to $1,929,558 at December 31, 2012, and are included in restricted cash and cash equivalents..

Restricted assets are summarized as follows as of December 31, 2012:

Current Restricted Assets	
Series 1999 A	3,648,292
Series 2007	883,438
Energy Revenues and Debt Service Funds	1,929,558
Total Current-Restricted Assets	6,461,288
Non-Current Restricted Assets	
Series 1999 A	4,242,260
Series 2007	944,826
Total Non-Current Restricted Cash and Investments	5,187,086
Total Restricted Cash and Investments	$ 11,648,374

iii) Dutchess County Water and Wastewater Authority

Cash Equivalents and Investments

State statutes authorized the Authority to maintain deposits with financial institutions and to invest in certificates of deposits, obligations of New York State, the United States Government and its agencies, and repurchase agreements collateralized by U.S. obligations.

In addition, the Authority, through the General Bond Resolution adopted June 1, 1998 is authorized to invest funds held under the Resolution in — "Qualified Investments". Qualified Investments include the above-described investments as well as certain types of commercial paper, money market accounts and investment agreements.

Cash deposits are secured by collateral valued at market or par, whichever is lower, less the amount of Federal Deposit Insurance Corporation insurance. The Authority's deposits are categorized below to give an indication of the level or risk assumed by the Authority.

1. Insured or collateralized with securities held by the Authority or by its agent in the Authority's name'

2. Collateralized with securities held by the pledging institution's trust department or agent in the Authority's name;

Cash and cash equivalents and investments by category are as follows as of December 31, 2012:

	Total
Cash in Banks	$ 3,742,579
Investments	
Money Market Funds	3,248,136
U.S. Treasury Bills & Notes	1,540,563
Investment Total	$ 4,788,699

Disclosures relating to risk and type of investments as presented above are indicative of activity and positions held during the year.

Restricted Cash and Investments

The restricted cash and investments of the Authority consist of unexpended bond and note proceeds, which are invested in cash funds and investments under the control of bank trustees. These assets are restricted in use by bond covenants as described below as of December 31, 2012:

Construction Reserve Funds	$ 1,966,619
Debt Service Sinking Funds	4,348
Debt Service Reserve Funds	115,940
Current Restricted Funds	2,086,907
Debt Service Reserve Funds Non Current	2,701,792
	$ 4,788,699

The Debt Service Reserve Funds are funded in an amount equal to an amount which is the lesser of, the maximum annual debt service required under the bond resolutions, 125% of the average annual debt service required by certain bond resolutions or the maximum amount that may be held in the Debt Service Reserve Fund without adversely affecting the tax-exempt status of bond series intended to be tax-exempt, currently 10% of the original issue amount. Since these reserves are not anticipated to be used in the subsequent year, they have classified as restricted noncurrent assets on the balance sheet. Interest earnings on these reserves have been classified as current as they are available to pay current debt.

4. RECEIVABLES

Accounts receivable as of December 31, 2012, are as follows:

Governmental Activities:	
Various fees and charges:	
General Fund	$ 5,054,957
Other governmental funds	123,346
Less allowance for doubtful accounts	(727,061)
Total	$ 4,451,242
Business-type Activities:	
Various fees and charges:	
Airport	$ 84,925
Transportation	221,028
Total	$ 305,953

Due to the length of time it takes to receive reimbursement from other governments for some requested reimbursements, currently have approximately $11,056,678 in receivables that are not anticipated to be received within 90 days of year end.

Due from other governments as of December 31, 2012, are as follows:

Governmental Activities:		
General Fund		
Due from State and Federal	$ 52,408,916	
Other	2,117,166	$ 54,526,082
Capital Projects Fund		
Due from State and Federal	4,296,775	
Other	23,540	4,320,315
DTASC Fund		
Due from State and Federal		3,502,008
Other governmental funds		
Due from State and Federal		983,649
Total		$ 63,332,054
Business-type Activities:		
Airport		
Due from State and Federal		$ 583,819
Transportation		
Due from State and Federal	783,291	
Other	434	783,725
Total		$ 1,367,544

A. Discretely presented component units

i) Dutchess Community College

Significant receivables include amounts due from students for fees and tuitions. These receivables are reported net of an allowance for uncollectible accounts and revenues net of uncollectibles. The allowance amount is estimated and recorded based on the College's historical bad debt experience, and based on management's judgment. At August 31, 2012, the College reported total accounts receivable of $8,336,475.

5. CAPITAL ASSETS

A. Governmental activities—Capital asset activity for the primary government's governmental activities, for fiscal year ending December 31, 2012, was as follows:

	Balance 1/1/2012	Additions and Reclassifications	Disposals and Reclassifications	Balance 12/31/2012
Capital assets, not being depreciated:				
Land	$ 7,683,552	$ 1,156,500	$ -	$ 8,840,052
Right of way and easements	8,467,938	2,813,744	-	11,281,682
Construction in progress	7,402,364	21,985,896	(15,251,372)	14,136,888
Total capital assets not being depreciated	23,553,854	25,956,140	(15,251,372)	34,258,622
Capital assets, being depreciated:				
Buildings and improvements	138,912,466	2,105,213	(575,800)	140,441,879
Machinery and equipment	57,856,356	8,862,499	(1,964,543)	64,754,312
Infrastructure	163,892,497	4,547,110	-	168,439,607
Total capital assets being depreciated	360,661,319	15,514,822	(2,540,343)	373,635,798
Less accumulated depreciation for:				
Buildings and improvements	(81,115,644)	(5,059,336)	575,800	(85,599,180)
Machinery and equipment	(43,605,859)	(3,106,902)	1,804,479	(44,908,282)
Infrastructure	(97,994,229)	(9,337,226)	-	(107,331,455)
Total accumulated depreciation	(222,715,732)	(17,503,464)	2,380,279	(237,838,917)
Total capital assets, being depreciated, net	137,945,587	(1,988,642)	(160,064)	135,796,881
Governmental activities capital assets, net	$ 161,499,441	$ 23,967,498	$ (15,411,436)	$ 170,055,503

Depreciation expense for governmental activities was charged to functions and programs of the primary government as follows:

Governmental activities:	
General government support	$ 4,057,540
Public safety	2,606,106
Health	25,476
Transportation	9,081,610
Economic assistance and opportunity	370,633
Culture and recreation	1,283,153
Home and community services	78,946
Total depreciation expense—governmental activities	$ 17,503,464

B. Business-type activities—Capital asset activity for the primary government's business-type activities (Enterprise Funds), for fiscal year ending December 31, 2012, as presented below:

	Balance 1/1/2012	Additions	Deletions	Balance 12/31/2012
Capital assets, not being depreciated:				
Land	$ 3,385,364	$ -	$ -	$ 3,385,364
Construction in progress	1,035,326	1,710,913	(2,453,567)	292,672
Total capital assets not being depreciated	4,420,690	1,710,913	(2,453,567)	3,678,036
Capital assets, being depreciated:				
Buildings and improvements	10,740,263	1,193,373	-	11,933,636
Machinery and equipment	13,855,490	41,342	(962,957)	12,933,875
Infrastructure	27,126,904	1,218,850	-	28,345,754
Total capital assets being depreciated	51,722,657	2,453,565	(962,957)	53,213,265
Less accumulated depreciation for:				
Buildings	(7,508,086)	(513,365)	-	(8,021,451)
Machinery and equipment	(8,036,383)	(1,503,876)	962,957	(8,577,302)
Infrastructure	(14,123,290)	(1,197,225)	-	(15,320,515)
Total accumulated depreciation	(29,667,759)	(3,214,466)	962,957	(31,919,268)
Total capital assets, being depreciated, net	22,054,898	(760,901)	-	21,293,997
Business-type activities capital assets, net	$ 26,475,588	$ 950,012	(2,453,567)	$ 24,972,033

C. Discretely presented component units

i) Dutchess Community College

	Balance 9/1/2011	Additions	Deletions	Balance 8/31/2012
Capital assets, not being depreciated				
Land	$ 1,148,465	$ -	$ -	$ 1,148,465
Construction-in-progress	54,520	-	(22,104)	32,416
Total capital assets not being depreciated	1,202,985	-	(22,104)	1,180,881
Capital assets, being depreciated				
Building and improvements	83,394,041	1,150,741	-	84,544,782
Furniture and equipment	7,645,564	861,672	(302,329)	8,204,907
Total capital assets, being depreciated	91,039,605	2,012,413	(302,329)	92,749,689
Less: Accumulated depreciation	37,097,366	2,330,601	(302,329)	39,125,638
Total capital assets, being depreciated, net	53,942,239	(318,188)	-	53,624,051
Capital assets, net	$ 55,145,224	$ (318,188)	$ (22,104)	$ 54,804,932

In addition to the College's capital assets, its component units, the Association and Foundation reported net capital assets of $26,633,429 of $34,542, respectively.

Assets under capital lease agreements are as follows at August 31:

	2012	2011
Cost basis	$ 5,227,174	$ 5,227,174
Accumulated depreciation	(2,524,759)	(2,174,186)
	$ 2,702,415	$ 3,052,988

Depreciation expense for the year ended August 31, 2012 was approximately $2,330,601.

ii) Dutchess County Resource Recovery Agency

	Balance 1/1/2012	Additions	Deletions	Balance 12/31/2012
Property	$ 517,591	$ -	$ -	$ 517,591
Plant	66,181,536	-	-	66,181,536
Equipment	1,164,191	-	-	1,164,191
	67,863,318	-	-	67,863,318
Less: Accumulated depreciation	(37,553,972)	(2,054,079)	-	(39,608,051)
Capital assets, net	$ 30,309,346	$ (2,054,079)	$ -	$ 28,255,267

Accumulated depreciation increased by $2,054,079. After deducting amortization of deferred revenues associated with the funding of capital improvements of $69,297 depreciation expense for the year ended December 31, 2012 is $1,984,779.

iii) Dutchess County Water and Wastewater Authority

	Balance 1/1/2012	Additions	Deletions	Balance 12/31/2012
Land	$ 834,808	$ -	$ -	$ 834,808
Improvements	120,255	55,652	-	175,907
Buildings	12,368,977	845,610	(675)	13,213,912
Water system	49,003,594	1,183,634	-	50,187,228
Machinery and equipment	6,289,468	640,645	-	6,930,113
Sewage collection system	1,364,871	-	-	1,364,871
Construction-in-progress	2,087,613	1,231,049	(2,619,291)	699,371
	72,069,586	3,956,590	(2,619,966)	73,406,210
Less: Accumulated depreciation	(17,370,319)	(4,093,555)	2,238,527	(19,225,347)
Net capital assets	$ 54,699,267	$ (136,965)	$ (381,439)	$ 54,180,863

Accumulated depreciation was increased by $1,855,028, after deducting amortization of deferred revenues associated with the Central Dutchess Water Transmission Line of $595,852 (which was put into service in 2007) for the year ended December 31, 2012. Depreciation expense for the year ended December 31, 2012 is $1,259,176.

6. RETIREMENT PLANS

Plan Description—The County participates in the New York State and Local Employees' Retirement System ("ERS"). In addition, all faculty and administrators of the College (a Component Unit) have the option of participating in the New York State Teachers' Retirement System ("TRS") or the Teachers' Insurance and Annuity Association, College Retirement Equities Fund (TIAA-CREF). These are cost-sharing multiple-employer retirement systems. The Systems provide retirement benefits as well as death and disability benefits. Obligations of employers and employees to contribute and benefits to employees are governed by the New York State Retirement and Social Security Law ("NYSRSSL"). As set forth in the NYSRSSL, the Comptroller of the State of New York ("Comptroller") serves as sole trustee and administrative head of the Systems. The Comptroller shall adopt and may amend rules and regulations for the administration and transaction of the business of the Systems and for the custody and control of their funds. The Systems issue a publicly available financial report that includes financial statements and required supplementary information. That report may be obtained by writing to the New York State and Local Retirement Systems, 110 State Street, Albany, NY 12244.

Funding Policy—The Systems are noncontributory except for employees who joined the New York State and Local Employees' Retirement System after July 27, 1976 who contribute 3% of their salary for the first ten years of membership, and employees who joined on or after January 10, 2010 who generally contribute 3% of their salary for their entire length of service. Those joining after April 1, 2012 (Tier 6) are required to contribute three and one-half percent (3.5%) of their annual salary until March 31, 2013, after which the contribution percentage will be based on salary. Under the authority of the NYSRSSL, the Comptroller annually certifies the actuarially determined rates expressly used in computing the employers' contributions based on salaries paid during the New York State Local Retirement System's fiscal year ending March 31. Included in the amount billed to the County are amounts for Dutchess Community College. The College reimburses its share to the County.

Contributions for the current year and two preceding years were equal to 100% of contributions required, and were as follows:

Year	ERS Contribution
2012	$ 20,111,400
2011	16,437,430
2010	13,918,830

The College's share for the current and two preceding years were:

Year	ERS Contribution
2012	$ 1,768,650
2011	1,526,362
2010	1,088,701

7. OTHER POST-EMPLOYMENT BENEFITS

GASB Statement No. 45, *Accounting and Financial Reporting by Employees for Post-Employment Benefits other than Pensions* requires an accrual by the County for post-retirement benefits and related liabilities.

Plan Description— Dutchess County Retiree Medical Program is a single-employer defined benefit healthcare plan administered by the New York State Employee Retirement System. The County provides certain health care benefits for retired employees including employees at the Airport and one employee at Mass Transit (enterprise funds). The various collective bargaining agreements stipulate the employees covered and the percentage of contribution.

Funding Policy— Contributions by the primary government and Airport (enterprise fund) may vary according to length of service. Substantially all employees may become eligible for those benefits if they reach normal retirement age and length of service requirement while working for these entities. The cost of retiree health care benefits is recognized as expenditure as premiums are paid within the governmental funds.

Annual OPEB Cost and Net OPEB Obligation—The County's annual other post-employment benefit (OPEB) cost (expense) is calculated based on the annual required contribution, (ARC), of the employer, an amount actuarially determined in accordance with the parameters of GASB Statement No. 45. GASB Statement No. 45 establishes standards for the measurement, recognition and display of the expenses and liabilities for retirees' medical insurance. As a result, reporting of expenses and liabilities will no longer be recorded on a "pay-as-you-go" approach. Instead of expensing the current year premiums paid, a per capita claims cost will be determined, which will be used to determine a "normal cost", an "actuarial accrued liability", and ultimately the ARC. The ARC represents a level of funding that, if paid on an ongoing basis, is projected to cover normal cost each year and amortize any unfunded actuarial liabilities over a period not to exceed thirty years. For the year ended December 31, 2012, the County's, Airport's and Transportation's annual OPEB costs of $22,842,707, $198,147 and $6,680, respectively, was recognized through the government wide statement of activities. Participating employees and active plan members are required to contribute to the plan at rates expressed as percentages of the payroll of active plan members. The percentage that is contributed is determined by the class of employee and their adjusted benefit date. For management employees there is no contribution, confidential employees have no contribution if their adjusted benefit date is prior to January 1, 1982 and if it is after they contribute 10%. For CSEA employees their rate is 5%, 15%, or 20% if their adjusted benefit dates are prior to July 1, 1979 and January 1, 2007 and after January 1, 2007, respectively. For DCSEA employees there is no contribution, 15%, or 20% if their adjusted benefit dates are prior to November 1, 1979, between November 1, 1979 and January 1, 2004 and after January 1, 2004, respectively. For PBA employees there is no contribution and a 20% contribution if their adjusted benefit date is prior to November 1, 1979 and after November 1, 1979, respectively.

The following tables show the calculation of the projected net OPEB obligation at December 31, 2012 and 2011:

	Year Ended December 31, 2012			
	Governmental Activities	Business-type Activities		
		Airport	Transportation	Total
Annual required contribution	$ 27,167,179	$ 199,535	$ 6,670	$ 27,373,384
Interest on net OPEB obligation	3,873,196	27,307	247	3,900,750
Adjustment to annual required contribution	(3,700,035)	(26,087)	(237)	(3,726,359)
Annual OPEB cost (expense)	27,340,340	200,755	6,680	27,547,775
Contributions made (expected)	(4,497,633)	(2,608)	-	(4,500,241)
Increase in net OPEB obligation	22,842,707	198,147	6,680	23,047,534
Net OPEB obligation - beginning of year	96,829,905	682,686	6,194	97,518,785
Net OPEB obligation - end of year	$ 119,672,612	$ 880,833	$ 12,874	$ 120,566,319

	Year Ended December 31, 2011			
	Governmental Activities	Business-type Activities		
		Airport	Transportation	Total
Annual required contribution	$ 25,737,096	$ 187,455	$ 6,194	$ 25,930,745
Interest on net OPEB obligation	2,997,012	19,788	-	3,016,800
Adjustment to annual required contribution	(2,863,079)	(18,904)	-	(2,881,983)
Annual OPEB cost (expense)	25,871,029	188,339	6,194	26,065,562
Contributions made (expected)	(3,966,424)	(353)	-	(3,966,777)
Increase in net OPEB obligation	21,904,605	187,986	6,194	22,098,785
Net OPEB obligation - beginning of year	74,925,300	494,700	-	75,420,000
Net OPEB obligation - end of year	$ 96,829,905	$ 682,686	$ 6,194	$ 97,518,785

The County's annual OPEB cost, the percentage of annual OPEB cost contributed to the Plan, and the net OPEB obligation for 2012 and the preceding two years were as follows:

	Total		
Year Ended December 31,	Annual OPEB Cost	Percentage of Annual OPEB Cost Contributed	Net OPEB Obligation
12/31/2012	$ 27,547,776	16.30%	$ 120,566,319
12/31/2011	26,065,562	15.20%	97,518,785
12/31/2010	24,392,300	19.80%	75,420,000

	Governmental Activities		
Year Ended December 31,	Annual OPEB Cost	Percentage of Annual OPEB Cost Contributed	Net OPEB Obligation
12/31/2012	$ 27,340,340	16.50%	$ 119,672,612
12/31/2011	25,871,029	15.30%	96,829,905
12/31/2010	24,247,200	19.80%	74,925,300

	Airport		
Year Ended December 31,	Annual OPEB Cost	Percentage of Annual OPEB Cost Contributed	Net OPEB Obligation
12/31/2012	$ 200,755	1.30%	$ 880,833
12/31/2011	188,339	0.20%	682,686
12/31/2010	145,100	5.20%	494,700

	Transportation		
Year Ended December 31,	Annual OPEB Cost	Percentage of Annual OPEB Cost Contributed	Net OPEB Obligation
12/31/2012	$ 6,681	0.00%	$ 12,875
12/31/2011	6,194	0.00%	6,194

Funding Status and Funding Progress—As of December 31, 2012, the actuarial accrued liability for benefits was $317,867,649 all of which was unfunded. Local New York State governments do not have the authority to establish trusts in which to accumulate assets for other post-employment benefits or to establish an OPEB investment fund for the investment of OPEB assets. Funding for the plan has been established on a pay-as-you-go basis. The County currently has no assets set aside for the purpose of paying post-retirement benefits.

The projection of future benefit payments for an ongoing plan involves estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about future employment, mortality, and the healthcare cost trend. Amounts determined regarding the funded status of the plan and the annual required contributions of the employer are subject to continual revision as actual results are compared with past expectations and new estimates are made about the future. The schedule of funding progress, presents multiyear trend information about whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liabilities for benefits.

The County's Schedule of Funding Progress is presented below:

Actuarial Valuation Date	Acturial Value of Assets	Acturial Accrued Liability ("AAL")	Unfunded AAL ("UAAL")	Funded Ratio	Covered Payroll	Ratio of UAAL as a Percentage of Covered Payroll
December 31, 2012	$ -	$ 317,867,649	$ 317,867,649	0.0%	$ 111,789,696	284.3%
December 31, 2011	-	295,827,044	295,827,044	0.0%	113,067,608	261.6%
December 31, 2010	-	267,025,000	267,025,000	0.0%	Not Available	Not Available

Actuarial Methods and Assumptions— Projections of benefits for financial reporting purposes are based on the substantive plan (the plan as understood by the employer and the plan members) and include the types of benefits provided at the time of each valuation and the historical pattern of sharing of benefit costs between the employer and plan members to that point. The actuarial methods and assumptions used include techniques that are designed to reduce the effects of short-term volatility in actuarial accrued liabilities and the actuarial value of assets, consistent with the long-term perspective of the calculations.

The following simplifying assumptions were made:

Health insurance premiums – 2012 health insurance premiums for retirees were used as the basis for calculation of the present value of total benefits to be paid.

Medical Trend Assumption – Medical and prescription drug costs are assumed to increase: 3.30% from 2011 to 2012; 7.00% per year from 2012 to 2015; then decreasing to an ultimate rate of 4.20% by 2081.

Payroll growth rate – The expected long-term payroll growth was assumed to be 3%.

Actuarial Methods – The actuarial cost method is the projected unit credit. The unfunded actuarial accrued liability is amortized as a level percentage of pay roll on an open group basis over 30 years.

Based on the historical and expected returns of the County's short-term investment portfolio, a discount rate of 4% was used. This rate is subject to market conditions and could change in the future. In addition, a simplified version of the projected unit credit cost method was used. The unfunded actuarial accrued liability is being amortized as a level percentage of projected payrolls on an open basis. The remaining amortization period at December 31, 2012 was 26 years.

A. Discretely presented component unit—Dutchess Community College

In addition to providing pension benefits, the College provides certain health care benefits for retired employees through a single employer defined benefit plan. The various collective bargaining agreements stipulate the employees covered and the percentage of contribution. Contributions by the College may vary according to length of service. The cost of providing post-employment health care benefits is shared between the college and the retired employee. Substantially all of the College's employees may become eligible for those benefits if they reach normal retirement age while working for the College.

The College's annual other post-employment benefit ("OPEB") cost (expense) is calculated based on the annual required contribution, (ARC), an amount actuarially determined in accordance with the parameters of GASB Statement No. 45. GASB Statement No. 45 establishes standards for the measurement, recognition and display of the expenses and liabilities for retirees' medical insurance. As a result, reporting of expenses and liabilities will no longer be accounted for under the "pay-as-you-go" approach. Instead of expensing the current year premiums paid, a per capita claims cost will be determined, which will be used to determine a "normal cost", an "actuarial accrued liability", and ultimately the annual required contribution ARC. The ARC represents a level of funding that, if paid on an ongoing basis, is projected to cover normal cost each year and amortize any unfunded actuarial liabilities over a period not to exceed thirty years.

Actuarial valuations for OPEB plans involve estimates of the value of reported amounts and assumptions about the probability of events far into the future. These amounts are subject to continual revision as results are compared to past expectations and new estimates are made about the future. Calculations are based on the OPEB benefits provided under the terms of the substantive plan in effect at the time of each valuation and on the pattern of sharing of costs between the employer and plan members to that point. In addition, the assumptions and projections utilized do not explicitly incorporate the potential effects of legal or contractual funding limitations on the pattern of cost sharing between the employer and plan members in the future. The actuarial calculations of the OPEB plan reflect a long-term perspective.

The amortization basis is the level dollar of payroll method with an open amortization approach with 26 years remaining in the amortization period. The actuarial assumptions included a 4.0% investment return. The College currently has no assets set aside for the purpose of paying post-employment benefits. The actuarial cost method utilized was the unit credit method.

	2012	2011
Annual required contribution	$ 8,532,734	$ 8,076,122
Interest on net OPEB obligation	1,422,923	1,178,434
Adjustment to annual required contribution	(1,978,071)	(1,638,196)
Annual OPEB cost (expense)	7,977,586	7,616,360
Contributions made	(1,791,004)	(1,504,143)
Increase in net OPEB obligation	6,186,582	6,112,217
Net OPEB obligation—beginning of year	35,573,064	29,460,847
Net OPEB obligation—end of year	$ 41,759,646	$ 35,573,064

The College's annual OPEB cost, the percentage of annual OPEB cost contributed to the Plan, and the net OPEB obligation for 2012 and the two preceding years were as follows:

Year Ended, August 31,	Annual OPEB Cost	Percentage of Annual OPEB Cost Contributed	Net OPEB Obligation
2012	$ 7,977,586	18.85%	$ 41,759,646
2011	7,616,360	24.16	35,573,064
2010	8,291,349	18.26	29,460,847

Funding Status and Funding Progress—The funded status of the plan as of August 31, 2012 was as follows:

Actuarial Accrued Liability ("AAL")	$ 78,962,149
Actuarial value of plan assets	-
Unfunded actuarial accrued liability ("UAAL")	78,962,149
Funded ratio (actuarial value of plan assets/AAL)	0.00%
Covered payroll (active plan members)	$ 26,304,038
UAAL as percentage of covered payroll	300.19%

The Schedule of Funding Progress presents multi-year trend information that is useful in determining whether the actuarial value of Plan assets is increasing or decreasing over time relative to the actuarial accrued liability. The projection of benefits is based on the types of benefits provided under the substantive Plan at the time of the valuation date and on the pattern of cost-sharing between the employer and Plan members. In addition, the projections do not explicitly incorporate the potential effects of legal or contractual funding limitations on the pattern of cost-sharing between the employer and Plan members of the future. The actuarial calculations reflect a long-term perspective; actuarial methods and assumptions used include techniques that are designed to reduce short-term volatility in actuarial accrued liabilities and the actuarial value of assets.

The College's Schedule of Funding Progress is presented below:

Actuarial Valuation Date	Acturial Value of Assets	Acturial Accrued Liability ("AAL")	Unfunded AAL ("UAAL")	Funded Ratio	Covered Payroll	Ratio of UAAL as a Percentage of Covered Payroll
August 31, 2012	-	$ 78,962,149	$ 78,962,149	0.00%	$ 26,304,038	300%
August 31, 2011	-	73,704,326	73,704,326	0.00%	24,981,995	295%
August 31, 2010	-	82,309,965	82,309,965	0.00%	25,084,626	328%

8. DEFERRED COMPENSATION PLAN

The County offers its employees a deferred compensation plan created in accordance with Internal Revenue Code Section 457. The plan, available to all County employees, permits them to defer a portion of their salary until future years. The deferred compensation is not available to employees until termination, retirement, death or unforeseeable emergency. In October 1997 the Governmental Accounting Standards Board issued Statement No. 32 Accounting and Financial Reporting for Internal Revenue Code Section 457 Deferred Compensation Plans. This statement established accounting and

financial reporting standards for Internal Revenue Code Section 457 deferred compensation plans of state and local governments.

As of October 1, 1997 the New York State Deferred Compensation Board (the "Board") created a Trust and Custody agreement making Chase Manhattan Bank the Trustee and Custodian of the Plan. Since the Board is no longer the trustee of the plan, the plan no longer meets the criteria for inclusion in New York State's financial statements. Municipalities which participate in New York State's Deferred Compensation Plan are no longer required to record the value of the plan assets.

At December 31, 2012, the market value, as reported by the New York State Deferred Compensation Plan, of the plan assets totaled $99,856,739.

9. RISK FINANCING ACTIVITIES

The Dutchess County Self-Insured Workers' Compensation Plan was organized in 1980 to provide a program of workers' compensation coverage for its member organizations. All political subdivisions in the County of Dutchess are eligible to participate. The program's general objectives are to formulate, develop, and administer, on behalf of the member political subdivisions, a program of workers' compensation insurance and to develop a comprehensive loss control program. Fund members are subject to a supplemental assessment in the event of deficiencies. If the assets of the Fund were to be exhausted, members would not be responsible for the Fund's liabilities but would remain responsible for their individual liabilities which would include their estimated claims and related administrative obligations. A Fund member would also be responsible for its individual liabilities if it were to withdraw from the Fund. Fund members currently include three towns, one village, Dutchess Community College, Dutchess County Resource Recovery Agency and Dutchess County. The activity of the Plan is recorded in the General Fund.

The Plan maintains insurance coverage for claims in excess of $800,000.

The Plan establishes a liability for both reported and unreported insured events, which includes estimates of both future payments of losses and related claim adjustment expenses. The following information supplied by the Plan Administrator represents changes in those aggregate liabilities for the Plan during the past two years:

Year Ended December 31,	Liability Beginning of Year	Claims and Adjustments	Claim Payments	Liability End of Year
2012	$ 28,763,980	$ 2,765,556	$ 1,818,637	$ 29,710,899
2011	28,498,778	2,030,869	1,765,667	28,763,980

The financial information for the self-insurance fund is reported on the modified accrual basis within the General Fund. Total assets, revenues and expenses of the self-insurance fund were $6,801,821, $4,803,229, and $4,115,083, respectively at December 31, 2012.

10. SHORT-TERM DEBT

Bond anticipation notes issued in anticipation of proceeds from the subsequent sale of bonds are recorded as current liabilities of the funds that will actually receive the proceeds from the issuance of the bonds. Such notes may be classified as long-term debt when (1) the intention is to refinance the debt on a long-term basis and (2) the intention can be substantiated through a post balance sheet issuance of long-term debt or by an acceptable financing agreement. State law requires that bond anticipation notes issued for capital purposes be converted to long-term financing within seven years after the original issue date.

During the year ended December 31, 2012, the County did not issue or redeem any bond anticipation notes.

11. LEASE OBLIGATIONS

Primary Government:

The County leases, buildings and equipment under non-cancelable operating leases. Total costs for such leases were $2,972,694 for governmental activities for the year ended December 31, 2012. Future minimum lease payments at December 31, 2012 were as follows:

Year Ending December 31,	Governmental Activities
2013	$ 2,648,528
2014	1,919,879
2015	1,685,172
2016	1,492,722
2017	2,285,316
	$ 10,031,617

A. Discretely Presented Component Units:

i) Dutchess Community College

Capital Lease

The College has entered into an installment purchase agreement for equipment. The agreements provide that payments for any future fiscal period will not be required should funding not be appropriated. Interest on the purchase agreements ranges from 4.4% to 4.9%.

The future minimum payments required under the lease as of August 31, 2012 presented on the following page.

Year Ending August 31,	Principal	Interest
2013	$ 291,434	$ 115,011
2014	277,942	106,411
2015	207,623	90,917
2016	216,988	81,517
2017	226,776	71,693
Thereafter	1,517,261	198,155
	$ 2,738,024	$ 663,704

Interest expense related to capital lease obligations was approximately $128,778 in 2012.

Operating Leases

The College leases buildings for use in its operations under operating lease agreement which expire at various times through August 2017. The agreements require the following minimum future annual lease payments as of August 31, 2012:

Year Ending August 31,	
2013	$ 573,570
2014	573,570
2015	573,570
2016	573,570
2017	573,570
	$ 2,867,850

Rental expense for 2012 was approximately $551,000.

Broadband Channel Leases

The College has been authorized by the Federal Communications Commission to operate certain educational broadband channels. In 2006, the College leased the excess capacity of those educational broadband channels to a third-party communications company. The rental lease term was for 10 years, with two 10-year renewal periods for up to a maximum duration of 30 years. The College is the lessor under these agreements. Under the lease agreements, the College received one-time up-front payments totaling approximately $1.5 million and will receive monthly payments of approximately $4,000 per month from the lessee. The initial up-front payments are being amortized on a straight-line basis over the initial term of the leases.

12. LONG-TERM DEBT

A summary of changes in the County's long-term liabilities for the year ended December 31, 2012 is presented below:

	Balance 1/1/2012	Additions	Decreases	Balance 12/31/2012	Due Within One Year
Governmental activites:					
Bonds payable:					
General obligation bonds ("GOB")	$ 105,151,666	$ 10,341,842	$ 13,138,171	$ 102,355,337	$ 13,846,231
Premium on GOB	3,516,605	690,475	261,907	3,945,173	296,431
Tobacco Settlement Bonds (DTASC)	34,865,000	-	1,585,000	33,280,000	-
Discount	(1,402,355)	-	(75,742)	(1,326,613)	-
Subordinate turbo CABs (DTASC)	26,236,279	-	-	26,236,279	-
Total bonds payable	168,367,195	11,032,317	14,909,336	164,490,176	14,142,662
Accreted interest on CABs (DTASC)	12,978,817	2,685,551	-	15,664,368	-
Judgments and claims	29,763,979	2,765,556	1,818,636	30,710,899	-
Other post-employment benefits	96,829,905	31,040,375	8,197,668	119,672,612	-
Compensated absences	9,199,744	-	728,230	8,471,514	-
Environmental clean up	320,000	-	-	320,000	-
Total governmental activities	$ 317,459,640	$ 47,523,799	$ 25,653,870	$ 339,329,569	$ 14,142,662
Business type activites:					
Bonds Payable:					
Airport bonds	$ 4,208,652	$ -	$ 505,729	$ 3,702,923	$ 393,506
Transportation bonds	1,413,748	329,600	100,167	1,643,181	166,705
Total bonds payable	$ 5,622,400	$ 329,600	$ 605,896	$ 5,346,104	$ 560,211
Compensated absences	42,160	-	7,290	34,870	-
Other post-employment benefits	688,880	233,759	28,932	893,707	-
Total business-type activities	$ 6,353,440	$ 563,359	$ 642,118	$ 6,274,681	$ 560,211

Bond indebtedness—General obligation bonds of the County (not including the DTASC debt) are issued principally as serial bonds, which are due at various times through 2028. The bonds are issued primarily to finance acquisition or construction of capital facilities. Bonds have been issued to advance-refund previously issued bonds. These bonds are guaranteed by the full faith and credit of the County and are being repaid from applicable taxes. Principal and interest payments are included in the expenditures of the General Fund. The County has utilized 3.94% of its constitutional debt limit as of December 31, 2012.

Prior Years' Advanced Refundings—In June 1993, the County issued $7.445 million in General Obligation Bonds with an average interest rate of 4.37 percent to advance refund $6.525 million of outstanding 1988 Series bonds with an average interest rate of 7.26 percent. The net proceeds of $7.373 million (after payment of $118,000 in underwriting fees and other issuance costs) were used to purchase U.S. government securities. Those securities were deposited in an irrevocable trust with an escrow agent to provide for all future debt service payments on the 1988 Series bonds. As a result, the 1988 Series bonds are considered to be defeased and the liability for those bonds has been removed from the County's long term liabilities. The balance of the defeased debt is approximately $150,000 at December 31, 2012.

In August 2001, the County refunded its outstanding 1990 Series bonds of $1,575,000, its 1994 Series bonds of $5,370,000 and its 1995 Series bonds of $8,905,000, carrying a weighted average interest rate of 5.64% with new debt of $16,360,000 issued with a weighted average interest rate of 3.25%. The net proceeds of $16,360,000 plus an additional $439,000 premium from bond issuance and $53,000 of County monies (net of $130,000 of issuance costs and discount) were used to purchase U.S. Government Securities, which were placed in an irrevocable trust with an escrow agent to provide for all future debt service for the 1990, 1994 and 1995 bonds. As a result, the bonds are considered to be defeased and the liabilities for these bonds have been removed from the County's long term liabilities. The balance of the defeased debt is approximately $2,445,000 at December 31, 2012. In May 2006, the County refunded its outstanding 1996 Public Improvement Bond of $5,800,000, its 1997 Public Improvement Bond of $1,500,000 and its 1998 Public Improvement Bond of $2,920,000 carrying a weighted average interest rate of 5.07% with new debt of $10,265,000 issued with a weighted average interest rate of 4.46%. The net proceeds of the $10,265,000 were used to purchase U.S. Government Securities, which were placed in an irrevocable trust with an escrow agent to provide for all future debt service for the 1996, 1997 and 1998 bonds. As a result, the bonds are considered defeased and the liability for these bonds has been removed from the County's long-term liabilities. The balance of the defeased debt is approximately $5,340,000 at December 31, 2012.

The County issued $15,095,000 Public Improvement Refunding (Serial) Bonds, 2009 Series dated February 18, 2009. The series consisted of $2.165 million Public Improvement (Serial) Bonds 2009, Series A, maturity date February 15, 2018; and $12.930 million Public Improvement (Serial) Bonds, Series B, maturity date August 15, 2021. Their interest rates range from 3% to 4%. The 2009 bonds were issued to advance refund $15,485,000 in Public Improvement (Serial) Bonds originally issued by the County as follows: $2.24 million remaining from the $8.55 million Public Improvement (Serial) Bonds, February 15, 1998, maturity date February 15, 2018 and $13.24 million remaining from the $29.85 million Public Improvement (Serial) Bonds, August 1, 2001, maturity date August 15, 2021. Their interest rates ranged between 4.875% and 4.00%. As a result of the refunding, the 1998 and 2001 Series bonds are considered to be defeased and the liability for those bonds has been removed from the County's long-term liabilities. The balance of the defeased debt is approximately $9,090,000 at December 31, 2012.

During the year ended December 31, 2011, the County issued $5,395,000 in Serial Bonds with an average interest rate of 4.2% per annum. These proceeds were used to advance refund $5,750,000 of the 2003 public improvement serial bonds. The balance of the debt is $5,330,000 at December 31, 2012.

In December 2012, the County issued $10,671,442 in public improvements serial bonds of which $10,341,842 and $329,600 are for governmental activities and business-type activities, respectively. These bonds mature in 2032 and carry an annual interest rate that range from 2.0 – 4.0 percent. The proceeds will be used to finance various capital projects.

DTASC Debt

In 2003, DTASC issued $47,815,000 of the New York Counties Tobacco Trust III Tobacco Settlement Pass-Through Bonds, Series 2003 pursuant to an indenture dated as of December 18, 2003. The issue value of the bonds was $45,912,363, net of a bond discount of $1,902,637. Proceeds of $41,970,350 were paid to the County for deposit to an escrow fund as a purchase from the County of all of the County's right, title and interest, under the MSA and the Decree, including the Tobacco Settlement Revenues ("TSR").

The payment of the Series 2003 Term Bonds is dependent on the receipt of TSRs. The amount of TSRs actually collected is dependent on many factors including cigarette consumption and the continued operations of the OPMs. Such bonds are secured by and payable solely from TSRs and investment earnings pledged under the Bond Indenture and amounts established and held in accordance with the Bond Indenture. The Series 2003 Term Bonds are subject to "Turbo Redemptions", which represent the requirement contained in the Indenture to apply 100% of all collections that are in excess of the requirements in the Indenture for the funding of the operating expenses; interest, sinking fund installments, and term bond maturities; maintenance of the Liquidity Reserve Account; to the redemption of Series 2003 Term Bonds on each distribution date in ascending order of maturity. Such surplus collections will be deposited in an account established and maintained by the trustee under the Indenture (the Turbo Redemption Account). Turbo Redemptions will be credited against sinking fund installments for any particular Series 2003 Term Bonds in ascending order of sinking fund installment dates. Turbo Redemptions are not scheduled amortization payments are to be made only from surplus collections. In June 2012, DTASC made a Turbo Redemption payment of $1,585,000.

In the event sufficient funds are not available to meet Planned Payment Maturities, Rated Maturity dates will be used.

Interest is payable on the Series 2003 Term Bonds on June 1 and December 1 of each year. Planned Principal Payments and Rate Maturities are scheduled only on June 1 of each year although principal could be paid semiannually if actual principal payments are slower than Planned Principal Payments. Failure to pay interest on the Series 2003 Term Bonds when due or principal of the Series 2003 Term Bonds when due on a Rated Maturity Date will constitute a default.

On November 15, 2005, DTASC participated in New York Counties Tobacco Trust V ("NYCTT"), along with 23 other New York County Tobacco Corporations, and issued Tobacco Settlement Pass-Through Bonds—Subordinate Turbo CABs in various series for the purpose of securitizing additional future tobacco settlement revenues. The proceeds of these bonds, $25,500,000 (after the deduction of $736,279 in bond issuance and underwriter costs), were used to purchase tobacco settlement rights from the County. The issuance has four components and payments on the Subordinate Turbo CABs are subordinate to the Series 2003 Term Bonds.

Changes in Tobacco Settlement Bonds, Series 2003, for the year ended December 31, 2012 is presented on the following page.

Description	Year of Maturity	Yield	Beginning Balance 1/1/2012	Additions	Deletions	Ending Balance 12/31/2012
Tobacco Settlement Bonds:						
Series 2003	2043	various	$ 34,865,000	$ -	$ 1,585,000	$ 33,280,000
Bond Discount			(1,402,355)	-	(75,742)	(1,326,613)
Net Tobacco Settlement Bonds			$ 33,462,645	$ -	$ 1,509,258	$ 31,953,387

DTASC debt service requirements based upon planned principal payments for Tobacco Settlement Bonds, Series 2003 are as follows:

Year ended December 31,	Principal	Interest	Total
2013	$ -	$ 1,975,775	$ 1,975,775
2014	-	1,975,775	1,975,775
2015	-	1,975,775	1,975,775
2016	-	1,975,775	1,975,775
2017	-	1,975,775	1,975,775
2018-2022	-	9,878,875	9,878,875
2023-2027	-	9,878,875	9,878,875
2028-2032	6,720,000	9,011,487	15,731,487
2033-2037	9,805,000	6,575,838	16,380,838
2038-2042	13,510,000	3,103,800	16,613,800
2043	3,245,000	97,350	3,342,350
	$ 33,280,000	$ 48,425,100	$ 81,705,100

Subordinate Turbo CABs—Interest on the Subordinate Turbo CABs is compounded semiannually on June 1 and December 1, but is not payable until bond maturity. Interest accretes until both principal and accreted interest are paid. Future interest accretion has been recorded as bond discount and amortized as the current interest accretes. The accreted interest on the Subordinate Turbo CABs is reflected within the Subordinate Turbo CABs payable liability.

A summary of the Subordinate Turbo CABs net bond balance activity for the year ended December 31, 2012 follows:

	Interest Rate	Original Principal	Beginning Balance 1/1/2012	Annual Net Interest Accretion	Turbo Redemption Payments	Ending Balance 12/31/2012
Subordinate Turbo CABs	6.00% - 7.85%	$ 26,236,279	$ 39,215,096	$ 2,685,551	$ -	$ 41,900,647

Redemption of the Subordinate Turbo CABs consists of four installments, and will be due and payable on the maturity dates as presented below:

Series 2005 S1	June 1, 2038
Series 2005 S2	June 1, 2050
Series 2005 S3	June 1, 2055
Series 2005 4B	June 1, 2060

Claims and Judgments—The County is self-insured. Liabilities are established for workers' compensation and general claims in accordance with GASB requirements. At December 31, 2012, the County reported $29,710,899 of workers' compensation liability and $1,000,000 as general claims liability. Estimated long-term contingent loss liabilities in the governmental fund types have been reported as long-term liabilities in the government-wide financial statements. The Proprietary Fund has no loss contingency liability except worker's compensation which is only recognized when invoice from the County.

Environmental Clean Up— The results of the County's evaluation of their underground storage tank removal during 2009 concluded with an estimate of $320,000 liability being recorded in the governmental activities of the government-wide financial statements.

Compensated Absences—Represents the value of earned and unused portion of the liability for compensated absences and is liquidated in various funds.

As of December 31, 2012, the County debt service requirements relating to bonds payable are as follows:

	Governmental Activities			Business-type Activities		
Year Ending December 31,	General Obligation Bonds Principal	Interest	Total	Principal	Interest	Total
2013	$ 13,846,231	$ 3,785,385	$ 17,631,616	$ 560,211	$ 189,488	$ 749,699
2014	13,240,973	3,333,578	16,574,551	529,027	172,547	701,574
2015	12,123,266	2,831,087	14,954,353	526,733	156,121	682,854
2016	9,562,269	2,393,493	11,955,762	527,731	137,188	664,919
2017	8,510,492	2,020,512	10,531,004	504,508	112,863	617,371
2018-2022	29,674,109	5,823,077	35,497,186	1,840,891	329,766	2,170,657
2023-2027	13,495,497	1,567,275	15,062,772	854,503	79,923	934,426
2028-2032	1,902,500	136,248	2,038,748	2,500	168	2,668
Total	$ 102,355,337	$ 21,890,655	$ 124,245,992	$ 5,346,104	$ 1,178,064	$ 6,524,168

A. Discretely presented component units

i) Dutchess Community College

The following table summarizes changes in the College's long-term liabilities for the year ended August 31, 2012:

	Balance September 1, 2011	Reclassifications	September 1, 2011, as restated	New Issues/ Additions	Maturities and/or Payments	Balance August 31, 2012	Due within one-year
Bonds Payable - Capital Projects:							
DASNY	$ 20,281,812	$ (20,281,812)	$ -	$ -	$ -	$ -	$ -
Sponsor	11,573,758	(11,573,758)	-	-	-	-	-
Total Bonds Payable	31,855,570	(31,855,570)	-	-	-	-	-
Capital Lease Obligations	3,078,702	-	3,078,702	-	340,678	2,738,024	291,434
Other non-current liabilities							
Compensated Absences	2,666,896	-	2,666,896	199,197	267,000	2,599,093	260,000
Other Post Employment Benefit Obligations Payable	35,573,064	-	35,573,064	7,977,586	1,791,004	41,759,646	-
Total Long-Term Liabilities	$ 73,174,232	$ (31,855,570)	$ 41,318,662	$ 8,176,783	$ 2,398,682	$ 47,096,763	$ 551,434

In addition to the College, its component unit, the Association reported a long-term mortgage payable in the amount of $21,969,746 as of August 31, 2012.

ii) Dutchess County Resource Recovery Agency

Bond Terms

1999 A and 2007 Tax-Exempt Forward Series

In October 1999 the Agency issued the 1999 A Series Bonds in the amount of $31,210,000, the proceeds of which were used to refund the 1998 A Series Bonds. The 1998 A Series Bonds, which were subject to a mandatory call and optional redemption on November 15, 1999, were called and payment of $31,200,000 in principal and $688,671 in interest was made.

In November 2007, the Agency issued the 2007 Series Bonds in the amount of $16,140,000 to permanently finance the Agency's plant improvements to be in compliance with the standards set forth by the U.S. Environmental Protection Agency (E.P.A.).

The 1999, and 2007 Series Bonds are payable from and secured by an express lien on the unexpended proceeds of the bonds held by the Trustee; the Agency's right to receive and/or enforce receipt of revenues; and the Agency's rights and remedies under certain agreements. In addition, the Agency is required to fulfill certain covenants as described below.

Bonds payable, with interest payable semiannually on January 1, and July 1, consist of the following as of December 31, 2012:

Interest Rate	Issue Date	Maturity Date	Outstanding December 31, 2012
Serial Bonds			
5.40%	1999	2013	$ 3,410,000
5.45%	1999	2014	3,595,000
5.00%	2007	2015	925,000
5.00%	2007	2016	975,000
5.00%	2007	2017	1,020,000
5.00%	2007	2018	1,070,000
5.00%	2007	2019	1,125,000
4.25%	2007	2020	1,180,000
4.25%	2007	2021	1,230,000
4.25%	2007	2022	1,285,000
4.50%	2007	2023	1,340,000
4.50%	2007	2024	1,400,000
4.50%	2007	2025	1,465,000
4.50%	2007	2026	1,530,000
4.50%	2007	2027	1,595,000
			23,145,000
Less: Current Portion			(3,410,000)
Bonds Payable - Long Term			$ 19,735,000

Annual amortization and sinking fund requirements for Bonds Payable are as follows:

Year ended December 31,	Principal	Interest	Total
2013	$ 3,410,000	$ 1,030,636	$ 4,440,636
2014	3,595,000	840,602	4,435,602
2015	925,000	719,513	1,644,513
2016	975,000	672,013	1,647,013
2017	1,020,000	622,138	1,642,138
2018-2022	5,890,000	2,314,470	8,204,470
2023-2027	7,330,000	853,427	8,183,427
	$ 23,145,000	$ 7,052,799	$ 30,197,799

Bond Covenants

The Agency has covenanted under the indenture that operating revenues earned from the disposal of solid waste at the plant plus investment earnings will equal or exceed the sum of (i) all operating expenses of the Agency contained in the budget for such bond year, (ii) an amount equal to 110% of the debt service requirement for such bond year and (iii) amounts, if any, necessary to fund the debt service reserve fund to the debt service reserve requirement or to fund the reserve and contingency fund to the reserve and contingency fund requirement.

The Agency must obtain additional certifications regarding events of default occurring, landfill capacity and the quantity of waste processed. The Agency must maintain various accounts, described as restricted assets, which are subject to minimum funding requirements. At December 31, 2012 these debt service reserves exceeded their funding requirements.

iii) Dutchess County Water and Wastewater Authority

Bonds Payable

The Authority issues revenue bonds to finance the acquisition of systems and the cost of the capital renovations to those systems and to pay costs of issuance. Such debt has been issued under the following authorizations:

Trust Indenture

As of June 1, 1995 the Authority executed a trust indenture authorizing the issuance of debt for the purpose of acquiring a sewage facility. This trust indenture was amended in 2007 to authorize debt issued for Part Country Server Districts # 1 and 2. One supplemental trust indenture was authorized under terms similar to those described in the General Bond Resolution described below.

Special Bond Resolution

As of September 30, 1997 the Authority adopted a special bond resolution authorizing debt to be sold at private sale for the purpose of acquiring a privately held water system.

Debt Service Requirements

Debt Service requirements to maturity as of December 31, 2012 are as follows:

2013	$ 1,955,000	$ 901,327	$ 2,856,327
2014	1,990,000	858,297	2,848,297
2015	2,070,000	807,594	2,877,594
2016	2,055,000	746,377	2,801,377
2017	2,105,000	679,956	2,784,956
2018-2022	8,791,295	5,750,629	14,541,924
2023-2027	5,884,909	7,968,732	13,853,641
2028-2032	3,230,675	5,175,974	8,406,649
2033-2037	1,819,859	3,547,016	5,366,875
2038-2042	777,013	1,881,224	2,658,237
	$ 30,678,751	$ 28,317,126	$ 58,995,877

Advance Refunding and Defeasance of Debt

In July 2002, the Authority refinanced a portion of the 2001 Series (Zone D project) and a portion of the 1999 Series (Water Pollution Control) bonds in transactions accounted for as advance refunding of debt. The Authority defeased bonds by placing the proceeds of new bonds in an irrevocable trust to provide for all debt service payments on the old bonds. Accordingly, the trust account assets and the liability for the defeased bonds are not included in the Authority's financial statements. As of December 31, 2011, the bonds were called and paid from the escrow funds.

In July 2011, the Authority participated in a refinancing initiated by the New York State Environmental Facilities Corporation on behalf of the municipalities that participated in the State Drinking Water and Clean Water Revolving Funds Series 2002G, amounting to $2,340,000. A net present value savings of $203,036 over the life of the new debt resulted from the refinancing transactions.

General Bond Resolution

As of June 1, 1998 the Authority adopted a General Bond Resolution which enabled the Authority to issue additional debt pursuant to supplemental resolutions without having to modify the form or general terms of the debt, referred to as additional parity debt. The Authority has issued eleven supplemental resolutions pursuant to this general bond resolution, authorizing debt issues in the years of 1998, 1999, 2000, 2001, 2004 and two issues during 2002, 2007 and 2008, and one debt issue in 2009, 2010 and 2011.

As of August 1, 2004, the Authority adopted a general bond resolution pertaining to the Part County Sewer District No. 3, which enabled it to issue bonds to finance the purchase of Dalton Farms Sewer System.

Description

Debt issued under the above listed authorizations as of December 31, 2012 is presented on the following page.

	2012
New York State Environmental Facilities Corporation State Water Pollution Control Revolving Fund Revenue Bond Series 2005D, due in various installments through 2015, interest 3.70%-5.55%	$ 175,000
1998 Revenue Bonds (Zero Coupon) Series One, due in various installments starting in 2021 through 2029, interest 3.90%-5.40%	3,817,818
2000 Service Agreement Revenue Bond Series 2000, due in various installments through 2020, interest 5.65%	440,000
2001 Service Agreement Revenue (Refunding) Bond Series 2001, due in various installment through 2041, interest 3.00%-5.36% - Partially refunded in 2002 as described below.	1,198,409
2004 Water Service Agreement Revenue Bond Series 2004, due in various installments through 2024, interest 2.00%-4.25%	1,440,000
2004 Sewer Service Agreement Revenue Bond Series 2004, due in various installments through 2024, interest 2.00%-4.25%	1,530,000
2007 Sewer Service Agreement Revenue Bond Series 2007, due in various installments through 2037, interest 4.00%-5.00%	1,725,000
2007 Sewer Service Agreement Revenue Bond Series 2007, due in various installments through 2027, interest 4.00%-4.625%	330,000
2009 Water Service Agreement Revenue Bond Series 2009, due in various installments through 2029, interest 3.00%-5.00%	6,645,000
2009 Water Service Agreement Revenue Bond Series 2009, due in various installments starting in 2030 through 2039, interest 5.62%-5.96%	1,347,524
New York State Environmental Facilities Corporation State Clean Water and Drinking Water Recolcing Fund Revenue (Refunding) Bond Series 2010C, due in various installments through 2019, interest .8450%-3.355%	8,150,000
New York State Environmental Facilities Corporation State Drinking Water Recolcing Fund Revenue (Refunding) Bond Series 2011C, due in various installments through 2023, interest .540%-3.165%	1,975,000
2011 Service Agreement Revenue Bond Series 2011, due in various installments starting in 2012 through 2041, interest 3.50%-4.25%	1,905,000
Total Bonds Payable	30,678,751
Accreted Interest Recorded on Zero Coupon Bonds	5,333,055
Total Bonded Debt Payable	36,011,806
Portion due within one year	(1,955,000)
New Long Term Debt Payable	$ 34,056,806

	Balance January 1, 2012	New Issues/ Additions**	Maturities and/or Payments	Balance December 31, 2012	Due Within One Year
Bonds Payable	$ 37,376,854	$ 554,952	$ (1,920,000)	$ 36,011,806	$ 1,955,000
OPEB Liability	775,500	168,375	-	943,875	-
	$ 38,152,354	$ 723,327	$ (1,920,000)	$ 36,955,681	$ 1,955,000

**Bonds payable increased by $554,952 in adjustments for accreted interest on 1998 series one, 2001 debt, and 2009 debt.

Bond Covenants

The Authority has agreed to maintain dedicated sources of revenues with respect to the projects financed in accordance with the State Act and in amounts such that the revenues of the Authority with respect to the financial projects shall be sufficient, together with all other funds available to the Authority for cash purposes, to pay all costs of operating and maintaining the projects and to pay principal and interest requirements. The bonds payable are special obligations of the Authority, collateralized by the assets of the Authority and to be amortized solely from the revenues of the Authority.

The Authority has pledged its revenues, subject to the right to pay operating expenses, its interest in its Service Agreement with Dutchess County, its interest in cash and investments held by the Bond Trustee and any other property subsequently pledged.

In addition to pledging its revenues and other rights as described above, the Authority made certain covenants including that it will fix, charge and collect water rates together with other Authority revenues in amounts sufficient to provide for operating expenses as included in the Authority's budget. The Authority also pledges to maintain, in full force and effect, the service agreement with Dutchess County, as is further described in Note 16 – Commitments and Contingencies.

13. NET POSITION AND FUND BALANCE

A. Net Position—The government-wide financial statements utilize a net position presentation. Net position is categorized as net investment in capital assets, restricted and unrestricted.

- ***Net Investment in Capital Assets***—This category groups all capital assets, including infrastructure, into one component of net position. Accumulated depreciation and the outstanding balances of debt that are attributable to the acquisition, construction or improvement of these assets reduce the balance in this category.

Capital assets, net of accumulated depreciation		$ 170,055,503
Intangible asset, net of amortization		9,053,405
Related debt:		
Serial bonds issued	(160,545,003)	
Serial bonds issued on behalf of Dutchess Community College	8,913,000	
Unspent proceeds reported within the Capital Projects Fund	13,441,691	
Debt issued for capital assets		(138,190,312)
Net investment in capital assets		$ 40,918,596

- ***Restricted***—This category presents external restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments and restrictions imposed by law through constitutional provisions or enabling legislation.

- ***Unrestricted***—This category represents net assets of the County not restricted for any project or other purpose.

B. Fund Balance—GASB has issued Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions* ("GASB 54"). This Statement defines the different types of fund balances that

a governmental entity must use for financial reporting purposes. GASB 54 requires the fund balance to be properly reported within one of the fund balance categories listed below.

Nonspendable—Amount of assets that cannot be spent in the current period because of their form or because they must be maintained intact. As of December 31, 2012, the County had $5,316,142 of prepaid expenses and $85,262 of inventory that were classified as nonspendable funds.

Restricted—Amounts that are subject to externally enforceable legal purpose restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments; or through constitutional provisions or enabling legislation. As of December 31, 2012, the County had the restricted funds listed below.

	General Fund	DTASC Fund	Total
Restricted for:			
Workers' compensation	$ 3,725,657	$ -	$ 3,725,657
Self insurance	1,444,637	-	1,444,637
Capital projects	4,567	-	4,567
Debt service	2,477,325	3,493,906	5,971,231
Other	238,463	-	238,463
Total restricted fund balance	$ 7,890,649	$ 3,493,906	$ 11,384,555

Committed—Amounts that are subject to a purpose constraint imposed by a formal action of the County's highest level of decision-making authority, or by their designated body or official. As of December 31, 2012, the County had no committed fund balance at year end.

Assigned—Amounts that are subject to a purpose constraint that represents an intended use established by the County's Board of Legislators, or by their designated body or official. The purpose of the assignment must be narrower than the purpose of the general fund, and in funds other than the general fund, assigned fund balance represents the residual amount of fund balance. As of December 31, 2012, the following balances were considered to be assigned:

	General Fund	Capital Projects Fund	DTASC Fund	Other Governmental Funds	Total
Assigned for:					
Encumbrances	$ 14,860,778	$ -	$ -	$ -	$ 14,860,778
Assigned to workers' compensation	1,149,980	-			1,149,980
Appropriated for subsequent years' expenditures	6,400,000	-	-	950,000	7,350,000
Assigned to capital projects	-	26,582,016	-	-	26,582,016
Assigned to DTASC			39,317		
Assigned to community development	-	-	-	69,363	69,363
Assigned to county road	-	-	-	1,467,464	1,467,464
Assigned to road machinery	-	-	-	195,688	195,688
Total assigned fund balance	$ 22,410,758	$ 26,582,016	$ 39,317	$ 2,682,515	$ 51,714,606

The County considers encumbrances significant if they are in excess of $1,000,000. As of December 31, 2012, there were the following significant encumbrances:

Department of Health - Pre-school - General Fund	$	1,328,349
Department of Social Services - CSE Placement - General Fund		1,409,813
Department of Social Services - Instructional care - General Fund		2,000,000
Department of Social Services - State Training School - General Fund		2,231,725

Unassigned—Represents the residual classification of the government's General Fund, and could report a surplus or deficit. As of December 31, 2012 the unassigned fund balance totaled $12,072,960.

Order of Fund Balance Spending Policy—The County's policy is to expend fund balances in the following order: non-spendable fund balance, restricted fund balance, committed fund balance, assigned fund balance, and unassigned fund balance at the end of the fiscal year by adjusting journal entries.

14. RELATED PARTY TRANSACTIONS

The following schedule presents significant transactions between the primary government and its component units during the year ended December 31, 2012:

	Component Unit	Nature of Transaction
Dutchess County Community College	$ 10,837,898	Operating and capital support
Dutchess County Resource Recovery Agency	4,138,682	Net service fee
Dutchess County Water and Wastewater Authority	2,797,085	Net service fee
Aggregated Non-major Component Units	239,377	Charges for services
	$ 18,013,042	

The County paid economic support to the above component units based on contractual obligations between the parties (see Note 16).

There was one related party payable that is included in due to other governments on the County's financial statements. This is due to the Resource Recovery Agency for $1,204,974.

A. Discretely Presented Component Units:

i) Dutchess County Resource Recovery Agency:

Dutchess County is responsible for net service fees due to the Agency. These fees amounted to $4,138,682 and $3,644,079 during 2012 and 2011, respectively. At December 31, 2012 and 2011, $1,201,974 and $785,651 was due from Dutchess County and included in due from related party.

During 2012 and 2011, the Agency participated in the health and dental insurance plan administered by Dutchess County and was charged $140,578 and $122,637 respectively.

In addition, Dutchess County allows the Agency to use the building designated for the Dutchess County Materials Recovery Facility rent-free. The Agency has been responsible for the repairs and maintenance on the building. The Agency discontinued operations at the plant as of December 31, 2012.

ii) Dutchess County Water and Wastewater Authority:

The Authority has entered into service agreements with Dutchess Country for the Water District and Part Country Sewer Districts to provide water and/or sewer services and receive a service fee from Dutchess County based on a contractual formula, generally when revenues are insufficient to cover certain operating expenses and debt service requirements. The Authority also receives payments from Dutchess County for the completion of certain consulting projects. Although these payments are subject to budgetary resolutions by the Dutchess County Legislature for approval, no approvals have been withheld by the Legislature. For the years ended 2012 and 2011, the Authority recorded net revenues of $2,797,085 and $2,730,392, having recorded a return of $37,672 (including savings on debt re-financing) and $102,695 to the County during those years. Of those amounts, $0 and $22 was due to the County at each respective year-end. Since the Authority is a component unit of Dutchess County, these transactions are also considered related party transactions.

15. INTERFUND RECEIVABLES AND PAYABLES

Interfund receivables and payables are short term in nature and exist because of temporary advances or payments made on behalf of other funds. All interfund balances are expected to be collected/paid within the subsequent year. Interfund transfers are routine annual events for both the budget and accounting process and are necessary to present funds in their proper fund classification.

Interfund receivables, payables, and transfers of the County as of, and for the year ended December 31, 2012 are presented below:

	Interfund			
Fund	Receivables	Payables	Transfers In	Transfers Out
Governmental Activities:				
General Fund	$ 1,265,497	$ -	$ 1,626,394	$ 2,173,872
Capital Projects Fund	-	1,172,460	-	1,006,856
Total	1,265,497	1,172,460	$ 1,626,394	$ 3,180,728
Business-type activities:				
Airport Fund	-	48,907	866,138	890
Transporation Fund	-	44,130	1,577,986	888,900
Total	-	93,037	2,444,124	889,790
Total primary government	$ 1,265,497	$ 1,265,497	$ 4,070,518	$ 4,070,518

16. COMMITMENTS AND CONTINGENCIES

Grant Programs

The County participates in a number of grant programs. These programs are subject to financial and compliance audits by the grantors or their representatives. The audits of these programs may be conducted, in accordance with grantor requirements, on a periodic basis. Accordingly, the County's compliance with applicable grant requirements will be established at some future date. The amounts, if any, of expenditures which may be disallowed by the granting agencies cannot be determined at this time although the County believes, based upon its review of current activity and prior experience, the amount of such disallowances, if any, will be minimal.

Litigation

The County is a defendant in a number of lawsuits. In the opinion of the County Attorney, after considering all relevant facts, such litigation will not in the aggregate have a material adverse effect on the financial position or results of operations of the County. The County has an accrued liability of $1,000,000 included in the judgments and claims in the government wide financial statements. This estimate is based upon assessments of individual cases reported at December 31, 2012 for which the estimate of possible exposure is a range between $1,000,000 and $4,000,000.

Commitments

The County had the following outstanding construction projects in progress as of December 31, 2012, as evidenced by contractual commitments.

Project	Commitment Remaining
Transportation	$ 292,672
County roads and bridges	5,787,163
Parks and recreation	2,709,492
Building and building improvements	760,731
Highway equipment	6,078
Jail security system	2,270,989
Medical Examiner facility	1,637,383
Nelson house demolition	965,051
	$ 14,429,559

In 2006, the County entered into the Dutchess Utility Corridor Contract with Dutchess County Water and Wastewater Authority. The contract requires Dutchess County to provide $10,375,000 to the Authority to pay for certain project costs. The County, in exchange, will receive the rights to utilize 50% of the capacity of the new system and be paid a service fee by the Authority for its usage of the line in conjunction with their operations. At December 31, 2012, the County has provided $9,053,405 to the Authority which is reflected as "Other Assets" in the Statement of Net Position. The project is being amortized on a straight-line basis over the next 40 years with amortization expense of $274,570 in 2012.

Economic Support for Component Units

The County is responsible to pay economic support to the Dutchess County Resource Recovery Agency and the Dutchess County Water and Wastewater Authority based on contracted formulas when revenues at these component units are insufficient to cover their operating expenses and debt service requirements.

The County is required by New York State Education Law to pay to Dutchess Community College a portion of the college's operating costs for nonresident students. This amount is determined based on the rate reported by the State of New York.

A. Discretely Presented Component Units

i) Dutchess Community College

Litigation

The College is a defendant in several lawsuits. While the outcome of these lawsuits or other proceedings against the College cannot be predicted with certainty, the College does not expect that these matters will have a material adverse effect on its financial position.

State and Federal Grant Programs and State Aid

The College participates in various State and Federal grant programs. These programs are subject to program compliance audits by the grantors or their representative. The audits of these programs are an on-going process and many have not yet been conducted or completed. Accordingly, the College's compliance with applicable grant requirements will be established at a future date. The amount, if any, of expenditures which may be disallowed by the granting agencies cannot be determined at this time, although the College anticipates such amounts, if any, will not be material. The College's Federal compliance audit under OMS Circular A-133 is performed in conjunction with the audit of the Sponsor and is included in the Sponsor's report.

The College is subject to audits of State aid by New York State. The amount of aid previously paid to the College which may be disallowed cannot be determined at this time, although the College anticipates such amounts, if any, to be immaterial.

Rate Adjustment – Operating Chargebacks

The College is authorized by the New York State Education Law to charge and collect from each county within the State for each nonresident student an allocable portion of the operating costs of the College. The College calculates this change on a yearly basis and bills the respective counties at this rate. This rate is adjusted by the State on a two year lag period.

ii) Dutchess County Resource Recovery Agency

Solid Waste Disposal Service Agreement

The Agency and Dutchess County entered into a solid waste disposal service agreement dated December 1, 1984, amended September 20, 1990 and September 1993. The County agreed to deliver at least 140,000 tons per year of solid waste to the plant and to pay net service fees to the Agency amounting to the excess of payments for debt service and reserves, fees to the contractor and accrued expenses over tipping fees, energy and other revenues. It is the Agency's obligation to process and to provide for disposal of the solid waste. The terms of the agreement were extended during 2007 to remain in effect through July 1, 2027.

Operations Service Agreement

The Agency has entered into an operations service agreement, with a commercial corporation wherein the corporation has agreed to operate the resource recovery plant, and the Agency is required to provide the plant with a guaranteed amount of solid waste, provide an ash landfill, and pay fees to the corporation. The agreement is to be in effect through June 2014.

The Agency has contracted to pay to the corporation $34 per net ton of solid waste processed, adjusted based upon changes in labor and material price indexes, 15% of revenues from energy sales and 50% of revenues from energy sales in excess of agreed-upon levels, and, after meeting certain stream production levels, additional compensation based on 15% of the related electrical energy sales. In addition, the Agency has contracted to pay utilities, insurance and certain other expenses pertaining to plant operations subject to certain maximum levels.

In addition, the Agency is required to pay the corporation $500,000 per year, plus an adjustment for price index increases to reimburse the corporation for repairs and replacement of major components of the plant.

The Agency's current operating permit allows for up to 164,000 tons to be delivered to the plant. However, the Agency is required to supply the corporation with a minimum of 140,000 tons or pay the corporation $34 a ton for each ton of solid waste below that amount which is not delivered to the plant adjusted based upon changes in labor and material price indexes. However, during 2012 and 2011, the Agency caused to have delivered 142,584 and 141,563 acceptable tons.

Power Sales Agreement

The Agency and a commercial corporation have entered into a power sales agreement dated November 1, 1984. The Agency agrees to sell all electricity produced by the plant in excess of its own requirements to the corporation at a price based on tariffs filed with the New York State Public Service Commission. The terms of the agreement are effective through January 1, 2008 and include provisions for an automatic renewal for two consecutive 5-year periods.

Transportation of Ash Residue and Non-processable Waste

Effective January 2, 1999, the Agency executed a contract with a commercial corporation for the transportation of ash residue and non-processable waste to a municipal landfill for the period of January 2, 1999 through December 31, 2001 for incineration residue up to 40,000 tons per year, and up to 6,000 tons for unprocessed waste per year. The contract has continued in effect through report date on similar terms.

Commencing in November 2004, the Agency executed an amendment to the contract that the commercial corporation shall deliver up to 10,000 tons per year at a cost of $25 per ton to an alternate landfill site.

Landfill Agreement

As of January 2008, the Agency entered into contracts with four different landfills to deliver ash residue and by-pass waste. Three of the contracts with the landfills are five year agreements which expire on December 31, 2012. The fourth contract expired on December

31, 2011 and was extended for a term of one year, from January 1, 2012 to December 31, 2012. The terms of these agreements vary based on amount of tons that can be delivered to each landfill and the cost per ton. Effective January 1, 2013, the Agency entered into a contract with a hauler and a landfill for the transportation and disposal of ash residue. The contract period is through June 30, 2014 with provisions for renewal at the Agency's option for four one year periods and provisions for fee increases accordingly.

and has been renewed/extended for a term of one year, from January 1, 2012 to December 31, 2012. The terms of these agreements vary based on amount of tons that can be delivered to each landfill and the cost per ton.

Recyclable Processing Agreement

The Agency and Dutchess County entered into a revised recyclable processing agreement dated February 1, 1999. The County agreed to deliver at least 125 tons per week of uncontaminated recyclable materials to the Materials Recovery Facility, and it is the Agency's obligation to accept, process, and market recyclable materials. The Agency shall have the right to charge the County and the County shall have the obligation to pay the Agency net processing fees, as defined in the contract. The original terms of the agreement were in effect through December 2002, but include provisions for automatic renewal in five-year increments.

Materials Recovery Facility Project Agreement

The Agency entered into an agreement through December 31, 2008, with a commercial corporation to operate its materials recovery facility. This agreement has been extended on a month to month basis through June 2011. The Agency provided the plant with commingled and source separated recyclable materials, provided the removal and disposal of rejected materials, and paid to the corporation service fees to operate the facility $0 and $151,085, respectively, for the years ending December 31, 2012 and 2011. Effective June 30, 2011 through December 31, 2012, all recyclable materials received are transferred to the corporation's facility. The Agency is responsible for scale functions and receives a per ton fee effective June 30, 2011, payment of service fees has been eliminated and is no longer required.

Economic Dependency

The Agency is entitled to receive net service fees from Dutchess County based on a contractual formula, generally when revenues are insufficient to cover operating expenses and debt service requirements. Although these payments are subject to resolutions by the Dutchess County Legislature approving the appropriation, no approvals have been withheld by the Legislature. For the year ended 2012 and 2011, the Agency recorded net service revenue of $4,138,682 and $3,644,079.

Operating Permits

The Agency is required to maintain operating permits for its small power production and solid waste management facility. The 360 Operating permit expired in July 2011 and the Title V Air Control permit expired in September 2011. Applications to renew each permit were submitted to the New York State Department of Environmental Conversation (NYSDEC) prior to their expiration. The Title V Air Control permit has been renewed and runs through

September 2016. The 360 Operating permit is pending NYSDEC approval of a Local Solid Waste Management Plan, which is to be submitted by Dutchess County.

Operations Service Agreement

The Agency is in the process of finalizing its 2008, 2009, 2010, 2011 and 2012 annual engineer reports with the corporation that is operating the resource recovery plant. Certain amounts and calculations from the final engineer reports may vary from those originally prepared based on continuing negotiations between the Agency and the corporation. The Agency has classified certain receivables and payables related to the reconciliations performed by the engineer as long-term, as payment is not expected in the near-term.

iii) Dutchess County Water and Wastewater Authority

The Authority is subject to various litigation and claims arising out of the course of its operations. While the results of the lawsuits cannot be predicted with certainty, management does not believe these matters will have an adverse effect on the Authority's overall financial position.

The Authority assumes the liability for most risk including, but not limited to, property damage and personal injury liability. Such risks are covered by the purchase of commercial insurance. Workers compensation coverage is provided through a retrospective policy, wherein premiums are recorded based on the ultimate cost of the experience to date of workers in similar occupations. Judgments and claims are recorded when it is probable that an asset has been impaired or a liability has been incurred and the amount of loss can be reasonably estimated. The Authority has purchased insurance with limits as follows: umbrella coverage of $20,000,000, business auto of $1,000,000, general liability of $3,000,000, property of $37,096,826 and workers compensation of $100,000.

Authorized Debt

In February 2004, the Authority authorized the issuance of up to $625,000 in debt to fund renovations to the Fairview Pump Station. These renovations are part of the improvements needed to supply increased transmission capacity to the Dutchess Central Utility Corridor pipeline described above. No debt has been issued under this authorization, and current plans provide for the use of Corridor funds instead.

Economic Dependency

The Authority has entered into a service agreement with Dutchess County for the Water District and Part County Sewer Districts to provide water and/or sewer services and receive a service fee from Dutchess County based on a contractual formula, generally when revenues are insufficient to cover certain operating expenses and debt service requirements. The Authority also receives payments from Dutchess County for the completion of certain consulting projects. Although these payments are subject to budgetary resolutions by the Dutchess County Legislature for approval, no approvals have been withheld by the Legislature. For the years ended 2012 and 2011, the Authority recorded net revenues of $2,797,082 and $2,730,392, having recorded a return of $37,672 (including savings on debt re-financing) and $102,695 to the County during those years. Of those amounts, $0 and $22 was due to the County at each respective year-end. Since the Authority is a component unit of Dutchess County, these transactions are also considered related party transactions.

17. SUBSEQUENT EVENTS

Management has evaluated subsequent events through September 9, 2013, which is the date the financial statements are available for issuance, and have determined, except as described below, there are no subsequent events that require disclosure under generally accepted accounting principles.

In June 2013 a new Sales and Use Tax Distribution Agreement was reached between the County and the cities of Beacon and Poughkeepsie.

The agreement for sales and use tax distribution is for 2013-2022. It provides for a $25 million to be distributed annually to the two cities and remaining towns and villages. It provides for the City of Poughkeepsie to receive $9,566,212 and the City of Beacon to receive $4,158,686 annually. The remaining $11,275,102 is distributed to the towns and villages outside the two Cities pursuant to the provisions of Section 1262(c) of the Tax Law annually.

In addition, the County shall allocate on an annual basis, an additional sum of money derived from "growth" in the net collections of Sales and Use Tax. The "growth" shall be determined annually as the difference in the net collections realized by the County for 2013 and each succeeding fiscal year, less the net collections realized by the County for its 2012 fiscal year.

REQUIRED SUPPLEMENTAL INFORMATION

COUNTY OF DUTCHESS, NEW YORK
Required Supplementary Information
Budgetary Comparison Schedule—General Fund
Year Ended December 31, 2012

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
REVENUES				
Real property taxes	98,127,415	101,056,872	100,423,214	(633,658)
Sales and use taxes (includes other taxes)	137,639,554	168,305,976	169,858,218	1,552,242
Departmental income	26,303,559	26,384,196	26,789,009	404,813
Use of money and property	883,885	883,885	987,730	103,845
Miscellaneous	5,110,138	5,138,511	8,632,246	3,493,735
Grants and aid	93,882,229	96,253,255	104,733,642	8,480,387
Self insurance (reclassed to departmental, misc.)	2,336,490	2,336,490	-	(2,336,490)
Total revenues	364,283,270	400,359,185	411,424,059	11,064,874
EXPENDITURES				
Current:				
General government support	36,498,196	69,177,693	65,658,913	3,518,780
Education	12,997,208	13,066,215	13,065,156	1,059
Public safety	56,680,384	60,505,467	57,571,889	2,933,578
Health	59,377,356	59,722,312	53,349,045	6,373,267
Transportation	2,701,560	2,712,623	2,712,623	-
Economic assistance and opportunity	140,788,488	140,176,255	133,169,702	7,006,553
Culture and recreation	2,108,780	2,123,639	1,923,276	200,363
Home and community services	7,405,299	7,405,077	9,308,710	(1,903,633)
Employee benefits	56,850,584	57,204,109	55,018,848	2,185,261
Debt service:				
Principal	13,079,611	13,138,172	13,138,171	1
Interest	4,147,098	4,088,537	3,940,803	147,734
Self insurance	2,336,490	2,336,490	-	2,336,490
Transfers out	-	-	-	-
Total expenditures	394,971,054	431,656,589	408,857,136	20,315,228
Excess (deficiency) of revenues over expenditures	(30,687,784)	(31,297,404)	2,566,923	33,864,327
OTHER FINANCING SOURCES (USES)				
Transfers in	-	-	1,626,394	1,626,394
Transfers out	(1,452,538)	(1,523,872)	(2,173,872)	(650,000)
Total other financing sources (uses)	(1,452,538)	(1,523,872)	(547,478)	976,394
Net change in fund balance	(32,140,322)	(32,821,276)	2,019,445	
Fund balances—beginning, as restated	45,464,389	45,464,389	45,464,389	
Fund balances—ending	$ 13,324,067	$ 12,643,113	$ 47,483,834	

The notes to the Required Supplementary Information are an integral part of this statement.

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FEDERAL AWARD SCHEDULES AND REPORTS

COUNTY OF DUTCHESS, NEW YORK
Schedule of Expenditures of Federal Awards
Year Ended December 31, 2012

Federal Grantor/Pass-Through Grantor/Program Title	Federal CFDA Number	Pass-Through Grantor		Federal Expenditures	
U.S. DEPARTMENT OF AGRICULTURE					
State Administrative Matching Grants for the Supplemental Nutrition Assistance Program	10.561	U.S. Department of Agriculture		$ 2,048,828	
Healthy Communities Grant	10.583	U.S. Department of Agriculture		1,977	
TOTAL U.S. DEPARTMENT OF AGRICULTURE					$ 2,050,805
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Community Development Block Grant—Entitlement Grant	14.218	U.S. Department of Housing and Urban Development		486,358	
HUD Shelter Plus Care	14.238	U.S. Department of Housing and Urban Development		431,763	
HOME Investment Partnerships Program	14.239	U.S. Department of Housing and Urban Development		1,888,426	
Homeless Prevention - ARRA	14.257	U.S. Department of Housing and Urban Development		18,185	
TOTAL U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					2,824,732
U.S. DEPARTMENT OF JUSTICE					
Violence Against Women Formula Grant	16.588	NY State Division of Criminal Justice Services		76,530	
State Criminal Alien Assistance Program	16.606	U.S. Department of Justice		115,815	
Bulletproof Vest Partnership Program	16.607	U.S. Department of Justice		448	
Edward Byrne Memorial Justice Assistance Grant Program	16.738	NY State Division of Criminal Justice Services		11,410	
TOTAL U.S. DEPARTMENT OF JUSTICE					204,203
U.S. DEPARTMENT OF LABOR					
Trade Adjustment Assistance	17.245	NY State Department of Labor		70,785	
Workforce Investment cluster:					
WIA—Adult Program	17.258	NY State Department of Labor	605,696		
WIA—Youth Activities	17.259	NY State Department of Labor	621,751		
WIA—National Emergency Grant	17.277	NY State Department of Labor	863,016		
WIA—Dislocated Workers	17.278	NY State Department of Labor	564,637		
Total Workforce Investment cluster				2,655,100	
TOTAL U.S. DEPARTMENT OF LABOR					2,725,885

(continued)

COUNTY OF DUTCHESS, NEW YORK
Schedule of Expenditures of Federal Awards
Year Ended December 31, 2012

Federal Grantor/Pass-Through Grantor/Program Title	Federal CFDA Number	Pass-Through Grantor		Federal Expenditures	
U.S. DEPARTMENT OF TRANSPORTATION					
Airport Improvement Program	20.106	U.S. Department of Transportation		1,005,086	
Highway Planning and Construction	20.205	NY State Department of Transportation	2,727,598		
Highway Planning and Construction - ARRA	20.205	NY State Department of Transportation	680,220		
Total Highway Planning and Construction				3,407,818	
Federal Transit Capital Investment Grants	20.500	U.S. Department of Transportation		2,500,101	
Federal Transit Metropolitan Planning Grants	20.505	NY State Department of Transportation		566,488	
Formula Grants for Other than Urbanized Areas	20.509	U.S. Department of Transportation		77,000	
New Freedom Program	20.521	U.S. Department of Transportation		89,433	
Highway Safety cluster:					
State and Community Highway Safety	20.600	NY State Department of Transportation	105,430		
State and Community Highway Safety	20.600	NY State Department of Transportation	87,844		
Total Highway Safety cluster				193,274	
Occupant Protection	20.602	NY State Department of Transportation		15,094	
Safety Incentive Grants for Use of Seatbelts	20.604	NY State Department of Transportation		17,644	
TOTAL U.S. DEPARTMENT OF TRANSPORTATION					7,871,938
NATIONAL SCIENCE FOUNDATION					
Ecology of Infectious Diseases - Anaplasmia Grant	47.047	National Science Foundation		6,083	
TOTAL U.S. DEPARTMENT OF EDUCATION					6,083
U.S. DEPARTMENT OF EDUCATION					
Special Education—Grants for Infants and Families	84.181	NY State Department of Health		179,852	
TOTAL U.S. DEPARTMENT OF EDUCATION					179,852
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Medical Reserve Corps	93.008	U.S. Department of Health and Human Services		5,000	
Special Programs for Aging ,Title III , Part D	93.043	NY State Office for the Aging		14,500	
Special Programs for Aging, Title IV & Title II Discretionary Grants	93.048	NY State Office for the Aging		37,879	
Aging Cluster					
Special Programs for Aging, Title III, Part B	93.044	NY State Office for the Aging	303,406		
Special Programs for Aging, Title III, Part C	93.045	NY State Office for the Aging	385,868		
Nutrition Services Incentive Program	93.053	NY State Office for the Aging	97,842		
Total Aging Cluster:				787,116	
National Family Caregiver Support Title III, Part E	93.052	NY State Office for the Aging		110,997	
Public Health Emergency Preparedness	93.069	NY State Department of Health		158,353	
Medicare Enrollment Assistance Program	93.071	NY State Office for the Aging		12,611	
Immunization Grants	93.268	NY State Department of Health		45,412	

(continued)

COUNTY OF DUTCHESS, NEW YORK
Schedule of Expenditures of Federal Awards
Year Ended December 31, 2012

Federal Grantor/Pass-Through Grantor/Program Title	Federal CFDA Number	Pass-Through Grantor		Federal Expenditures	
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Temporary Assistance to Needy Families (TANF)	93.558	NY State Office of Temporary and Disability Assistance		9,477,568	
Child Support Enforcement, Title IV-D	93.563	NY State Office of Temporary and Disability Assistance	1,120,602		
Child Support Enforcement, Title IV-D - ARRA	93.563	NY State Office of Temporary and Disability Assistance	358,688		
Total Child Support Enforcement:				1,479,290	
Low Income Home Energy Assistance (HEAP)	93.568	NY State Office of Temporary and Disability Assistance		5,409,020	
Voting Access for Individuals with Disabilities	93.617	NY State Board of Elections		11,119	
Foster Care - Title IV-E	93.658	NY State Office of Children and Family Services		3,870,012	
Adoption Assistance - ARRA	93.659	NY State Office of Children and Family Services		99,297	
Social Services Block Grant	93.667	NY State Office of Temporary and Disability Assistance		4,511,002	
Chafee Foster Care Independent Living	93.674	NY State Office of Children and Family Services		45,240	
Medical Assistance Program	93.778	NY State Office of Mental Health		3,563,888	
Centers for Medicare and Medical Services (CMS)	93.779	NY State Office for the Aging		37,327	
HIV Emergency Relief Formula Grants	93.917	U.S. Department of Health and Human Services		498,592	
Block Grants for Prevention and Treatment of Substance Abuse	93.959	NY State Division of Alcoholism and Alcohol Abuse		206,247	
Maternal and Child Health Services Block Grant	93.994	NY State Department of Health		71,120	
TOTAL U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES					30,451,590
U.S. DEPARTMENT OF HOMELAND SECURITY					
Disaster Grants - Public Assistance	97.036	NY State Office Division of Homeland Security and Emergency Services	31,453		
Disaster Grants - Public Assistance	97.036	NY State Office Division of Homeland Security and Emergency Services	64,043		
Total Disaster Grants - Public Assistance				95,496	
Emergency Management Performance Grant	97.042	NY State Office Division of Homeland Security and Emergency Services		112,547	
Homeland Security Grant Program	97.067	NY State Office Division of Homeland Security and Emergency Services	546,088		
Homeland Security Grant Program	97.067	NY State Office Division of Homeland Security and Emergency Services	609,927		
Total Homeland Security Program				1,156,015	
Law Enforcement Terrorism Prevention Program (LETPP)	97.073	NY State Office Division of Homeland Security and Emergency Services		151,886	1,515,944
TOTAL U.S. DEPARTMENT OF HOMELAND SECURITY					
TOTAL EXPENDITURES OF FEDERAL AWARDS					$ 47,831,032

(concluded)

The notes to the Schedule of Expenditures of Federal Awards are an integral part of this schedule.

COUNTY OF DUTCHESS, NEW YORK
Schedule of Expenditures of Federal Awards-Subrecipients
Year Ended December 31, 2012

Program Title/Subrecipient	Federal CFDA Number	Federal Expenditures
Satate Administrative Matching Grants for Food Stamps	10.561	247,993
Community Development Block Grant (Entitlement Grants)	14.218	1,086,358
Shelter Plus Care	14.238	431,763
Home Investment Partnership Program	14.239	1,888,426
Homeless Prevention and Rapir Rehousing Program (Recovery Act Funded)	14.257	18,185
Highway Planning and Construction	20.205	3,514
Public Health Preparedness	93.069	4,972
Temporary Assistance for Needy Families	93.558	1,918,940
Low Income Home Energy Assistance	93.568	345,750
Child Care Block Grant	93.575	255,317
Community Development Block Grant (Entitlement Grants)	93.778	729,621
HIV Emergency Relief	93.917	365,065
Block Grants for Prevention and Treatment of Substance Abuse	93.959	140,778
Total		$ 7,436,682

The notes to the Schedule of Expenditures of Federal Awards are an integral part of this schedule.

1. BASIS OF PRESENTATION

The accompanying schedule of expenditures of federal awards includes the federal grant activity of County of Dutchess, New York (the "County") and is presented on the modified accrual basis of accounting. The information is this schedule is presented in accordance with the requirements of OMB Circular A-133, *Audits of States, Local Governments and Non-Profit Organizations*; therefore, some amounts presented in this schedule may differ from amounts presented in, or used in preparation of, the basic financial statements.

2. INDIRECT COSTS

Indirect costs are included in the reported expenditures to the extent they are included in the federal financial reports used as the source for the data presented.

3. MATCHING COSTS

Matching costs, i.e., the County's share of certain program costs, are not included in the reported expenditures.

4. DEPARTMENT OF SOCIAL SERVICES – ADMINISTRATIVE COSTS

Differences between the amounts reflected in the Schedule of Expenditures of Federal Awards and the Department of Social Services' federal financial reports (RF-2 clams) are due to allocation of administrative costs to the individual federal programs.

5. RECONCILIATION

A reconciliation to the basic financial statements is available.

6. PRIOR YEAR REPORTING OF ARRA FUNDS

The County's Child Support Enforcement Program, CFDA#93.563 received $87,253 in ARRA funding during 2010 that was not reported on the County's 2010 or 2011 Schedule of Expenditures of Federal Awards.

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Drescher & Malecki LLP
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Certified Public Accountants

INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

Honorable County Executive and County Legislature
County of Dutchess, New York:

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to the financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the County of Dutchess (the "County"), as of and for the year ended December 31, 2012, and the related notes to the financial statements, which collectively comprise the County's basic financial statements, and have issued our report thereon dated September 9, 2013. Our report includes a reference to other auditors and contains an emphasis of matter paragraph relating to the restatement of beginning fund balance and net position. This report does not include the results of the other auditors' testing of internal control over financial reporting or compliance and other matters that are reported on separately by those auditors.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the County's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the County's internal control. Accordingly, we do not express an opinion on the effectiveness of the County's internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, significant deficiencies or material weaknesses may exist that have not been identified. However, as described in the accompanying schedule of findings and questioned costs, we identified a certain deficiency in internal control that we consider to be a material weakness and another deficiency that we consider to be a significant deficiency.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. We consider the deficiency described in the accompanying schedule of findings and questioned costs as item 2012-1 to be a material weakness in internal control.

A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. We consider the deficiency presented in the accompanying schedule of findings and questioned costs as item 2012-2 to be a significant deficiency in internal control.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the County's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

County Response to Findings

The County's response to the findings identified in our audit as described in the accompanying schedule of findings and questioned costs have not been subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on them.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



September 9, 2013

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Certified Public Accountants

INDEPENDENT AUDITORS' REPORT ON COMPLIANCE FOR EACH MAJOR FEDERAL PROGRAM AND REPORT ON INTERNAL CONTROL OVER COMPLIANCE REQUIRED BY OMB CIRCULAR A-133

Honorable County Executive and County Legislature
County of Dutchess, New York:

Report on Compliance for Each Major Federal Program

We have audited the County of Dutchess, New York's (the "County") compliance with the types of compliance requirements described in the *OMB Circular A-133 Compliance Supplement* that could have a direct and material effect on each of the County's major federal programs for the year ended December 31, 2012. The County's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

The County's basic financial statements include the operations of the Dutchess Community College (the "College") which received $19,953,911 in federal awards which are not included in the County's schedule of expenditures of federal awards for the year ended December 31, 2012. Our audit, described below, did not include the operations of the College because other auditors were engaged to perform such audit in accordance with OMB Circular A-133, as applicable.

Management's Responsibility

Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants applicable to its federal programs.

Auditor's Responsibility

Our responsibility is to express an opinion on compliance for each of the County's major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to the financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the County's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance with each major federal program. However, our audit does not provide a legal determination of the County's compliance.

Opinion on Each Major Federal Program

In our opinion, the County complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended December 31, 2012.

Other Matters

The results of our auditing procedures disclosed instances of noncompliance, which is required to be reported in accordance with OMB Circular A-133 and which is described in the accompanying schedule of findings and questioned costs as items 2012-3 and 2012-4. Our opinion on each major federal program is not modified with respect to these matters.

The County's response to the noncompliance findings identified in our audit are described in the accompanying schedule of findings and questioned costs. The County's responses were not subjected to the auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the responses.

Report on Internal Control Over Compliance

Management of the County is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the County's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with OMB Circular A-133, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the County's internal control over compliance.

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of OMB Circular A-133. Accordingly, this report is not suitable for any other purpose.

Deloitte & Mahoney LLP

September 9, 2013

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COUNTY OF DUTCHESS, NEW YORK
Schedule of Findings and Questioned Costs
Year Ended December 31, 2012

Part I. Summary of auditors' results

Financial Statements

Type of auditors' report issued: Unmodified*

* which report refers to other auditors and includes an emphasis of matter paragraph relating to the restatement of beginning fund balance and net position.

Internal control over financial reporting:

1. Material weakness(es) identified? ✓ Yes ____ No

2. Significant deficiency(ies) identified? ✓ Yes ____ None reported

3. Noncompliance material to financial statements noted? ____ Yes ✓ No

Federal Awards:

Internal control over major programs:

4. Material weakness(es) identified? ____ Yes ✓ No

5. Significant deficiency (ies) identified? ____ Yes ✓ None reported

Type of auditors' report issued on compliance for major programs: Unmodified

6. Any audit findings disclosed that are required to be reported in accordance with section .510(a) of OMB Circular A-133? ✓ Yes ____ No

7. The County's major programs were:

Name of Federal Program	CFDA Number
HOME Investment Partnerships Program	14.239
Homeless Prevention - ARRA	14.257
Highway Planning and Construction	20.205
Highway Planning and Construction – ARRA	20.205
Child Support Enforcement, Title IV-D	93.563
Child Support Enforcement, Title IV-D – ARRA	93.563
Foster Care – Title IV-E	93.658
Adoption Assistance – Title IV-E - ARRA	93.659
Medical Assistance Program	93.778

8. Dollar threshold used to distinguish between Type A and Type B programs? $ 1,434,931

9. Auditee qualified as low-risk auditee? ✓ Yes ____ No

Part II. Financial statement findings section

We consider the deficiency presented below to be a material weakness in internal control.

Finding 2012-1—*Receivables Policies and Procedures*

Criteria: The accounts receivable and due from other governments ledger should be reviewed and analyzed to reflect valid and collectible balances on a current basis. It is important to reconcile supporting schedules to the general ledger to ensure the accuracy of financial information and minimize the risk of misstatement or misappropriation.

Condition: During our current-year audit procedures we found that a material amount related to federal claiming was recorded twice in error by the County. We noted that the accounts receivable and due from other governments balances are not routinely reconciled and evaluated within the aging analysis. This practice serves as a check on the accuracy of the record-keeping process and maintains the receivables on a more timely and accurate basis. The detail listing of accounts receivable and due from other governments should be reconciled and analyzed for aging at the end of each month. Any differences should be investigated and resolved as soon as possible.

Effect: As a result of this error, the County's revenues and fund balance were overstated in prior years and require a prior period adjustment to beginning fund balance for the year ended December 31, 2012 to remove the net $6,721,568 receivable amount.

Cause: The County's review and aging analysis of the accounts receivable and due from other government's balances is not performed on a regular basis or in adequate detail. A reassignment of federal funds to a different program that required a transfer of assets resulted in the double recording of such material amount due to lack of review.

Audit Recommendation: We suggest that formal procedures for review and aging analysis of receivable balances be established. All cash receipts should be matched to the accounts receivable aging and any discrepancy should be researched and resolved by either writing off the remaining receivable or revaluating its collectability. We also recommend that appropriate management-level personnel review the receivable analysis for accuracy and document evidence of their review for audit purposes.

Management Response: The County department responsible for which the receivable was recorded twice is in the process of developing a corrective action plan. The department is working with New York State to receive additional claims training and also will implement policies and procedures to include the attributes recommended herein. The goal of such corrective action plan is to improve communication with the central finance department of the County to maintain the most current and accurate revenues and aging analysis on a continuous basis. It has been recommended that additional personnel be assigned the task of reviewing the receivable analysis for accuracy and document evidence of this review.

We consider the deficiency presented below to be a significant deficiency in internal control.

Finding 2012-2—*Airport Operations*

Criteria: Adequate controls and procedures should be in place regarding cash receipts and recordkeeping at the Airport.

Condition: During our testing of monthly rental billing, we noted that amounts billed did not agree to amounts stated in contracts. Also, amounts that were past due were not charged a late fee. There was not an updated copy of liability insurance for each customer as required by the County. Additionally, cash receipts and deposits are performed by the same employee and billing and recordkeeping processes are not formally documented.

Effect: Without updated contracts, it cannot be determined if a customer is being billed the appropriate amount. Since customers are able to make late payments and avoid penalties, it cannot be assured that payments will be received in a timely manner. Without the confirmation of current liability insurance, the Airport could potentially find itself liable for damage to a plane while on its premises. Inadequate segregation of duties increases the risk of misappropriation of assets and fraud, while the lack of formal procedures documentation creates the opportunity for the Airport to a delay in operations if the current Account Clerk leaves or is out for an extended period of time.

Cause: The Airport has not adopted formal controls and procedures regarding cash receipts and recordkeeping.

Audit Recommendation: We recommend that contracts are updated for the current billing amounts and signed memos are returned from customers indicating their agreement to the current billing amount. Also, we recommend that late fees are enforced and charged for customers that do not pay on time. We suggest that all customers furnish an updated copy of liability insurance to comply with the Airport policies. Lastly, we recommend that the cash process be segregated and overseen by more than one employee, with the current process for monthly billing and all recordkeeping procedures formally documented.

Management Response: The Airport intends on achieving the suggested recommendations. The Airport will send out memos to be signed and returned, stating each customer's current rates. Additionally, the Airport will evaluate and adjust its billing system to accommodate the use of late fees. Current insurance policies will be required and obtained directly from all customers. The current staffing situation has made certain segregation of duties very difficult to achieve; however, the Airport is in the process of training a new employee to perform other duties so as to allow for more adequate segregation. Lastly, the Airport is in the process of preparing a formal procedures document for backup purposes and reference in the future.

Part III. Federal award findings and questioned costs section

Finding 2012-3—*Allowable Costs/Cost Principles*

Child Support Enforcement CFDA#93.563, Foster Care – Title IV-E CFDA#93.658, Adoption Assistance CFDA#93.659, Medical Assistance Program CFDA#93.778

Criteria: When a County claims central service costs under Federal Awards, a Central Service Cost Plan ("CAP") should be developed. This CAP should include costs that will be claimed in accordance with the requirements of OMB Circular A-87. The rate determined by the CAP should be applied each month to claim central service costs of the federal program.

Condition: During our procedures it was discovered that the County claimed central service costs for 2012 using indirect cost rates from the CAP prepared for the 2011 fiscal year as opposed to the updated 2012 rates.

Effect: When the incorrect central service CAP is used for claiming, the County is not in compliance with the requirements of OMB A-133. As presented below, the use of the outdated CAP resulted in the following likely questioned costs attributed to the federal programs tested.

Program Title	Federal CFDA Number	Likely Questioned Costs
Child Support Enforcement	93.563	32,990
Foster Care - Title IV-E	93.658	93,084
Adoption Assistance	93.659	2,880
Medical Assistance Program	93.778	38,493
Total		$ 167,447

Cause: The County does not have adequate procedures in place to ensure that the proper CAP is being used for federal claiming.

Audit Recommendation: We recommend that the County develop adequate controls to ensure that the most current CAP rates are used for claiming federal awards.

Management Response: In 2013, the County has submitted a supplemental claim to correct this error. Additionally, the County will review its policies and procedures to ensure future compliance.

Finding 2012-4—*Reporting*

Home Investment Partnership Program, CFDA# 14.239

Criteria: Performance required by U.S. Department of Housing and Urban Development ("HUD") should be completed and submitted by the County for the HOME Investment Partnership Program.

Condition: While testing reporting compliance for the HOME Investment Partnership program, it was noted that the County has not submitted HUD 60002, Section 3 Summary Report, Economic Opportunities for Low- and Very Low-Income Persons.

Effect: Non-compliance with HUD reporting standard.

Cause: The County was not aware of all the required HUD performance reports for the HOME program.

Audit Recommendation: We recommend that all necessary performance reports are submitted to HUD in a complete and timely manner.

Management Response: This has been noted and the department responsible will ensure adequate completion and submission of the necessary reporting standards per the compliance requirements stated within OMB Circular A-133.

Finding 2011-1—*Eligibility*

Criteria: Recertification of eligibility reports should be retained within the case file to meet the eligibility requirements for recertification for Medical Assistance. Per 42 CFR Section 435.916.

Condition: Of forty participants tested for eligibility, one certification report was not included in the file.

Cause: When the eligible participant changed nursing homes, the file was inadvertently closed. When the file was reopened, the participant was not required to complete the certification form for 2011.

Effect: It is possible that participants receiving benefits may not be eligible or may receive a larger benefit than he/she is eligible for.

Audit Recommendation: All case files be reviewed and that a check list be developed to ensure that all required information is obtained prior to an individual being deemed eligible for medical assistance.

Management Response: Management has reviewed the current process and implemented procedures to ensure compliance with Medical Assistance Program eligibility.

Current Year Follow Up: No missing recertifications were identified as a result of testing in the current year.

COMMUNICATIONS

November 25, 2013

The Honorable Andrew M. Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Dear Governor Cuomo:

Please be advised that the County Attorney of the County of Dutchess has declared that as of November 15th, 2013, a vacancy exists in the office of Commissioner of Elections-Democrat, pursuant to Public Officers Law Section 30 (1) (e). I have enclosed his letter to that effect.

This notification is made pursuant to Public Officers Law Section 37.

Sincerely,

Bradford H. Kendall
County Clerk

Enc.

cc: Hon. Marcus Molinaro, Dutchess County Executive
Hon. Robert Rolison, Chairman of the Legislature
Carolyn Morris, Clerk of the Legislature
Erik Haight, Commissioner of the Board of Elections
Victoria Perry, Deputy Commissioner of the Board of Elections
Dutchess County Clerk's Office

Office of the Dutchess County Clerk

Bradford H. Kendall
County Clerk

Bryan F. Cranna
Deputy

Sandra C. Strid
Deputy

22 Market Street
Poughkeepsie
New York
12601

Legal Division
(845) 486-2120

Motor Vehicle Bureau
(845) 486-2130

Fax
(845) 486-2138

MARCUS J. MOLINARO
COUNTY EXECUTIVE

JAMES M. FEDORCHAK
COUNTY ATTORNEY

COUNTY OF DUTCHESS
DEPARTMENT OF LAW

November 21, 2013

HAND DELIVERED

Ms. Frances Knapp
47 Cannon Street
Poughkeepsie, NY 12601

Re: Public Officers Law Section 30
Our File No. G-0136

Dear Ms. Knapp:

On November 15, 2013, you pled guilty to two misdemeanors arising out of the performance of your official duties as Commissioner of Dutchess County Board of Elections. New York Public Officers Law Section 30 (1) (e) provides that following a conviction of a crime involving a violation of your oath of office, the public office of Commissioner of the Dutchess County Board of Elections shall be deemed vacant. This occurs automatically by operation of law. In light of the foregoing, you no longer hold the public office of Dutchess County Election Commissioner. You must immediately vacate your office at 47 Cannon St., Poughkeepsie and surrender your keys and Dutchess County identification card to Keith Byron, Senior Assistant County Attorney. You can make arrangements to collect your personal belongings from your former office by contacting Mr. Byron at 486-2110.

Very truly yours,

James M. Fedorchak
County Attorney

c: NYS Board of Elections
Noel H.S. Knille, Commissioner of Public Works
Pamela Barrack, Commissioner of Finance
Edward Whitesell, District Attorney's Office
Robert Rolison, Chairman, Dutchess County Legislature
Bradford Kendall, County Clerk
Erik Haight, Board of Elections Commissioner

COMMUNICATIONS

Morris, Carolyn

From: Kendall, Bradford
Sent: Monday, November 25, 2013 3:44 PM
To: Kendall, Bradford
Subject: October Mortgage Tax Receipts
Attachments: Summary of Mortgage tax collection Oct 13 to Mar 14.xls

Please find attached October receipts. My apology for the delay. We have had some personnel changes in the Clerk's Office.

Bradford Kendall
Dutchess County Clerk

IMPORTANT: These amounts are raw raw data. Actual distribution will vary based on interest earned and expenses incurred.
as well as distribution to villages.

Summary of Mortgage Tax Received Oct 13 to Mar 14

Town	October 13	November	December	January 14	February	March	Total for six months
Amenia	$ 5,227.50						
Beekman	$ 30,367.25						
Clinton	$ 6,825.00						
Dover	$ 4,531.50						
East Fishkill	$ 74,485.50						
Fishkill	$ 48,559.00						
Hyde Park	$ 33,693.50						
LaGrange	$ 27,944.50						
Milan	$ 5,469.00						
North East	$ 2,657.50						
Pawling	$ 23,980.50						
Pine Plains	$ 3,198.00						
Pleasant Valley	$ 13,258.50						
Poughkeepsie	$ 50,617.42						
Red Hook	$ 20,088.03						
Rhinebeck	$ 36,828.76						
Stanford	$ 4,913.48						
Union Vale	$ 6,238.50						
Wappinger	$ 33,783.50						
Washington	$ 23,016.02						
City Beacon	$ 19,569.00						
City Poughkeepsie	$ 22,416.08						
Total	$ 497,668.04	$ -	$ -	$ -	$ -	$ -	$ -
County Tax	$ 497,668.04	$ -	$ -	$ -	$ -	$ -	$ 497,668.04
MTA	$ 281,068.88						
Special Add	$ 19,722.75						
1-6 Family	$ 193,494.77						
Local Tax							
Taxes Held	$ 19,009.40						
Ret/Out Cnty						$ 1,889.79	
Total	$ 1,010,963.84	$ -	$ -	$ -	$ -	$ -	$ 497,668.04
MTA Take	$ 474,563.65	$ -	$ -	$ -	$ -	$ -	$ 474,563.65

RESOLUTION NO. 197

TITLE: RESOLUTION IN SUPPORT OF ESTABLISHING A SOUTHERN TIER OFFICE OF MENTAL HEALTH DEPARTMENT OF MENTAL HEALTH

WHEREAS, the New York State Office of Mental Health (OMH) has proposed a major redesign of the agency under a "Regional Centers of Excellence" (RCE) model and has divided the state into five distinct regions (Western, Central, Hudson River, New York City and Long Island) with fifteen RCE; and

WHEREAS, the OMH PLAN in its current form designates the closure of all state operated inpatient services at the Elmira Psychiatric Center and Greater Binghamton Health Center by July 2014 and creates two Community Outpatient Service Hubs at those locations instead; and

WHEREAS, the Greater Binghamton and Elmira Centers currently serve a largely rural population of nearly 1.5 million people in fifteen counties of the Southern Tier and parts of the Finger Lakes, covering over 11,400 square miles, comprising nearly one quarter of the state and lacking access to public transportation; and

WHEREAS, the OMH plan exclusively follows an urban "thruway corridor" model, requiring rural, often poor, residents of the Southern Tier to travel hours to urban areas along the New York State Thruway for inpatient care (Buffalo or Syracuse for adults and Buffalo or Utica for children); and

WHEREAS, the United States Government has already designated many of the counties served by Elmira and Greater Binghamton to be "Federally Designated Underserved Areas," prior to the removal of inpatient services by OMH; and

WHEREAS, the OMH plan removes 100% of the state operated child and adolescent inpatient services from these fifteen rural counties, and would also have these fifteen counties with no private hospital children's beds (under 12 years of age) and only six private hospital adolescent beds (ages 12-17) located in Tompkins County; and

WHEREAS, the OMH plan leaves local hospitals that predominately rely on public mental health services to choose between high risk discharges or weeks of uncompensated care, while awaiting access to the urban RCE; and

WHEREAS, the Greater Binghamton and Elmira Centers are among the top performing hospitals in OMH relative to access, quality and productivity, providing timely access to a comprehensive array of high quality child and adult acute, intermediate, residential educational, clinic and recovery focused services; and

WHEREAS, the Greater Binghamton and Elmira Centers began working together in late 2012 toward combining operational elements, reducing the duration of inpatient hospitalization and achieving joint efficiencies that are amongst the best in OMH; and

WHEREAS, the Elmira and Greater Binghamton Centers have substantially achieved most of the access, quality and productivity objectives ostensibly serving as the basis of the OMH RCE; and

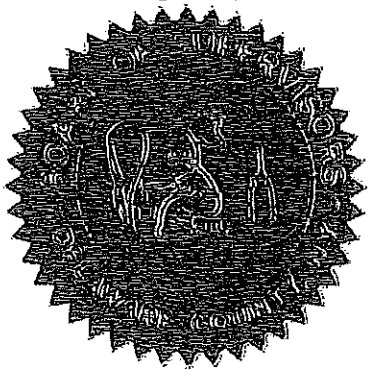
WHEREAS, while this body largely supports the overall goals of the OMH plan, it is inadequate to meet the challenges of the most economically distressed part of the state at a time when the need for mental health services is on the rise

NOW, THEREFORE, BE IT RESOLVED that the the Delaware County Board of Supervisors urges the Commissioner of Mental Health, Governor Andrew Cuomo, the New York State Senate and the New York State Assembly to support the inclusion of of a Southern Tier OMH Region with a Southern Tier based RCE, serving the Southern Tier and portions of the Finger Lakes. This would include continued access to child, adolescent and adult inpatient and community services, managed under a locally responsive rural model as an alternative to the exclusively urban thruway model currently under consideration

BE IT FURTHER RESOLVED that certified copies of this resolution be sent to the Commissioner of Mental Health, Governor Andrew M. Cuomo, Senator John Bonacic, Senator James L. Seward, Senator Thomas W. Libous, Assemblyman Clifford W. Crouch, Assemblyman Peter Lopez, Assemblywoman Claudia Tenney, and the New York State Association of Counties (NYSAC).

State of New York
County of Delaware

I, Christa M. Schafer, Clerk of the Board of Supervisors of Delaware County, do hereby certify that the above is a true and correct copy of a resolution adopted by said Board on the 13th day of November 2013 and the whole thereof.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Board at Delhi, New York, this 13th day of November 2013.

Christa M. Schafer
Clerk, Delaware County Board of Supervisors

OFFICE OF GEORGE W. BUSH

To Whom It May Concern:

I am pleased to enclose a message from President George W. Bush. As you may expect, we must adhere to strict guidelines governing the use of written material from President Bush. Under no circumstances may this document be altered; distributed to the media; posted on the internet; or used for fundraising, advertising, as an endorsement, or for any other purpose without written consent from the Office of George W. Bush.

Thank you in advance for your understanding and cooperation. President Bush sends his appreciation and best wishes.

Sincerely,

Carol White
Director of Correspondence
Office of George W. Bush

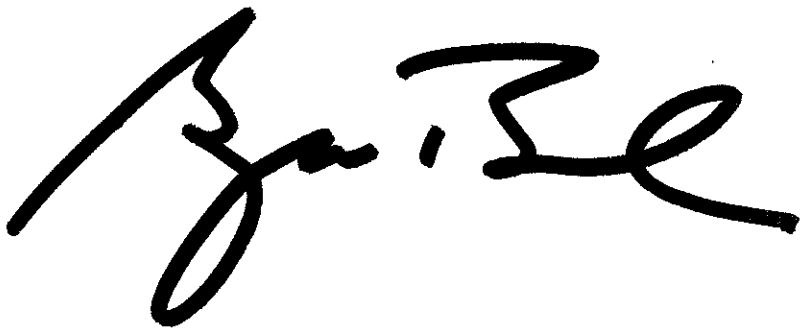
GEORGE W. BUSH

Veterans Day 2013

Throughout our history, loyal citizens from every corner of America have proudly worn the uniform of the United States. Time after time, in conflicts across the globe, they have proven that democracy is mightier than tyranny. In times of peace and through the hardships of war, our military has built a great tradition of courageous and faithful service.

On Veterans Day, we celebrate and honor the patriots who vowed to protect the democratic ideals that are the foundation of our country. They command the respect of the American people, and they have our lasting gratitude.

Laura and I appreciate all who support our country's troops and veterans. We are especially grateful to the families who stand beside them. May God bless you, and may God continue to bless America.



Dutchess County Legislature

Robert G. Rolison
Chairman

22 Market Street, Poughkeepsie, NY 12601
Telephone: 845-486-2100 Fax 845-486-2113

MEMORANDUM

TO: Carolyn Morris, Clerk

FROM: Rob Rolison, Chairman

RE: Revised Committee Assignments

DATE: November 12, 2013

I am in receipt of Legislator John Forman's email dated November 7, 2013 resigning from the Budget, Finance, & Personnel and Public Works & Capital Projects Committees effective immediately. Thus vacancies exist on the committees.

Please be advised that for the remainder of the year, Gerry Hutchings will serve as Vice-Chairman on the Budget, Finance and Personnel and Donna Bolner will fill the vacancy. On Public Works & Capital Projects Alan Surman will serve as Vice Chairman and Sue Serino will fill the vacancy.

I ask that you notify all legislators of the update. Thank you for your time and attention to this matter.

cd

Rrolison@dutchessny.gov
www.dutchessny.gov

COUNTY OF DUTCHESS

MARCUS J. MOLINARO
COUNTY EXECUTIVE

December 20, 2013

Dear Senators Gipson & Ball; Members of Assembly Lalor, Barrett, Cahill & Skartados:

As you know, county governments across the state are forced to pay for Albany imposed programs without adequate funding to support them. In some cases, these are partnerships local governments agree to engage in, others are programs imposed and funded by the state but the state funding commitments are reduced over time leaving local governments to pay the costs, and still others are mandated to be delivered by local governments without concern for their ability to pay. In all cases, core county services get crowded-out by programs the state believes are valuable.

Admittedly, when the economy was great, unemployment low, incomes on the rise and revenues up the need to address the growth in spending at the state and local level was not a priority. Our own county took advantage of these prosperous times building up the institutions of local government, while the state spent more than it should have, borrowed more than it could afford, and taxed more than was necessary. All of this occurred prior to the economic downturn of the last eight years, prior to the sharp rise in demand for government assistance, and prior to the property tax levy cap.

Now, the crisis is real – 65% growth in social service and mental health caseloads, loss of assessed valuation, sustained unemployment, foreclosures up with no options left to maintain services without some tax impact. While this county has reduced its workforce to the smallest in 31 years, consolidated and reorganized eliminating divisions and departments, cut nearly $20 million in recurring spending, maximized state and federal revenue to offset costs we cannot overcome the need for recurring revenue. The depletion of fund balance as a onetime revenue to balance the budget I inherited upon taking office has had a debilitating effect. Add to this, deferred investment in infrastructure and a state tax commission that seeks to reward property taxpayers for their home county's ability to stay within the tax levy cap.

The 2014 adopted county budget presented three distasteful options: decimate core county services, impose the largest property tax increase in recent history, or repeal the sales tax exemption on residential energy sources. None was acceptable to me and all would be met with ferocious public resistance – and rightfully so.

With a refusal to decimate County Government's vital services yet a commitment to produce a real and balanced budget in spite of an insufficient fund balance and the inability to cut further without making government ineffective, the County was stuck with two unpopular options – increase property taxes well beyond the State imposed 2% property tax cap or find another revenue generator. The County Legislature opted not to pursue a significant, double-digit property tax increase. Other revenue generators were denied by the State Legislature. One year ago we requested authority for a mortgage recording tax – a onetime fee paid at the time of closing – that was denied due to your opposition which would have helped Dutchess County produce a balanced budget while paying for state mandated programs. The sales tax exemption repeal is the only option we had left to balance the budget and preserve services absent State Legislature approval for other revenue streams.

Important to understand is that 70% of net county costs are devoted to mandated programs including $44 million for Medicaid, $12 million for Foster Care, and $3.8 million for Safety Net. The New York State Association of Counties (NYSAC) has provided a list of the nine state mandates that consume 90% of county tax levies statewide, including: Medicaid; Safety Net; Child Welfare; Preschool Special Education; Early Intervention; Indigent Defense; Probation; Youth Detention; and Pensions.

While mandated program costs continue to consume more and more of county budgets, the fundamental programs and services for which county governments are responsible continue to be cut to the point of extinction. The 2014 adopted county budget cuts but preserves those critical services most important to the residents we serve: police protection and E-911; road repair and snow removal; health and mental health services; veterans' assistance; Office for the Aging; public transportation; parks and recreation; and economic development and community planning assistance. For many residents these services sustain their quality of life and, in some cases, they are the difference between life and death.

The debate on mandates has gone on long enough and the time to do something about them is now. Dutchess County is prepared to work with you cooperatively to deliver on this long standing state legislative promise. I know you, our shared delegation, have the capacity to deliver such results – the question remains if you are willing to confront the challenge to produce a deliverable result. I am prepared to do all in my power to assist you in such an effort so we can re-establish the sales tax exemption on residential energy sources, restore the appropriate balance between state and county service delivery, and prove to the public we can do more than talk about the problem.

The exemption repeal will go into effect on March 1, 2014 – we have 10 weeks to make it unnecessary. I know you have the ability to assist and find a reasonable solution.

As Assemblyman Kevin Cahill and I discussed in detail, state mandated Preschool Special Education and Early Intervention costs Dutchess County $9.3 million a year. This may be the most critical component of New York's public education system and the state has not made it the priority it needs to be. In the context of the debate over education standards, New York City Mayor-elect Bill de Blasio's focus is on pre-K making this ripe for dialogue and a statewide solution. This cost take back alone would eliminate the need for the exemption repeal and likely strengthen the program making it a win-win for the state and the counties, not to mention the countless people that rely on these services.

This crisis has been looming. Increasing mandate costs shifted onto local governments while denying them the ability to raise revenue conveniently shifts state responsibility to county and municipal governments, ultimately hurting local taxpayers. In the end, I know none of you want that result. And, I know we possess the ability to solve this crisis. I ask for your willingness to address this immediately and thank you in advance for your attention and swift action.

Sincerely,

Marcus J. Molinaro
Dutchess County Executive

All the best to you all!

c: Dutchess County Legislators

Morris, Carolyn

From: Ellison, Michael
Sent: Monday, December 23, 2013 5:00 PM
To: Morris, Carolyn
Cc: Barclay, Christopher; O'Neil, William; Sommerville, Valerie; Tyner, Joel
Subject: Budget Highlights Mailing

Carolyn,

Legislator Tyner contacted our office on December 10th and requested the "figures" associated with the 2014 Proposed Budget Highlights mailing. I assume he is looking for the cost so please see the response below we have provided to others who have asked for this information.

Thanks, Mike

Michael A. Ellison
Assistant County Executive
Dutchess County Executive Marc Molinaro
22 Market Street
Poughkeepsie, New York 12601
Tel: (845) 486-2000 Fax: (845) 486-2021
Email: *mellison@dutchessny.gov*

www.dutchessny.gov

Postcards were sent out to households providing brief highlights of the budget with information about where residents could review all of the budget documents as well as provide their input. Postcards were designed and printed in-house, using the County print shop for labor and materials at minimal cost. Postcards were mailed using the most economical option, bulk mail, at a cost of $19,765.16 for postage reaching approximately 115,000 households.

Morris, Carolyn

From: Harold [haroldwrpr@netscape.net]
Sent: Sunday, December 22, 2013 11:05 AM
To: CountyLegislature
Subject: DCC

Fund it. Education is the price we pay for civilization! If you must, you can raise tuition, and it will still be the biggest bargain around. The cost of its closing would be too great to bear, and save taxpayers very little in actual cash. I'd like to be surrounded by civilized people in my old age. Fund it! I vote, and I have a long memory.

Harold Warren,
City of Poughkeepsie

Sent from my iPad

Resolution No. 315 December 17, 2013

Urging The Passage Of Senate Bill 3379-A/ Assembly Bill 7799-A Entitled, "An Act To Amend The Public Service Law, In Relation To Providing Consumers The Option To Elect Not To Use Transmitting Utility Meters"

Referred to: The Environmental, Energy, and Technology Committee (Chairman Belfiglio and Legislators Bartels, Lopez, Wawro, and Wishnick)

Legislators Wishnick, Belfiglio, Bartels, Rodriguez, Gregorius, and Donaldson offer the following:

WHEREAS, this Legislative body has heard numerous comments from the public regarding the use of so-called "Smart Meters"; and

WHEREAS, there exists a concern in many States and among people across the nation that so-called "Smart Meters" may cause physical illness to those who are in homes utilizing such meters; and

WHEREAS, those concerns come from, among other places, a recognition that the International Agency for Research on Cancer, part of the World Health Organization, classifies radiofrequency electromagnetic fields as possibly carcinogenic to humans; and

WHEREAS, the American Academy of Environmental Medicine opposes the installation of "wireless smart meters" and states "chronic exposure to wireless radiofrequencies radiation is a preventable environmental hazard that is sufficiently well documented to warrant immediate preventative health action"; and

WHEREAS, although research on the potential health impacts of smart meters it not yet conclusive, this Legislative Body believes there is sufficient concern expressed that consumers should be given a choice to "opt-out" of being forced to utilize "Smart Meters" rather than go without electricity (the alarming choice Ulster County residents have informed this Legislature as presently existing in Ulster County); and

WHEREAS, in addition to the serious public health concerns, public safety concerns exist in that many are concerned that utilizing "Smart Meters" enables "hackers" to electronically monitor the electricity usage of individuals making persons more susceptible to becoming crime victims if it can be determined when persons are home or not; and

WHEREAS, a bi-partisan effort is underway in the New York State Legislature to ensure consumer choice exists in the State of New York as to whether persons should be forced to utilize "Smart Meters"; and

Resolution No. 315 December 17, 2013

Urging The Passage Of Senate Bill 3379-A/ Assembly Bill 7799-A Entitled, "An Act To Amend The Public Service Law, In Relation To Providing Consumers The Option To Elect Not To Use Transmitting Utility Meters"

WHEREAS, Senate Bill 3379-A and Assembly Bill 7799-A, sponsored by Senator Joseph Griffo and Assemblymember Michael DenDekker respectively are presently pending in the Finance Committtee (in the case of the Senate) and the Energy Committee (in the case of the Assembly); and

WHEREAS, these bills would enable consumers to choose not to have a "Transmitting Utility Meter" utilized on their home; now, therefore be it

RESOLVED, that this Legislative body expresses support for action to be taken by the New York State Legislature to prohibit electric utility companies from forcing consumers to utilize so-called "Smart Meters" also known in the aforesaid legislation as "Transmitting Utility Meters"; and be it further

RESOLVED, that this Legislative body supports Senate Bill 3379-A and Assembly Bill 7799-A and encourages the adoption thereof; with an amendment to the same which would define smart meters as "any metering device with electronic components and any electric or battery operated meter that is capable of measuring, recording, and sending data from a customer or member to a public utility, municipality, or cooperative association in a manner utilizing one–way communication, two–way communication, or a combination of one–way and two–way communication with any entity or device. (Common names include but are not limited to AMR, ERT, AMI, ETC.)"; and be it further

RESOLVED, that a copy of this resolution shall be transmitted by the Clerk of this body to the representatives of Ulster County in the State Senate and Assembly as well as to Senator Joseph Griffo and Assemblymember Michael DenDekker; to the NYS Association of Counties; to all NYS county legislatures; and to the Chairperson of the Senate Energy and Finance Committees and the Assembly Energy and Ways and Means Committees;

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 12 NOES: 0
(Absent: Legislators Aiello, Briggs, Fabiano, Harris, Lopez, Maio, John Parete, Robert Parete, Provenzano, Roberts, Wawro)

Resolution No. 315 December 17, 2013

Urging The Passage Of Senate Bill 3379-A/ Assembly Bill 7799-A Entitled, "An Act To Amend The Public Service Law, In Relation To Providing Consumers The Option To Elect Not To Use Transmitting Utility Meters"

Passed Committee: Environmental, Energy and Technology on December 5, 2013

FINANCIAL IMPACT:
NONE

STATE OF NEW YORK
ss:
COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster 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 17th Day of December, 2013, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 18th Day of December in the year Two Thousand and Thirteen.

Victoria A. Fabella, Clerk
Ulster County Legislature

Resolution No. 182

December 12, 2013

RESOLUTION DENYING THE STATE OF NEW YORK PERMISSION TO USE THE NAME, SEAL, OR LETTERHEAD OR ADDRESS OF THE COUNTY OF OSWEGO FOR ANY PURPOSE ASSOCIATED WITH THE SAFE ACT

By Legislator Terry Wilbur:

WHEREAS, the State of New York has passed a gun control law referred to as the SAFE Act and,

WHEREAS, this act clearly indicates that enforcement of this law is the responsibility of New York State, and,

WHEREAS, in recent discussion the state has indicated an interest in using the seal of Oswego County and the names of the offices of the Oswego County Sheriff and the Oswego County Clerk in pistol permit recertification notices, and

WHEREAS, the County Sheriff and Clerk have voiced their strong objection to this request and suggestion.

Therefore be it RESOLVED, that the Oswego County Legislature denies the State of New York permission to use the Name, Seal of the County, letterhead or address for purposes of correspondence with legal and registered gun owners regarding permit recertification or for any other purpose associated with the SAFE Act, and be it further

RESOLVED, that copies of this Resolution should be transmitted to the Office of the Governor of New York State, the Superintendent of the State Police, New York State Senator Patricia Ritchie, Assemblyman William Barclay, Assemblyman Robert Oaks, and the legislature of every county in the State of New York.

OSWEGO COUNTY LEGISLATURE

ROLL CALL

YES: 25 NO: 0 ABSENT: 0

STATE OF NEW YORK)
COUNTY OF OSWEGO) ss:

I hereby certify that the foregoing is a true and correct transcript of Resolution No. 182 adopted by the Oswego County Legislature on December 12, 2013

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the said County Legislature at Oswego, New York, on this 17th day of December, 2013.

Wendy M. Falls
Wendy M. Falls, Clerk
Oswego County Legislature

Morris, Carolyn

From: Wager, Leigh
Sent: Monday, December 16, 2013 2:09 PM
To: CountyLegislature
Subject: Phone Message regarding Jail

Beverly Kawalski called in opposition to the county purchasing the property adjacent to the Jail and would like to see the property donated.

Leigh

Leigh Wager
Deputy Clerk
Dutchess County Legislature
(845) 486-2100

BOARD MEETING
SIGN-IN
SPEAKERS LIST

December 5, 2013

PRINT NAME	ADDRESS AND EMAIL ADDRESS
FRANK CLARK	50 RINALDI Blvd Pough.
~~Kyle Peterson~~	12 Burdock Rd HJ
~~Joanne Mizerak~~	13 Peckham Road, Pough. NY 12603
Milo Tsukroff	22 West Rd, Pleasant Valley, NY
Assembly man ~~Kieran Lalor~~	Kieran1776@hotmail.com
~~JOAN McDermott~~	166 Stowe Dr. Poughquag
~~April Jantz~~	102 S. Davies Terrace Beacon, NY
~~Edwin Peff~~	216 Long Pond Road Rhinebeck NY
~~Dick Sewell~~	97 Bedell Rd Pleasant NY
~~ELISA SUMNER~~	214 HOLSAPPLE Rd DOVER PLAINS 12522
~~Micki Strawinski~~	21 Cedar Drive Rd Hook

BOARD MEETING
SIGN-IN
SPEAKERS LIST

December 5, 2013

PRINT NAME	ADDRESS AND EMAIL ADDRESS
GUSKA ZOLLAS	47 IRON St POK, N.Y.

BOARD MEETING
SIGN-IN
SPEAKERS LIST

December 5, 2013

PRINT NAME	ADDRESS AND EMAIL ADDRESS
David White	29 N. Hamilton St Pough.
Carola Madrid	40 Mansion Pok
MICHAEL DAHLIN	29 N. HAMILTON ST POK
John Fairbairn	29 North Hamilton St Pok

I am here to speak for Joan McDermott's character and work ethic.

She and I have worked together for many years. Joan was my supervisor until the Director of Budget and Finance position was added to the Health Department Budget a few years ago.

She has been and still is the person that staff goes to for help with fiscal matters.

Her vast knowledge of all things fiscal, puts her in a class above the rest.

Her work ethic and professionalism stands with her tonight.

I can attest to her deep knowledge of every program within the Health Department; Health Grants, Logos, Revenue Flow, Budget, Clinic Fiscal Operations and Environmental Health Programs.

She is the go to person for all the other staff as well for fiscal related matters.

Joan is a very caring employee with a heart of gold. If you are in need of help, she will be there for work or personal matters.

She is a dedicated employee and the Department will be impacted negatively with respect to work-flow and accuracy, if she is no longer with us.

RESOLUTION NO. 2013340

RE: ADOPTION OF THE TENTATIVE 2014-2018 CAPITAL IMPROVEMENT PROGRAM FOR DUTCHESS COUNTY SUBJECT TO THE AMENDMENTS HEREIN CONTAINED

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

WHEREAS, the Tentative 2014-2018 Capital Improvement Program for Dutchess County has been submitted by the County Executive and was referred to the Public Works and Capital Projects Committee for its review, and

WHEREAS, the committee, meeting on November 14, 2013, has studied and reviewed said Tentative 2014-2018 Capital Improvement Program, now, therefore, be it

RESOLVED, that the 2014-2018 Capital Improvement Program as submitted is hereby adopted as the Capital Improvement Program for the County of Dutchess for the years 2014-2018.

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 12/10/2013

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

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

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

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Public Works and Capital Projects Roll Call

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

Present: 9 **Absent:** 3 **Vacant:** 0

Resolution: ✓ **Motion:** ___

Total : 9 Yes 0 No

Abstentions: 0

2013340 ADOPTION OF THE TENTATIVE 2014-2018 CAPITAL IMPROVEMENT PROGRAM FOR DUTCHESS COUNTY SUBJECT TO THE AMENDMENTS HEREIN CONTAINED

Date: November 14, 2013

Roll Call Sheets

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

Present: 24 **Absent:** 1 **Vacant:** 0

Resolution: ___ **Motion:** ✓

Total : 3 (Yes) 21 (No)

Abstentions: 0

JI/MKelsey

deferred

pg. 13 Remove Terminal Bldg. Rehabilitation $4,000,000

2013340

12.5.13

Roll Call Sheets

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

Present: 24 **Resolution:** ___ **Total :** 7 (Yes) 17 (No)

Absent: 1 **Motion:** ✓

Vacant: 0 **Abstentions:** 0

Defeated

JT / FA

Remove any mention of Jail Capacity Expansion on pages pg. 39 40 + 17

2013340

12

Roll Call Sheets

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

Present: 24 **Resolution:** ✓ **Total :** 17 7

Absent: 1 **Motion:** ___ Yes No

Vacant: 0 **Abstentions:** 0

2013340 ADOPTION OF THE TENTATIVE 2014-2018 CAPITAL IMPROVEMENT PROGRAM FOR DUTCHESS COUNTY SUBJECT TO THE AMENDMENTS HEREIN CONTAINED

Date: December 5, 2013

Discussion on Resolution No. 2013340 resulted as follows:

Legislator Incoronato made a motion, duly seconded by Legislator Kelsey, to amend the 2014 Capital Improvement Program, duly seconded, to delete Terminal Building Rehabilitation for $4,000,000 from page 13.

The foregoing amendment was defeated by voice vote with Legislators Tyner, Incoronato, and Kelsey being the only no votes.

Legislator Tyner made a motion, duly seconded by Legislator Amparo, to strike verbiage from pages 17, 39, and 40, regarding Jail capacity, expansion design, and construction from this document.

Roll call on the foregoing amendment resulted as follows:

Yes: 7 Jeter-Jackson, Macavery, Perkins, Doxsey, Tyner, Amparo, Blalock

No: 17

Absent: 1 – Wilkinson

Amendment defeated

Roll call on the foregoing resolution resulted as follows:

Yes: 17

No: 7 MacAvery, Perkins, Tyner, Amparo, Blalock, Kelsey, Incoronato

Absent: 1 – Wilkinson

Resolution adopted.

Budget, Finance, & Personnel
Amended in B, F, & P 11-21-13
AMENDED ON FLOOR 12/5/13

RESOLUTION NO. 2013341

RE: LEGISLATURE OF THE COUNTY OF DUTCHESS, REPEALING AN EXEMPTION OF RESIDENTIAL ENERGY SOURCES AND SERVICES FROM SALES AND COMPENSATING USE TAXES, PURSUANT TO THE AUTHORITY OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

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

Be it enacted by the Legislature of the County of Dutchess, as follows:

SECTION 1. Subdivision (h) of section six of Resolution No. 598, of 1975, as amended, is hereby REPEALED.

SECTION 2. This resolution shall take effect March 1, 2014 and shall apply in accordance with applicable transitional provisions of the New York Tax Law and shall expire on February 28, 2017.

SECTION 3. A special meeting of the Dutchess County Legislature will be called to repeal this action upon the passage of mandate relief from the New York State Legislature and Governor that removes the need for this exemption to be repealed.

CA-198-13
JMF/CEN/ca/G-1591
10/11/13

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 12/16/13

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

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

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

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*	2	
District 6 - Town of Poughkeepsie	Flesland*	3	
District 10 - City of Poughkeepsie	Jeter-Jackson*	4	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	5	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson	6	
District 7 - Town of Hyde Park	Perkins	7	
District 11 - Towns of Rhinebeck and Clinton	Tyner	8	
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner	9	
District 17 - Town and Village of Fishkill	Miccio (C)	10	
District 22 - Town of Beekman	Hutchings (VC)	11	
District 24 - Towns of Dover and Union Vale	Surman	12	

Present: 12
Absent: 0
Vacant: 0

Resolution: ___
Motion: ✓

Total : 12 (Yes) 0 (No)
Abstentions: 0

AF/DB

Section 3 A Special Meeting of the Dutchess County Legislature will be called to repeal this action upon the passage of mandate relief from the NYS Legislature and Governor that removes the need for this exemption to be repealed.

2013341
11·21·13

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		1
District 3 - Town of LaGrange	Borchert*		2
District 6 - Town of Poughkeepsie	Flesland*		3
District 10 - City of Poughkeepsie	Jeter-Jackson*	1	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	2	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		4
District 7 - Town of Hyde Park	Perkins	3	
District 11 - Towns of Rhinebeck and Clinton	Tyner	4	
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		5
District 17 - Town and Village of Fishkill	Miccio (C)		6
District 22 - Town of Beekman	Hutchings (VC)		7
District 24 - Towns of Dover and Union Vale	Surman		8

Present: 12
Absent: 0
Vacant: 0

Resolution: ___
Motion: ✓

Total : 4 (Yes) 8 (No)
Abstentions: 0

AMAC/BJJ

Section 3: This resolution will take effect March 1 2014 and sunset November 1, 2014 and resume again the following March 1 2015.

2013341
11.21.13

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		1
District 3 - Town of LaGrange	Borchert*		2
District 6 - Town of Poughkeepsie	Flesland*		3
District 10 - City of Poughkeepsie	Jeter-Jackson*	1	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	2	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		4
District 7 - Town of Hyde Park	Perkins	3	
District 11 - Towns of Rhinebeck and Clinton	Tyner	4	
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		5
District 17 - Town and Village of Fishkill	Miccio (C)		6
District 22 - Town of Beekman	Hutchings (VC)		7
District 24 - Towns of Dover and Union Vale	Surman		8

Present: 12
Absent: 0
Vacant: 0

Resolution: ___
Motion: ✓

Total : 4 (Yes) 8 (No)
Abstentions: 0

AMAC/BJJ

Section 4: that this repeal of the exemption will sunset in March of 2015

11.21.13
2013341

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*	1	
District 3 - Town of LaGrange	Borchert*	2	
District 6 - Town of Poughkeepsie	Flesland*	3	
District 10 - City of Poughkeepsie	Jeter-Jackson*	4	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		3
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson	5	
District 7 - Town of Hyde Park	Perkins		1
District 11 - Towns of Rhinebeck and Clinton	Tyner		2
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner	6	
District 17 - Town and Village of Fishkill	Miccio (C)	7	
District 22 - Town of Beekman	Hutchings (VC)	8	
District 24 - Towns of Dover and Union Vale	Surman	9	

Present: 12
Absent: 0
Vacant: 0

Resolution: ✓
Motion: ___

Total : 9 (Yes) 3 (No)
Abstentions: 0

2013341 LEGISLATURE OF THE COUNTY OF DUTCHESS, REPEALING AN EXEMPTION OF RESIDENTIAL ENERGY SOURCES AND SERVICES FROM SALES AND COMPENSATING USE TAXES, PURSUANT TO THE AUTHORITY OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

Date: November 21, 2013

Roll Call Sheets

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

Present: 24
Absent: 1
Vacant: 0

Resolution: ___
Motion: ✓

Total : 18 (Yes) 10 (No)
Abstentions: 0

JT for Section 2

and shall expire February 28 2017

2013341
12.5.13

Roll Call Sheets

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

Present: 24
Absent: 1
Vacant: 0

Resolution: ✓
Motion: ✓

Total : 7 (Yes) — 17 (No)

Abstentions: ___

defeated

FA / J-Jackson

Remove Section 3

2013341

12-5-13

Roll Call Sheets

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

Present: 24 **Absent:** 1 **Vacant:** 0

Resolution: ✓ **Motion:** ___

Total : 14 (Yes) 10 (No)

Abstentions: 0

2013341 LEGISLATURE OF THE COUNTY OF DUTCHESS, REPEALING AN EXEMPTION OF RESIDENTIAL ENERGY SOURCES AND SERVICES FROM SALES AND COMPENSATING USE TAXES, PURSUANT TO THE AUTHORITY OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

Date: December 5, 2013

Discussion on Resolution 2013341 resulted as follows:

Legislator Thomes made a motion, duly seconded by Legislator Weiss, to amend the foregoing resolution to add the following:

SECTION 2. This resolution shall take effect March 1, 2014 and shall apply in accordance with applicable transitional provisions of the New York Tax Law **and shall expire on February 28, 2017.**

Roll call on the foregoing motion resulted as follows:

Yes: 18

No: 6 Tyner, Serino, Amparo, Jeter-Jackson, Perkins, Blalock

Absent: 1 – Wilkinson

Amendment adopted

Legislator Amparo made a motion, duly seconded by Legislator Jeter-Jackson, to amend the foregoing resolution and delete Section 3.

Val Sommerville, Budget Director, stated that there was $129 million in mandated costs in the 2014 budget, and that approximately half was reimbursable.

Roll call on the foregoing motion resulted as follows:

Yes: 7 Jeter-Jackson, MacAvery, Doxsey, Perkins, White, Amparo, Blalock,

No: 17

Absent: 1 – Wilkinson

Amendment defeated.

Legislator Amparo stated that the energy tax would hurt the most vulnerable residents.

Legislator Flesland stated that perhaps the county HEAP subsidy could be increased to help those most vulnerable. She added that if the economy improved or if there was mandate relief, the percentage could be reduced.

Val Sommerville, Budget Director, stated that there was $500,000 available to HEAP eligible residents and those 20 percent over the HEAP threshold. She added that this was in addition to the New York State HEAP subsidy.

Roll call on the foregoing resolution resulted as follows:

Yes: 14

NO: 10 Jeter-Jackson, MacAvery, Serino, Perkins, White, Tyner, Amparo, Blalock, Horton, and Kelsey

Absent: 1 – Wilkinson

Budget, Finance, & Personnel
Amended Budget, Finance & Personnel 11-21-13
AMENDED ON FLOOR 12/3/13

RESOLUTION NO. 2013342

RE: ADOPTION OF THE TENTATIVE BUDGET FOR DUTCHESS COUNTY FOR THE YEAR 2014 SUBJECT TO AMENDMENTS HEREIN CONTAINED

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

WHEREAS, the Tentative Budget of Dutchess County, as submitted by the County Executive, was referred to the Budget, Finance, & Personnel Committee for its review, and

WHEREAS, the committee, meeting on November 13, 14, 19, 20, and 21 has studied and reviewed said Tentative Budget, now, therefore, be it

RESOLVED, that the revisions made by the Budget, Finance, & Personnel Committee and that the corrections made by the Budget Director be reflected in the Tentative Budget of Dutchess County for the year 2014, and, be it further

RESOLVED, that the Tentative Budget for the year 2014, as submitted, is hereby adopted as the budget for the County of Dutchess for the year 2014 subject to the amendments and corrections as attached, and, be it further

RESOLVED, that the Budget Director be and she hereby is directed, authorized, and empowered to compute and insert a Real Property Tax Levy as the result of the proposed amendments to the budget, and, be it further

RESOLVED, that the Budget Director be and she hereby is directed, authorized, and empowered to compute and insert an estimated revenue and fringe benefit adjustment reflecting the changes brought about by the amendments made to the Tentative Budget by the County Legislature, and, be it further

RESOLVED, that the Budget Director and Clerk of the Legislature are hereby authorized to rectify any clerical errors.

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 12/13/2013

* APPROVED WITH VETOES of 12/13/2013

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

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

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

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

COUNTY OF DUTCHESS

MARCUS J. MOLINARO
COUNTY EXECUTIVE

MEMORANDUM

TO: All Legislators

FROM: Marcus J. Molinaro, County Executive

DATE: December 13, 2013

RE: 2014 Adopted Budget & Vetoes

The 2014 budget process required us to make difficult decisions as we continue to confront fiscal realities that constrain our ability to manage county finances and deliver necessary county services to our residents. I am thankful to those legislators who recognize these realities and worked together to create a balanced budget that allows us to deliver those services most important to the residents we serve: police protection and E-911; road repair and snow removal; health and mental health services; veterans' assistance; Office for the Aging; public transportation; parks and recreation; and economic development and community planning assistance. Sadly, the state and federal government consider much of these services "optional," yet for the residents of our county these services mean an enhanced quality of life and, in some cases, the difference between life and death.

The 2014 Adopted Budget preserves these critical services and produces a balanced budget while staying below the New York State imposed 2% property tax cap. Meanwhile, the County has cut spending and reduced its workforce to the smallest it has been in 31 years. Last year, we produced a budget that reduced the size of County Government saving $2.5 million through the consolidation and restructuring plus another $4.3 million through the Workforce Adjustment Incentive that eliminated 104 positions saving the County $38 million over five years. This year, the budget you approved nets a reduction of another 6.61 FTEs and continues the restructuring and reorganization of county departments that began last year. This result was not easy to achieve since 70% of net to county costs are mandated by New York State without the revenue to pay for them. Without meaningful mandate relief, the County continues to be forced into paying for Albany's spending decisions with local tax dollars.

Unfortunately, because the State will not fund their mandated programs or permit counties to pursue other revenue sources, the repeal of the sales tax exemption on residential energy sources was the only remaining option to pay for county "optional" as well as state and federal mandated programs and services. **Keep in mind that the repeal of the sales tax exemption on residential energy sources does not go into effect until March 1, 2014. We can avoid this from occurring altogether if only Albany would cut the cost of the programs they force on us or provide us an alternative revenue source providing $8 plus million. Our state delegation has 11 weeks to produce real, substantive mandate relief that offsets the need for this revenue.**

The New York State Association of Counties (NYSAC) has identified nine state mandates that consume 90% of county tax levies statewide, including: Medicaid; Safety Net; Child Welfare; Preschool Special Education; Early Intervention; Indigent Defense; Probation; Youth Detention; and Pensions. For Dutchess County these nine mandates cost $111 million, not including staff and administration costs. Preschool Special Education and Early Intervention alone cost Dutchess County $9.3 million a year. Surely out of a $135.1 *billion* state budget, the State Legislature can identify $9.3 *million* to pay for a state program so integral to our statewide education system yet forced upon county taxpayers. Our State delegation must do more than introduce and sponsor legislation; they must produce cost relief and fund their mandated programs while giving counties the flexibility to manage their own finances.

In spite of the precarious situation the State has placed us in, the budget adopted on December 5th is balanced and responsible although admittedly painful. With this memo I hereby return, signed, the 2014 budget with the attached vetoes to which I offer the following:

- Last year we established an *Agency Partner Grant Program* with an outcome based process that establishes community needs and funds nonprofits based via a competitive grant program. Amendments that fund nonprofits by circumventing this process undermine the intent and integrity of the program. Thus, I have vetoed the amendments to add funds to Hudson River Housing (HRH) and Cornell Cooperative Extension of Dutchess County (CCEDC). Please note CCEDC is expected to provide contracted services via the Dutchess County Economic Development Corporation for agri-tourism and agri-business development while HRH has secured 2014 Community Development Block Grant funding for such services. As both organizations have successfully embraced and participated in the competitive and transparent processes established by the County in order to access funding, we should encourage they continue to do so.

  Further, it is disingenuous at best for a legislator to sponsor amendments that increase spending with total disregard for how to pay for such new spending, ultimately voting no for the overall budget. Legislators who do this should expect a veto.

- Certain operational lines, cut by the Legislature, have been determined by departments and the Budget Office as unsustainable or unrealistic, putting the County at risk. As such, by veto, I have restored those lines to the amounts included in the 2014 Tentative Budget. (see attached)

- As there is already $1.5 million in the general contingency account, there is no need to place an additional $99,361 into a special contingency account for the Board of Elections (BOE). Sufficient funds for this expense are available if/when the BOE needs it.

- The Director of Engineering position is vetoed and the ACE II position restored. The position of Director of Engineering has been deemed unnecessary as part of the restructuring and right-sizing of the Department of Public Works.

I know firsthand, as you do, the challenges residents and homeowners face, which make our options distasteful and decisions much more difficult. We have worked to be honest and forthright about the fiscal realities we face and how we are addressing them. I remain grateful for the comments and questions we

received from you and the public as we continue the dialogue on how best to tackle our challenges honestly and earnestly. No comment has been ignored and every voice has been heard. I am committed to making our government smaller, smarter and more efficient. We do not have the luxury of being all things to all people – and with so many living in hardship, we owe them honesty and tireless advocacy to lower costs, end unfair unfunded mandates and return tax dollars to the people. That remains my focus and I look forward to your cooperation and partnership in this important effort.

Attachment (1)

2014 Budget Amendments with Vetoes

PAGE #	DEPARTMENT	DEPT CODE	APPROP LINE	LINE DESCRIPTION	2014 BUDGET	FINAL 12-5-13 AMENDMENTS	12/5/13 DIFFERENCE	VETOES	TENTATIVE BUDGET VS. VETOES	COMMENTS / INTENT
	2014- Amendments to Budget Appropriations									**411,070,479**
	STARTING POINT- 2014 Tentative Budget				**411,070,479**		**411,070,479**		**411,070,479**	
	BUDGET OFFICE AMENDMENTS:				**FROM**	**TO**	**IMPACT**	**TO**	**IMPACT**	
432	DPW Airport	EA.5610	6903	Principal- Serial Bonds	443,382	346,520	(96,862)		(96,862)	Move Balefill Debt service from Airport to General as it is not an Airport specific project.
432	DPW Airport	EA.5610	7903	Bond Interest- Ent Funds	133,282	75,344	(57,938)		(57,938)	Move Balefill Debt service from Airport to General as it is not an Airport specific project.
576	Debt Service	A.9710	6000	Principal	12,472,634	12,563,155	90,521		90,521	Move Balefill Debt service from Airport to General as it is not an Airport specific project.
576	Debt Service	A.9710	7000	Interest	3,106,212	3,209,368	103,156		103,156	Move Balefill Debt service from Airport to General as it is not an Airport specific project.
144	Contribution to Enterprise fund	A.9901.63	9800	EA fund contribution	633,254	478,454	(154,800)		(154,800)	Move Balefill Debt service from Airport to General as it is not an Airport specific project.
194	District Attorney DV	A.1165.10		Title Change- System Correction	SR ADA	ADA				This is a title change only, the grade and salary are correctly reflected.
468	Dept Comm & Family Srvcs	A.6010		Title Change- System Correction	Soc Worker I	Soc Welfare Worker I				This is a title change only, the grade and salary are correctly reflected.
451	Office for the Aging	A.6772.50		Title Change- System Correction	Site Mgr Hr	Site Mgr PT				This is a title change only, the grade and salary are correctly reflected.
539	Planning & Development	A.8020	4401.105	Professional Services- Consultants	104,100	124,100	20,000		20,000	Increase in funds needed for the Ag plan- 100% funded see revenue below
165	Contrib. to Community College	A.2495	6000	Principal	1,357,000	1,331,350	(25,650)		(25,650)	Adjust debt service to reflect November 13,2013 borrowing.
165	Contrib. to Community College	A.2495	7000	Interest	341,701	346,162	4,461		4,461	Adjust debt service to reflect November 13,2013 borrowing.
	Sales Tax	A.1985	4442.5899	Municipalities Sales Tax Share	0	27,898,000	27,898,000		27,898,000	Provide appropriation to pay municipalities their growth. Offset by revenue, see below.
	BUDGET OFFICE CHANGE:						**27,780,888**		**27,780,888**	
	BUDGET OFFICE CUMULATIVE CHANGE:						**438,851,367**		**438,851,367**	
	LEGISLATIVE AMENDMENTS:				**FROM**	**TO**	**IMPACT**	**TO**	**IMPACT**	
452	Office for the Aging	A.6772.50	1010	Positions	1,198,679	1,207,420	8,741		8,741	Freeze CSEA bumped employees at 2013 level
452	Office for the Aging	A.6772.50	8200	Pymts to State Soc Sec	91,734	92,402	668		668	Freeze CSEA bumped employees at 2013 level
461	Office for the Aging	A.6772.52	1010	Positions	1,166,004	1,173,674	7,670		7,670	Freeze CSEA bumped employees at 2013 level
461	Office for the Aging	A.6772.52	8200	Pymts to State Soc Sec	89,225	89,811	586		586	Freeze CSEA bumped employees at 2013 level
306	Health Department	A.4010.30	1010	Positions	828,651	839,232	10,581		10,581	Freeze CSEA bumped employees at 2013 level
306	Health Department	A.4010.30	8200	Pymts to State Soc Sec	63,401	64,211	810		810	Freeze CSEA bumped employees at 2013 level
134	DPW- Buildings	A.1620	1010	Positions	1,749,028	1,764,633	15,605		15,605	Freeze CSEA bumped employees at 2013 level
134	DPW- Buildings	A.1620	8200	Pymts to State Soc Sec	133,841	135,035	1,194		1,194	Freeze CSEA bumped employees at 2013 level
412	DPW- Maint Roads	D.5110	1010	Positions	2,948,743	2,971,011	22,268		22,268	Freeze CSEA bumped employees at 2013 level
412	DPW- Maint Roads	D.5110	8200	Pymts to State Soc Sec	225,637	227,341	1,704		1,704	Freeze CSEA bumped employees at 2013 level
405	DPW- Highway Admin	D.5010	1010	Positions	529,601	491,120	(38,481)		(38,481)	Eliminate additional vacant position
405	DPW- Highway Admin	D.5010	8200	Pymts to State Soc Sec	40,523	37,579	(2,944)		(2,944)	Eliminate additional vacant position
405	DPW- Highway Admin	D.5010	8355	Long-Term Disability	1,071	1,011	(60)		(60)	Eliminate additional vacant position
405	DPW- Highway Admin	D.5010	8400	Hospital Med & Surgical Insurance	136,478	129,031	(7,447)		(7,447)	Eliminate additional vacant position
405	DPW- Highway Admin	D.5010	8450	Optical Insurance	2,040	1,812	(228)		(228)	Eliminate additional vacant position
405	DPW- Highway Admin	D.5010	8500	Dental Insurance	10,131	9,089	(1,042)		(1,042)	Eliminate additional vacant position
400	DPW- Auto Center	A.1640	4130	Gasoline / Diesel	975,000	937,687	(37,313)		(37,313)	
296	Health Department- Planning & Ed	A.4010.27	1010	Positions-224	583,126	634,066	50,940		50,940	Add GIS Tech Position 224 to Health Department
296	Health Department- Planning & Ed	A.4010.27	8100	Pymts to Retire System	106,721	116,705	9,984		9,984	Add GIS Tech Position 224 to Health Department
296	Health Department- Planning & Ed	A.4010.27	8200	Pymts to State Soc Sec	44,620	48,518	3,898		3,898	Add GIS Tech Position 224 to Health Department
296	Health Department- Planning & Ed	A.4010.27	8355	Long-Term Disability	600	660	60		60	Add GIS Tech Position 224 to Health Department
296	Health Department- Planning & Ed	A.4010.27	8400	Hospital, Med & Surg Ins	102,526	121,143	18,617		18,617	Add GIS Tech Position 224 to Health Department
296	Health Department- Planning & Ed	A.4010.27	8450	Optical Insurance	2,052	2,280	228		228	Add GIS Tech Position 224 to Health Department
296	Health Department- Planning & Ed	A.4010.27	8500	Dental Insurance	9,378	10,420	1,042		1,042	Add GIS Tech Position 224 to Health Department
16	Comptroller	A.1315	1010	Positions-335	801,512	878,771	77,259		77,259	Add Senior Accountant Position 335 to Comptroller
16	Comptroller	A.1315	8100	Pymts to Retire System	146,628	161,771	15,143		15,143	Add Senior Accountant Position 335 to Comptroller
16	Comptroller	A.1315	8200	Pymts to State Soc Sec	61,328	67,240	5,912		5,912	Add Senior Accountant Position 335 to Comptroller
16	Comptroller	A.1315	8355	Long-Term Disability	1,759	1,819	60		60	Add Senior Accountant Position 335 to Comptroller
16	Comptroller	A.1315	8400	Hospital, Med & Surg Ins	160,975	179,592	18,617		18,617	Add Senior Accountant Position 335 to Comptroller
16	Comptroller	A.1315	8450	Optical Insurance	2,732	2,960	228		228	Add Senior Accountant Position 335 to Comptroller
16	Comptroller	A.1315	8500	Dental Insurance	12,817	13,859	1,042		1,042	Add Senior Accountant Position 335 to Comptroller
408	DPW Engineering	D.5020	1010	Positions- Add 1270, Delete 3083	1,105,143	1,136,960	31,817	1,105,143	0	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083

2014 Budget Amendments with Vetoes

PAGE #	DEPARTMENT	DEPT CODE	APPROP LINE	LINE DESCRIPTION	2014 BUDGET	FINAL 12-5-13 AMENDMENTS	12/5/13 DIFFERENCE	VETOES	TENTATIVE BUDGET VS. VETOES	COMMENTS / INTENT
408	DPW Engineering	D.5020	8200	Pymts to State Soc Sec	84,558	86,702	2,144	84,558	0	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8355	Long-Term Disability	1,403	2,075	672	1,403	0	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8400	Hospital, Med & Surg Ins	210,543	215,566	5,023	210,543	0	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8450	Optical Insurance	3,416	3,420	4	3,416	0	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8500	Dental Insurance	15,943	15,630	(313)	15,943	0	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8800	Life Ins & Acc Death & Dismemb	361	790	429	361	0	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8850	ACC Death & Dismemb	33	72	39	33	0	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
470	Dept Comm & Family Srvcs	A.6010	1010	Positions-1903	17,621,191	17,679,628	58,437		58,437	Add Back WCWP Support Asst position 2168 to DCFS instead of DMH
470	Dept Comm & Family Srvcs	A.6010	8100	Pymts to Retire System	3,476,934	3,488,388	11,454		11,454	Add Back WCWP Support Asst position 2168 to DCFS instead of DMH
470	Dept Comm & Family Srvcs	A.6010	8200	Pymts to State Soc Sec	1,347,176	1,351,648	4,472		4,472	Add Back WCWP Support Asst position 2168 to DCFS instead of DMH
470	Dept Comm & Family Srvcs	A.6010	8355	Long-Term Disability	23,502	23,562	60		60	Add Back WCWP Support Asst position 2168 to DCFS instead of DMH
470	Dept Comm & Family Srvcs	A.6010	8400	Hospital, Med & Surg Ins	3,984,042	3,991,489	7,447		7,447	Add Back WCWP Support Asst position 2168 to DCFS instead of DMH
478	DCFS- Serv for Recip	A.6070	4400.4425	Contract Agencies.Hudson River Ho	527,438	537,438	10,000	527,438	0	
498	Youth Services Division.Youth Dev	A.7310.56	4400.4461	Contract Agencies.Coop Ext	0	20,000	20,000	0	0	
25	OCIS-Telecom	A.1650	4230.51	Telephone.Landlines	380,000	350,000	(30,000)	380,000	0	
25	OCIS-Telecom	A.1650	4230.52	Telephone.Cell Phones/Wireless Se	95,000	80,000	(15,000)		(15,000)	
35	OCIS-Print/Mail-Mail	A.1670.19	4650	External Postage	355,418	290,000	(65,418)		(65,418)	
86	Finance	A.1310	4448	Accountants & Auditors	10,000	5,000	(5,000)	10,000	0	
212	Emergency Response	A.3410	4613	Repairs/Alt to Real Prop	12,000	10,000	(2,000)	12,000	0	
224	Probation	A.3140	4439	Summons & Witness Fees	0	35,000	35,000		35,000	Reinstitute family court process serving eliminated in 2010.
553	Soil & Water Conservation	A.8710	4400.4662	Soil Conservation	235,000	265,000	30,000		30,000	Increase appropriations for Soil & Water Conservation
136	DPW-Bldgs	A.1620	4126	Fuel Oil for Heating	263,725	253,725	(10,000)		(10,000)	Offset increase in appropriation to Soil & Water Conservation
136	DPW-Bldgs	A.1620	4210	Gas & Public Utilities	140,560	135,560	(5,000)	140,560	0	Offset increase in appropriation to Soil & Water Conservation
400	DPW-Auto Center	A.1640	4130	Gasoline/Diesel	975,000	960,000	(15,000)	975,000	0	Offset increase in appropriation to Soil & Water Conservation
401	DPW- Auto Center	A.1640	4612.101	Repairs/Alt to Equip.Vehicle	60,000	55,000	(5,000)	60,000	0	
409	DPW- Engineering	D.5020	4130	Gasoline/Diesel	5,600	3,600	(2,000)	5,600	0	
410	DPW- Engineering	D.5020	4401.105	Professional Services - Consultants	45,000	10,000	(35,000)	45,000	0	
421	DPW- Road Machinery Admin	E5130	4130	Gasoline/Diesel	481,500	441,500	(40,000)	481,500	0	
526	DPW-Parks	A.7110	1050	Overtime	52,000	40,000	(12,000)	52,000	0	
528	DPW-Parks	A.7110	4127	Propane Gas	15,515	12,515	(3,000)		(3,000)	
530	DPW-Parks	A.7110	4611	Refuse Removal	16,443	13,443	(3,000)		(3,000)	
532	DWP-Parks.DC Stadium	A.7110.66	4613	Repairs/Alt to Real Prop	45,000	30,000	(15,000)	45,000	0	
479	DCFS- Serv for Recip	A.6070	4401.106	Professional Services- Program	500,000	750,000	250,000		250,000	
143	Contingency & Vacancy Factor	A.1990	4767.1000	Special Contingency. BOE	0	99,361	99,361	0	0	Establish a special contingency account for the BOE.
	LEGISLATIVE CHANGE:						**488,970**		**485,794**	
	LEGISLATIVE CUMULATIVE CHANGE:						**439,340,337**		**439,337,161**	
	TOTAL CHANGE TO APPROPRIATIONS:						**28,269,858**		**28,266,682**	
	CUMMULATIVE CHANGE:						**439,340,337**		**439,337,161**	FINAL BALANCE APPROPRIATIONS

2014 Budget Amendments with Vetoes

PAGE #	DEPARTMENT	DEPT CODE	APPROP LINE	LINE DESCRIPTION	2014 BUDGET	FINAL 12-5-13 AMENDMENTS	12/5/13 DIFFERENCE	VETOES	TENTATIVE BUDGET VS. VETOES	COMMENTS / INTENT
	2014- Amendments to Budget Revenues									411,070,479
	STARTING POINT- 2014 Tentative Budget						411,070,479		411,070,479	
	BUDGET OFFICE AMENDMENTS:				FROM	TO	IMPACT	TO	IMPACT	
448	DPW Airport	EA.5610	50310	Interfund transfer	633,254	478,454	(154,800)		(154,800)	Move Balefill Debt service from Airport to General as it is not an Airport specific project.
546	Planning & Development	A.8020	39890	Other Home & Comm Srvc	17,500	37,500	20,000		20,000	Increase in funds needed for the Ag plan- 100% funded.
158	Sales Tax	A.1331	11100	Sales & Use Tax	153,993,000	181,891,000	27,898,000		27,898,000	Adjust budget to reflect gross sales tax revenue.
	BUDGET OFFICE CHANGE:						27,763,200		27,763,200	
	BUDGET OFFICE CUMULATIVE CHANGE:						438,833,679		438,833,679	
	LEGISLATIVE AMENDMENTS:				FROM	TO	IMPACT	TO	IMPACT	
98	Finance	A.1310	12350.01	Tax Adv & Redemption.Search Fee	180,000	190,000	10,000		10,000	
99	Real Property Tax Division	A.1355	12500.00	Assessor Fees.Maps & Aero Photos	11,000	12,500	1,500		1,500	
141	DPW-Bldgs.	A.1620	30210.	Court Facilities	410,000	435,000	25,000		25,000	
501	Dept Comm & Family Srvcs	A.6010	36100.04	DCFS Admin. RF2A	5,630,831	5,679,953	49,122		49,122	Add Back WCWP Support Asst position 2168 to DCFS instead of DMH- Reimb. 60%
327	Health Department- Planning & Ed	A.4010.27	34010.01	Pub Hlth. Article 6	188,375	206,713	18,338		18,338	Add GIS Tech Position 224 to Health Department- Reimb. 36% Salary only
510	DCFS-Safety Net	A6140	36400	Safety Net	1,777,000	1,779,900	2,900	1,777,000	0	Reimbursement for $10,000 increase for Hudson River Housing at 29%
533	DPW-Parks	A.7110	20010	Parks	182,625	190,000	7,375		7,375	
158	Sales Tax	A.1331	11100	Sales & Use Tax	181,891,000	182,240,361	349,361		349,361	Establish a special contingency account for the BOE using sales tax
	LEGISLATIVE CHANGE:						463,596		460,696	
	LEGISLATIVE CUMULATIVE CHANGE:						439,297,275		439,294,375	
	TOTAL CHANGE TO REVENUES:						28,226,796		28,223,896	
	CUMMULATIVE CHANGE REVENUES:						439,297,275		439,294,375	FINAL BALANCE REVENUES
	NET PROPERTY TAX LEVY IMPACT:				107,931,374	107,974,436	43,062	107,974,160	42,786	NET PROPERTY TAX LEVY IMPACT

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		
District 7 - Town of Hyde Park	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 22 - Town of Beekman	Hutchings (VC)		
District 24 - Towns of Dover and Union Vale	Surman		

Present: 12
Absent: 0
Vacant: 0

Resolution: ___
Motion: ✓

Total : 12 (Yes) 0 (No)
Abstentions: 0

AF | DB

Moved to adopt attached amendments.

2013342

11.21.13

2014 Budget Amendments

PAGE #	DEPARTMENT	DEPT CODE	APPROP LINE	LINE DESCRIPTION	2014 BUDGET	BA 11-01-13 AMENDED TOTAL	11/7/13 DIFFERENCE	COMMENT/INTENT
	2014- Amendments to Budget Appropriations							**411,070,479**
	STARTING POINT- 2014 Tentative Budget				**411,070,479**		**411,070,479**	
	BUDGET OFFICE AMENDMENTS:				**FROM**	**TO**	**IMPACT**	
432	DPW Airport	EA.5610	6903	Principal- Serial Bonds	443,382	346,520	(96,862)	Move Balefill Debt service from Airport to General as it is not an Airport specific project.
432	DPW Airport	EA.5610	7903	Bond Interest- Ent Funds	133,282	75,344	(57,938)	Move Balefill Debt service from Airport to General as it is not an Airport specific project.
576	Debt Service	A.9710	6000	Principal	12,472,634	12,563,155	90,521	Move Balefill Debt service from Airport to General as it is not an Airport specific project.
576	Debt Service	A.9710	7000	Interest	3,106,212	3,209,368	103,156	Move Balefill Debt service from Airport to General as it is not an Airport specific project.
144	Contribution to Enterprise fund	A.9901.63	9800	EA fund contribution	633,254	478,454	(154,800)	Move Balefill Debt service from Airport to General as it is not an Airport specific project.
194	District Attorney DV	A.1165.10		Title Change- System Correction	SR ADA	ADA		This is a title change only, the grade and salary are correctly reflected.
468	Dept Comm & Family Srvcs	A.6010		Title Change- System Correction	Soc Worker I	Soc Welfare Worker I		This is a title change only, the grade and salary are correctly reflected.
451	Office for the Aging	A.6772.50		Title Change- System Correction	Site Mgr Hr	Site Mgr PT		This is a title change only, the grade and salary are correctly reflected.
539	Planning & Development	A.8020	4401.105	Professional Services- Consultants	104,100	124,100	20,000	Increase in funds needed for the Ag plan- 100% funded see revenue below
165	Contrib. to Community College	A.2495	6000	Principal	1,357,000	1,331,350	(25,650)	Adjust debt service to reflect November 13,2013 borrowing.
165	Contrib. to Community College	A.2495	7000	Interest	341,701	346,162	4,461	Adjust debt service to reflect November 13,2013 borrowing.
158	Sales Tax	A.1331	4442	Municipalities	0	27,898,000	27,898,000	Provide appropriation to pay municipalities their growth. Offset by revenue, see below.
	BUDGET OFFICE CHANGE:						**27,780,888**	
	BUDGET OFFICE CUMULATIVE CHANGE:						**438,851,367**	
	LEGISLATIVE AMENDMENTS:				**FROM**	**TO**	**IMPACT**	
452	Office for the Aging	A.6772.50	1010	Positions	1,198,679	1,207,420	8,741	Freeze CSEA bumped employees at 2013 level
452	Office for the Aging	A.6772.50	8200	Pymts to State Soc Sec	91,734	92,402	668	Freeze CSEA bumped employees at 2013 level
461	Office for the Aging	A.6772.52	1010	Positions	1,166,004	1,173,674	7,670	Freeze CSEA bumped employees at 2013 level
461	Office for the Aging	A.6772.52	8200	Pymts to State Soc Sec	89,225	89,811	586	Freeze CSEA bumped employees at 2013 level
306	Health Department	A.4010.30	1010	Positions	828,651	839,232	10,581	Freeze CSEA bumped employees at 2013 level
306	Health Department	A.4010.30	8200	Pymts to State Soc Sec	63,401	64,211	810	Freeze CSEA bumped employees at 2013 level
134	DPW- Buildings	A.1620	1010	Positions	1,749,028	1,764,633	15,605	Freeze CSEA bumped employees at 2013 level
134	DPW- Buildings	A.1620	8200	Pymts to State Soc Sec	133,841	135,035	1,194	Freeze CSEA bumped employees at 2013 level
412	DPW- Maint Roads	D.5110	1010	Positions	2,948,743	2,971,011	22,268	Freeze CSEA bumped employees at 2013 level
412	DPW- Maint Roads	D.5110	8200	Pymts to State Soc Sec	225,637	227,341	1,704	Freeze CSEA bumped employees at 2013 level
405	DPW- Highway Admin	D.5010	1010	Positions	529,601	491,120	(38,481)	Eliminate additional vacant position
405	DPW- Highway Admin	D.5010	8200	Pymts to State Soc Sec	40,523	37,579	(2,944)	Eliminate additional vacant position
405	DPW- Highway Admin	D.5010	8355	Long-Term Disability	1,071	1,011	(60)	Eliminate additional vacant position
405	DPW- Highway Admin	D.5010	8400	Hospital Med & Surgical Insurance	136,478	129,031	(7,447)	Eliminate additional vacant position
405	DPW- Highway Admin	D.5010	8450	Optical Insurance	2,040	1,812	(228)	Eliminate additional vacant position
405	DPW- Highway Admin	D.5010	8500	Dental Insurance	10,131	9,089	(1,042)	Eliminate additional vacant position
400	DPW- Auto Center	A.1640	4130	Gasoline / Diesel	975,000	937,687	(37,313)	
	LEGISLATIVE CHANGE:						**(17,688)**	
	LEGISLATIVE CUMULATIVE CHANGE:						**438,833,679**	
	TOTAL CHANGE TO APPROPRIATIONS:						**27,763,200**	
	CUMMULATIVE CHANGE:						**438,833,679**	FINAL BALANCE APPROPRIATIONS

2014 Budget Amendments

PAGE #	DEPARTMENT	DEPT CODE	ACCROR LINE	LINE DESCRIPTION	2014 BUDGET	DEPARTMENT AMENDED TOTAL	11/20/13 DIFFERENCE	COMMENTS / INTENT
	2014- Amendments to Budget Revenues							**411,070,479**
	STARTING POINT- 2014 Tentative Budget						**411,070,479**	
	BUDGET OFFICE AMENDMENTS:				**FROM**	**TO**	**IMPACT**	
448	DPW Airport	EA.5610	50310	Interfund transfer	633,254	478,454	(154,800)	Move Balefill Debt service from Airport to General as it is not an Airport specific project.
546	Planning & Development	A.8020	39890	Other Home & Comm Srvc	17,500	37,500	20,000	Increase in funds needed for the Ag plan- 100% funded.
158	Sales Tax	A.1331	11100	Sales & Use Tax	153,993,000	181,891,000	27,898,000	Adjust budget to reflect gross sales tax revenue.
	BUDGET OFFICE CHANGE:					**Total:**	**27,763,200**	
	BUDGET OFFICE CUMULATIVE CHANGE:						**438,833,679**	
	LEGISLATIVE AMENDMENTS:				**FROM**	**TO**	**IMPACT**	
							0	
							0	
							0	
							0	
							0	
							0	
							0	
							0	
							0	
							0	
	LEGISLATIVE CHANGE:					**Total:**	**0**	
	LEGISLATIVE CUMULATIVE CHANGE:						**438,833,679**	
	TOTAL CHANGE TO REVENUES:						**27,763,200**	
	CUMMULATIVE CHANGE REVENUES:						**438,833,679**	FINAL BALANCE REVENUES
	NET PROPERTY TAX LEVY IMPACT:				**107,931,374**	**107,931,374**	**0**	NET PROPERTY TAX LEVY IMPACT

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		1
District 3 - Town of LaGrange	Borchert*		2
District 6 - Town of Poughkeepsie	Flesland*		3
District 10 - City of Poughkeepsie	Jeter-Jackson*	1	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	2	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		4
District 7 - Town of Hyde Park	Perkins	3	
District 11 - Towns of Rhinebeck and Clinton	Tyner	4	
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		5
District 17 - Town and Village of Fishkill	Miccio (C)		6
District 22 - Town of Beekman	Hutchings (VC)	5	
District 24 - Towns of Dover and Union Vale	Surman		7

Present: 12
Absent: 0
Vacant: 0

Resolution: ___
Motion: ✓

Total : 5 (Yes) 7 (No)
Abstentions: 0

JT/AM AC

Please see attached

defeated

A.4010.01 $0 - $49,446

pg.136 A.1620.4220 ~~$140,560 - $100,860~~ (2)
$598,641 - $549,195

2013342
11.21.13

Budget Amendment Form

From Legislator: TYNER

Page #	Department	Dept. Code	Approp Line	Line Description	From Recommend	To Amendment	Impact Difference
353	Health	A-4010	01	Senior Accountant Code 17	0	$49,446	$49,446

Notes:
(If any)

[gross salary: $77,259]

(Joy McDermott)

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		1
District 3 - Town of LaGrange	Borchert*		2
District 6 - Town of Poughkeepsie	Flesland*		3
District 10 - City of Poughkeepsie	Jeter-Jackson*	1	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	2	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		4
District 7 - Town of Hyde Park	Perkins	3	
District 11 - Towns of Rhinebeck and Clinton	Tyner	4	
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		5
District 17 - Town and Village of Fishkill	Miccio (C)		6
District 22 - Town of Beekman	Hutchings (VC)		7
District 24 - Towns of Dover and Union Vale	Surman		8

Present: 12
Absent: 0
Vacant: 0

Resolution: √ (C)
Motion: √

Total : 4 Yes / 8 No
Abstentions: 0

JT / Amac

PS 345 A4310 MCWP SPRT Asst

$ 0 $ 56 966

PS. 136 $ 598,641 $ 541,675

A. 9620 4220

2013342

11.21.13

Budget Amendment Form

From Legislator: TYNER

Page #	Department	Dept. Code	Approp Line	Line Description	From Recommend	To Amendment	Impact Difference
353	Mental Hygiene	A. 4310		MCWP SPRT Assist	0	$56,866	$56,866

Notes:
(If any)

(Shawn Chesley)

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		1
District 3 - Town of LaGrange	Borchert*		2
District 6 - Town of Poughkeepsie	Flesland*		3
District 10 - City of Poughkeepsie	Jeter-Jackson*	1	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	2	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		4
District 7 - Town of Hyde Park	Perkins	3	
District 11 - Towns of Rhinebeck and Clinton	Tyner	4	
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		5
District 17 - Town and Village of Fishkill	Miccio (C)		6
District 22 - Town of Beekman	Hutchings (VC)		7
District 24 - Towns of Dover and Union Vale	Surman		8

Present: 12
Absent: 0
Vacant: 0

Resolution:
Motion: ✓

Total : 4 (Yes) 8 (No)
Abstentions: 0

JT/AMAC

pg. 203 Emergency Response

A 3020.1010 GIS Technician

0 - 50 940

A1620.4220

598,641 - 547701

Budget Amendment Form

From Legislator: TYNER

Page #	Department	Dept. Code	Approp Line	Line Description	From Recommend	To Amendment	Impact Difference
353	Emergency Response	A.3020		ALS Technician (Code 12)	0	$59,940	$59,940

Notes:
(If any)

(Larry Brady)

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		
District 7 - Town of Hyde Park	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 22 - Town of Beekman	Hutchings (VC)		
District 24 - Towns of Dover and Union Vale	Surman		

Present: 12
Absent: 0
Vacant: 0

Resolution: ✓
Motion: ✓

Total : _____ _____
Yes **No**

Abstentions: _____

JT/BJJ

Withdrawn attached amendment

11·29·13
2013342

Budget Amendment Form

From Legislator: TYNER

Page #	Department	Dept. Code	Approp Line	Line Description	From Recommend	To Amendment	Impact Difference
261	Jail	A. 3150	4428	Inmates in Other Institutions	$6,800,000	$1,000,000	$5,800,000

Notes:

(If any)

[savings from following ATI recommendations from last November's Criminal Justice Council report — re: women, mentally ill, youth — and following National Institute of Correction recommendations for state parole violators — as noted 7/22 in Poughkeepsie Journal]

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		1
District 3 - Town of LaGrange	Borchert*		2
District 6 - Town of Poughkeepsie	Flesland*		3
District 10 - City of Poughkeepsie	Jeter-Jackson*		4
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		5
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		6
District 7 - Town of Hyde Park	Perkins	1	
District 11 - Towns of Rhinebeck and Clinton	Tyner	2	
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		7
District 17 - Town and Village of Fishkill	Miccio (C)		8
District 22 - Town of Beekman	Hutchings (VC)		9
District 24 - Towns of Dover and Union Vale	Surman		10

Present: 12
Absent: 0
Vacant: 0

Resolution: ___
Motion: ✓

Total : 2 (Yes) 10 (No)

Abstentions: 0

defeated

JT / BJJ

A 3150.4428 Inmates other Institutions
Cut housing out

by 1,000,000

6,800,000 to 5,800,000

2013342
11-21-19

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		
District 7 - Town of Hyde Park	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 22 - Town of Beekman	Hutchings (VC)		
District 24 - Towns of Dover and Union Vale	Surman		

Present: 12
Absent: 0
Vacant: 0

Resolution: ____
Motion: ✓

Total : _____ _____
Yes No

Abstentions: _____

Moved attached JT/AMAC amendment. Withdrawn

11·21·13
2013342

Budget Amendment Form

From Legislator: TYNER

Page #	Department	Dept. Code	Approp Line	Line Description	From Recommend	To Amendment	Impact Difference
480	DFS – Medicaid Services	A-6100	4458	Medicaid Services	$43,561,856	$37,561,856	$6,000,000

Notes:
(If any)

[Savings in Medicaid costs from new county law making sure employees of corporate chain stores and corporate chain restaurants are paid a living wage]

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		
District 7 - Town of Hyde Park	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 22 - Town of Beekman	Hutchings (VC)		
District 24 - Towns of Dover and Union Vale	Surman		

Present: 12
Absent: 0
Vacant: 0

Resolution: ___
Motion: ✓

Total : _____ _____
Yes No

Abstentions: _____

JT/AMAC
Prescriptive duty amendment
attached + Withdrawn

11·21·13
2013342

Budget Amendment Form

From Legislator: TYNER

Page #	Department	Dept. Code	Approp Line	Line Description	From Recommend	To Amendment	Impact Difference
p.9	Board of Elections	A.1450	ALL	Hospital, Medical, and Surgical Insurance			$ 75,000
p.16	Comptroller	A.1325					
p.21	OCIS	A.1610.01	#0400				
p.23	Central Services	A.1610.20	Lines				
p.51	Co. Clerk	A.1410.01					
p.69	County Executive	A.1230					

Notes:
(If any)

[savings from Coalition prescription drug option for county employees and retirees — as in Schenectady County (Legal: FOA)]

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		
District 7 - Town of Hyde Park	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 22 - Town of Beekman	Hutchings (VC)		
District 24 - Towns of Dover and Union Vale	Surman		

Present: 12
Absent: 0
Vacant: 0

Resolution: ___
Motion: ✓

Total : _____ _____
Yes No

Abstentions: _____

JT / AMAC

A1620.4220 Withdrawn

Remove 180,000

To

11.21.13
2013342

Budget Amendment Form

From Legislator: TYNER

Page #	Department	Dept. Code	Approp Line	Line Description	From Recommend	To Amendment	Impact Difference
136	DPW-Buildings	A1620	4220	Electric – Light & power	$598,641	$418,641	$180,000

Notes:

(If any)

[Savings from no money-down, power-purchase agreements for county buildings → solar!) → (30% savings in Schenectady County this way)

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		1
District 3 - Town of LaGrange	Borchert*		2
District 6 - Town of Poughkeepsie	Flesland*		3
District 10 - City of Poughkeepsie	Jeter-Jackson*	1	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	2	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		4
District 7 - Town of Hyde Park	Perkins	3	
District 11 - Towns of Rhinebeck and Clinton	Tyner	4	
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		5
District 17 - Town and Village of Fishkill	Miccio (C)		6
District 22 - Town of Beekman	Hutchings (VC)		7
District 24 - Towns of Dover and Union Vale	Surman		8

Present: 12
Absent: 0
Vacant: 0

Resolution: ___
Motion: ✓

Total : 4 (Yes) 8 (No)

Abstentions: 0

JT / AMAC

defeated

A 8040 · Human Rights 50,000
Commission

from pg 136 50,000

11.21.13
2013342

Budget Amendment Form

From Legislator: TYNER

Page #	Department	Dept. Code	Approp Line	Line Description	From Recommend	To Amendment	Impact Difference
535	Human Rights Commission	A. 8040		Human Rights Commission	0	$59,000	$50,000

Notes:
(If any)

[This is Ruteless — name to Eleanor Roosevelt]

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		1
District 3 - Town of LaGrange	Borchert*		2
District 6 - Town of Poughkeepsie	Flesland*		3
District 10 - City of Poughkeepsie	Jeter-Jackson*	1	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	2	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		4
District 7 - Town of Hyde Park	Perkins	3	
District 11 - Towns of Rhinebeck and Clinton	Tyner	4	
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		5
District 17 - Town and Village of Fishkill	Miccio (C)		6
District 22 - Town of Beekman	Hutchings (VC)		7
District 24 - Towns of Dover and Union Vale	Surman		8

Present: 12
Absent: 0
Vacant: 0

Resolution: ___
Motion: ✓

Total : 4 (Yes) 8 (No)
Abstentions: 0

JT/AM

defeated

pg. 304 A4010.29 4653

Public Info & Services

350 - 1,350

2013342
11·21·13

Budget Amendment Form

From Legislator: TYNER

Page #	Department	Dept. Code	Approp Line	Line Description	From Recommend	To Amendment	Impact Difference
304	Health Dept. (Environment)	A.4010.29	4653	Public Info and Services	$350	$1350	$1000

Notes:
(If any)

to educate county residents
about threat of MTBE, etc.
in groundwater across county

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		1
District 3 - Town of LaGrange	Borchert*		2
District 6 - Town of Poughkeepsie	Flesland*		3
District 10 - City of Poughkeepsie	Jeter-Jackson*	1	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	2	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		4
District 7 - Town of Hyde Park	Perkins	3	
District 11 - Towns of Rhinebeck and Clinton	Tyner	4	
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		5
District 17 - Town and Village of Fishkill	Miccio (C)		6
District 22 - Town of Beekman	Hutchings (VC)		7
District 24 - Towns of Dover and Union Vale	Surman		8

Present: 12
Absent: 0
Vacant: 0

Resolution: ___
Motion: ✓

Total : 4 (Yes) 8 (No)
Abstentions: 0

JT / AMAC

deficated

pgs. 539 - 540

A8020.4403 $4,000 - $8,000

Environmental Svs.

11·21·13

2013342

Budget Amendment Form

From Legislator: TYNER

Page #	Department	Dept. Code	Approp Line	Line Description	From Recommend	To Amendment	Impact Difference
539-540	Planning & Development	A.8020	4403	Environmental Services	$4000	$8000	$4000

Notes:
(If any)

(to help implement Solarize Dutchess program w/ Du.Co. Environmental Management Council, Cornell Coop. Extension, & Dutchess County, et.al.)

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		
District 7 - Town of Hyde Park	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 22 - Town of Beekman	Hutchings (VC)		
District 24 - Towns of Dover and Union Vale	Surman		

Present: 12
Absent: 0
Vacant: 0

Resolution:
Motion: ✓

Total : ____ ____
Yes No

Abstentions: 0

JT / AMAC

Pg. 78

A 1010 4160

$8,400 - $8,200

Withdrawn

Sit down and make summit happen.

11.21.13
2013342

Budget Amendment Form

From Legislator: TYNER

Page #	Department	Dept. Code	Approp Line	Line Description	From Recommend	To Amendment	Impact Difference
78	County Legislature	A.1010	4160	office Supplies	$8100	$8200	$100

Notes:
(If any)

for Student Leadership Summit
(to develop ideas from high school student government reps/leaders for us — and so they can gather to hold mock votes on resolutions we vote on — on our agenda)

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*	1	
District 3 - Town of LaGrange	Borchert*	2	
District 6 - Town of Poughkeepsie	Flesland*	3	
District 10 - City of Poughkeepsie	Jeter-Jackson*	4	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	5	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson	6	
District 7 - Town of Hyde Park	Perkins	7	
District 11 - Towns of Rhinebeck and Clinton	Tyner		1
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner	8	
District 17 - Town and Village of Fishkill	Miccio (C)	9	
District 22 - Town of Beekman	Hutchings (VC)	10	
District 24 - Towns of Dover and Union Vale	Surman	11	

Present: 12
Absent: 0
Vacant: 0

Resolution: ✓
Motion: ___

Total : 11 (Yes) 1 (No)
Abstentions: 0

2013342 ADOPTION OF THE TENTATIVE BUDGET FOR DUTCHESS COUNTY FOR THE YEAR 2014 SUBJECT TO AMENDMENTS HEREIN CONTAINED

Date: November 21, 2013

Roll Call Sheets

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

Present: 24
Absent: 1
Vacant: 0

Resolution: ___
Motion: V

Total : 24 Yes | 0 No

Abstentions: 0

AF/DBorchert
GIS Tech to Health Dept.

see attached sheet

2013342
12.5.13

2014 Budget Amendments

PAGE #	DEPARTMENT	DEPT CODE	APPROP LINE	LINE DESCRIPTION	2014 BUDGET	AMENDED TOTAL	11/21/13 DIFFERENCE	COMMENTS/INTENT
	2014- Amendments to Budget Appropriations							**411,070,479**
	STARTING POINT- 2014 Tentative Budget				**411,070,479**		**411,070,479**	
	BUDGET OFFICE AMENDMENTS:				**FROM**	**TO**	**IMPACT**	
432	DPW Airport	EA.5610	6903	Principal- Serial Bonds	443,382	346,520	(96,862)	Move Balefill Debt service from Airport to General as it is not an Airport specific project.
432	DPW Airport	EA.5610	7903	Bond Interest- Ent Funds	133,282	75,344	(57,938)	Move Balefill Debt service from Airport to General as it is not an Airport specific project.
576	Debt Service	A.9710	6000	Principal	12,472,634	12,563,155	90,521	Move Balefill Debt service from Airport to General as it is not an Airport specific project.
576	Debt Service	A.9710	7000	Interest	3,106,212	3,209,368	103,156	Move Balefill Debt service from Airport to General as it is not an Airport specific project.
144	Contribution to Enterprise fund	A.9901.63	9800	EA fund contribution	633,254	478,454	(154,800)	Move Balefill Debt service from Airport to General as it is not an Airport specific project.
194	District Attorney DV	A.1165.10		Title Change- System Correction	SR ADA	ADA		This is a title change only, the grade and salary are correctly reflected.
468	Dept Comm & Family Srvcs	A.6010		Title Change- System Correction	Soc Worker I	Soc Welfare Worker I		This is a title change only, the grade and salary are correctly reflected.
451	Office for the Aging	A.6772.50		Title Change- System Correction	Site Mgr Hr	Site Mgr PT		This is a title change only, the grade and salary are correctly reflected.
539	Planning & Development	A.8020	4401.105	Professional Services- Consultants	104,100	124,100	20,000	Increase in funds needed for the Ag plan- 100% funded see revenue below
165	Contrib. to Community College	A.2495	6000	Principal	1,357,000	1,331,350	(25,650)	Adjust debt service to reflect November 13,2013 borrowing.
165	Contrib. to Community College	A.2495	7000	Interest	341,701	346,162	4,461	Adjust debt service to reflect November 13,2013 borrowing.
158	Sales Tax	A.1331	4442	Municipalities	0	27,898,000	27,898,000	Provide appropriation to pay municipalities their growth. Offset by revenue, see below.
	BUDGET OFFICE CHANGE:						**27,780,888**	
	BUDGET OFFICE CUMULATIVE CHANGE:						**438,851,367**	
	LEGISLATIVE AMENDMENTS:				**FROM**	**TO**	**IMPACT**	
452	Office for the Aging	A.6772.50	1010	Positions	1,198,679	1,207,420	8,741	Freeze CSEA bumped employees at 2013 level
452	Office for the Aging	A.6772.50	8200	Pymts to State Soc Sec	91,734	92,402	668	Freeze CSEA bumped employees at 2013 level
461	Office for the Aging	A.6772.52	1010	Positions	1,166,004	1,173,674	7,670	Freeze CSEA bumped employees at 2013 level
461	Office for the Aging	A.6772.52	8200	Pymts to State Soc Sec	89,225	89,811	586	Freeze CSEA bumped employees at 2013 level
306	Health Department	A.4010.30	1010	Positions	828,651	839,232	10,581	Freeze CSEA bumped employees at 2013 level
306	Health Department	A.4010.30	8200	Pymts to State Soc Sec	63,401	64,211	810	Freeze CSEA bumped employees at 2013 level
134	DPW- Buildings	A.1620	1010	Positions	1,749,028	1,764,633	15,605	Freeze CSEA bumped employees at 2013 level
134	DPW- Buildings	A.1620	8200	Pymts to State Soc Sec	133,841	135,035	1,194	Freeze CSEA bumped employees at 2013 level
412	DPW- Maint Roads	D.5110	1010	Positions	2,948,743	2,971,011	22,268	Freeze CSEA bumped employees at 2013 level
412	DPW- Maint Roads	D.5110	8200	Pymts to State Soc Sec	225,637	227,341	1,704	Freeze CSEA bumped employees at 2013 level
405	DPW- Highway Admin	D.5010	1010	Positions	529,601	491,120	(38,481)	Eliminate additional vacant position
405	DPW- Highway Admin	D.5010	8200	Pymts to State Soc Sec	40,523	37,579	(2,944)	Eliminate additional vacant position
405	DPW- Highway Admin	D.5010	8355	Long-Term Disability	1,071	1,011	(60)	Eliminate additional vacant position
405	DPW- Highway Admin	D.5010	8400	Hospital Med & Surgical Insurance	136,478	129,031	(7,447)	Eliminate additional vacant position
405	DPW- Highway Admin	D.5010	8450	Optical Insurance	2,040	1,812	(228)	Eliminate additional vacant position
405	DPW- Highway Admin	D.5010	8500	Dental Insurance	10,131	9,089	(1,042)	Eliminate additional vacant position
400	DPW- Auto Center	A.1640	4130	Gasoline / Diesel	975,000	937,687	(37,313)	
	LEGISLATIVE CHANGE:						**(17,688)**	
	LEGISLATIVE CUMULATIVE CHANGE:						**438,833,679**	
	TOTAL CHANGE TO APPROPRIATIONS:						**27,763,200**	
	CUMMULATIVE CHANGE:						**438,833,679**	FINAL BALANCE APPROPRIATIONS

Roll Call Sheets

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District 3 - Town of LaGrange	Borchert		
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District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		

Present: 24 **Absent:** 1 **Vacant:** 0

Resolution: ✓ **Motion:** ✓

Total : 24 **Yes** 0 **No**

Abstentions: 0

AF/DBorchert
Senior Accountant
to Comptroller.
See attached sheet

203342
12.5.13

2014 Budget Amendments

PAGE #	DEPARTMENT	DEPT CODE	APPROP LINE	LINE DESCRIPTION	2014 BUDGET	B&F 11-21-13 AMENDED TOTAL	11/21/13 DIFFERENCE	FINAL 12-5-13 AMENDMENTS	12/5/13 DIFFERENCE	COMMENTS / INTENT
	2014- Amendments to Budget Appropriations									411,070,479
	STARTING POINT- 2014 Tentative Budget				411,070,479		411,070,479		411,070,479	
	BUDGET OFFICE AMENDMENTS:				FROM	TO	IMPACT	TO	IMPACT	
432	DPW Airport	EA.5610	6903	Principal- Serial Bonds	443,382	346,520	(96,862)	346,520	(96,862)	Move Balefill Debt service from Airport to General as it is not an Airport specific project.
432	DPW Airport	EA.5610	7903	Bond Interest- Ent Funds	133,282	75,344	(57,938)	75,344	(57,938)	Move Balefill Debt service from Airport to General as it is not an Airport specific project.
576	Debt Service	A.9710	6000	Principal	12,472,634	12,563,155	90,521	12,563,155	90,521	Move Balefill Debt service from Airport to General as it is not an Airport specific project.
576	Debt Service	A.9710	7000	Interest	3,106,212	3,209,368	103,156	3,209,368	103,156	Move Balefill Debt service from Airport to General as it is not an Airport specific project.
144	Contribution to Enterprise fund	A.9901.63	9800	EA fund contribution	633,254	478,454	(154,800)	478,454	(154,800)	Move Balefill Debt service from Airport to General as it is not an Airport specific project.
194	District Attorney DV	A.1165.10		Title Change- System Correction	SR ADA	ADA		ADA		This is a title change only, the grade and salary are correctly reflected.
468	Dept Comm & Family Srvcs	A.6010		Title Change- System Correction	Soc Worker I	Soc Welfare Worker I		Soc Welfare Worker I		This is a title change only, the grade and salary are correctly reflected.
451	Office for the Aging	A.6772.50		Title Change- System Correction	Site Mgr Hr	Site Mgr PT		Site Mgr PT		This is a title change only, the grade and salary are correctly reflected.
539	Planning & Development	A.8020	4401.105	Professional Services- Consultants	104,100	124,100	20,000	124,100	20,000	Increase in funds needed for the Ag plan- 100% funded see revenue below
165	Contrib. to Community College	A.2495	6000	Principal	1,357,000	1,331,350	(25,650)	1,331,350	(25,650)	Adjust debt service to reflect November 13,2013 borrowing.
165	Contrib. to Community College	A.2495	7000	Interest	341,701	346,162	4,461	346,162	4,461	Adjust debt service to reflect November 13,2013 borrowing.
158	Sales Tax	A.1331	4442	Municipalities	0	27,898,000	27,898,000	27,898,000	27,898,000	Provide appropriation to pay municipalities their growth. Offset by revenue, see below.
	BUDGET OFFICE CHANGE:						**27,780,888**		**27,780,888**	
	BUDGET OFFICE CUMULATIVE CHANGE:						**438,851,367**		**438,851,367**	
	LEGISLATIVE AMENDMENTS:				FROM	TO	IMPACT	TO	IMPACT	
452	Office for the Aging	A.6772.50	1010	Positions	1,198,679	1,207,420	8,741	1,207,420	8,741	Freeze CSEA bumped employees at 2013 level
452	Office for the Aging	A.6772.50	8200	Pymts to State Soc Sec	91,734	92,402	668	92,402	668	Freeze CSEA bumped employees at 2013 level
461	Office for the Aging	A.6772.52	1010	Positions	1,166,004	1,173,674	7,670	1,173,674	7,670	Freeze CSEA bumped employees at 2013 level
461	Office for the Aging	A.6772.52	8200	Pymts to State Soc Sec	89,225	89,811	586	89,811	586	Freeze CSEA bumped employees at 2013 level
306	Health Department	A.4010.30	1010	Positions	828,651	839,232	10,581	839,232	10,581	Freeze CSEA bumped employees at 2013 level
306	Health Department	A.4010.30	8200	Pymts to State Soc Sec	63,401	64,211	810	64,211	810	Freeze CSEA bumped employees at 2013 level
134	DPW- Buildings	A.1620	1010	Positions	1,749,028	1,764,633	15,605	1,764,633	15,605	Freeze CSEA bumped employees at 2013 level
134	DPW- Buildings	A.1620	8200	Pymts to State Soc Sec	133,841	135,035	1,194	135,035	1,194	Freeze CSEA bumped employees at 2013 level
412	DPW- Maint Roads	D.5110	1010	Positions	2,948,743	2,971,011	22,268	2,971,011	22,268	Freeze CSEA bumped employees at 2013 level
412	DPW- Maint Roads	D.5110	8200	Pymts to State Soc Sec	225,637	227,341	1,704	227,341	1,704	Freeze CSEA bumped employees at 2013 level
405	DPW- Highway Admin	D.5010	1010	Positions	529,601	491,120	(38,481)	491,120	(38,481)	Eliminate additional vacant position
405	DPW- Highway Admin	D.5010	8200	Pymts to State Soc Sec	40,523	37,579	(2,944)	37,579	(2,944)	Eliminate additional vacant position
405	DPW- Highway Admin	D.5010	8355	Long-Term Disability	1,071	1,011	(60)	1,011	(60)	Eliminate additional vacant position
405	DPW- Highway Admin	D.5010	8400	Hospital Med & Surgical Insurance	136,478	129,031	(7,447)	129,031	(7,447)	Eliminate additional vacant position
405	DPW- Highway Admin	D.5010	8450	Optical Insurance	2,040	1,812	(228)	1,812	(228)	Eliminate additional vacant position
405	DPW- Highway Admin	D.5010	8500	Dental Insurance	10,131	9,089	(1,042)	9,089	(1,042)	Eliminate additional vacant position
400	DPW- Auto Center	A.1640	4130	Gasoline / Diesel	975,000	937,687	(37,313)	937,687	(37,313)	
296	Health Department- Planning & Ed	A.4010.27	1010	Positions-224	583,126			634,066	50,940	Add GIS Tech Position 224 to Health Department
296	Health Department- Planning & Ed	A.4010.27	8100	Pymts to Retire System	106,721			116,705	9,984	Add GIS Tech Position 224 to Health Department
296	Health Department- Planning & Ed	A.4010.27	8200	Pymts to State Soc Sec	44,620			48,518	3,898	Add GIS Tech Position 224 to Health Department
296	Health Department- Planning & Ed	A.4010.27	8355	Long-Term Disability	600			660	60	Add GIS Tech Position 224 to Health Department
296	Health Department- Planning & Ed	A.4010.27	8400	Hospital, Med & Surg Ins	102,526			121,143	18,617	Add GIS Tech Position 224 to Health Department
296	Health Department- Planning & Ed	A.4010.27	8450	Optical Insurance	2,052			2,280	228	Add GIS Tech Position 224 to Health Department
296	Health Department- Planning & Ed	A.4010.27	8500	Dental Insurance	9,378			10,420	1,042	Add GIS Tech Position 224 to Health Department
16	Comptroller	A.1315	1010	Positions-335	801,512			878,771	77,259	Add Senior Accountant Position 335 to Comptroller
16	Comptroller	A.1315	8100	Pymts to Retire System	146,628			161,771	15,143	Add Senior Accountant Position 335 to Comptroller
16	Comptroller	A.1315	8200	Pymts to State Soc Sec	61,328			67,240	5,912	Add Senior Accountant Position 335 to Comptroller
16	Comptroller	A.1315	8355	Long-Term Disability	1,759			1,819	60	Add Senior Accountant Position 335 to Comptroller

2014 Budget Amendments

PAGE #	DEPARTMENT	DEPT CODE	APPROP LINE	LINE DESCRIPTION	2014 BUDGET	B&F 11-21-13 AMENDED TOTAL	11/21/13 DIFFERENCE	FINAL 12-5-13 AMENDMENTS	12/5/13 DIFFERENCE	COMMENTS / INTENT
16	Comptroller	A.1315	8400	Hospital, Med & Surg Ins	160,975			179,592	18,617	Add Senior Accountant Position 335 to Comptroller
16	Comptroller	A.1315	8450	Optical Insurance	2,732			2,960	228	Add Senior Accountant Position 335 to Comptroller
16	Comptroller	A.1315	8500	Dental Insurance	12,817			13,859	1,042	Add Senior Accountant Position 335 to Comptroller
408	DPW Engineering	D.5020	1010	Positions- Add 1270, Delete 3083	1,105,143			1,136,960	31,817	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8200	Pymts to State Soc Sec	84,558			86,702	2,144	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8355	Long-Term Disability	1,403			2,075	672	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8400	Hospital, Med & Surg Ins	210,543			215,566	5,023	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8450	Optical Insurance	3,416			3,420	4	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8500	Dental Insurance	15,943			15,630	(313)	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8800	Life Ins & Acc Death & Dismemb	361			790	429	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8850	ACC Death & Dismemb	33			72	39	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
470	Dept Comm & Family Srvcs	A.6010	1010	Positions-2168	17,621,191			17,679,628	58,437	Add Back WCWP Support Asst position 2168 to DCFS instead of DMH
470	Dept Comm & Family Srvcs	A.6010	8100	Pymts to Retire System	3,476,934			3,488,388	11,454	Add Back WCWP Support Asst position 2168 to DCFS instead of DMH
470	Dept Comm & Family Srvcs	A.6010	8200	Pymts to State Soc Sec	1,347,176			1,351,648	4,472	Add Back WCWP Support Asst position 2168 to DCFS instead of DMH
470	Dept Comm & Family Srvcs	A.6010	8355	Long-Term Disability	23,502			23,562	60	Add Back WCWP Support Asst position 2168 to DCFS instead of DMH
470	Dept Comm & Family Srvcs	A.6010	8400	Hospital, Med & Surg Ins	421,193			428,640	7,447	Add Back WCWP Support Asst position 2168 to DCFS instead of DMH
478	DCFS- Serv for Recip	A.6070	4400.4425	Contract Agencies.Hudson River Ho	527,438			537,438	10,000	
494	DCFS-Youth Dev Delinquent Progr	A.7310.54	4400.4461	Contract Agencies.Coop Ext	0			20,000	20,000	
25	OCIS-Telecom	A.1650	4230.51	Telephone.Landlines	380,000			350,000	(30,000)	
25	OCIS-Telecom	A.1650	4230.52	Telephone.Cell Phones/Wireless Se	95,000			80,000	(15,000)	
35	OCIS-Print/Mail-Mail	A.1670.19	4650	External Postage	355,418			290,000	(65,418)	
86	Finance	A.1310	4448	Accountants & Auditors	10,000			5,000	(5,000)	
212	Emergency Response	A.3410	4613	Repairs/Alt to Real Prop	12,000			10,000	(2,000)	
224	Probation	A.3140	4439	Summons & Witness Fees	0			35,000	35,000	Reinstitute family court process serving eliminated in 2010.
553	Soil & Water Conservation	A.8710	4400.4662	Soil Conservation	235,000			265,000	30,000	Increase appropriations for Soil & Water Conservation
136	DPW-Bldgs	A.1620	4126	Fuel Oil for Heating	263,725			253,725	(10,000)	Offset increase in appropriation to Soil & Water Conservation
136	DPW-Bldgs	A.1620	4210	Gas & Public Utilities	140,560			135,560	(5,000)	Offset increase in appropriation to Soil & Water Conservation
400	DPW-Auto Center	A.1640	4130	Gasoline/Diesel	975,000			960,000	(15,000)	Offset increase in appropriation to Soil & Water Conservation
401	DPW- Auto Center	A.1640	4612.101	Repairs/Alt to Equip.Vehicle	60,000			55,000	(5,000)	
409	DPW- Engineering	D.5020	4130	Gasoline/Diesel	5,600			3,600	(2,000)	
410	DPW- Engineering	D.5020	4401.105	Professional Services - Consultants	45,000			10,000	(35,000)	
421	DPW- Road Machinery Admin	E5130	4130	Gasoline/Diesel	481,500			441,500	(40,000)	
526	DPW-Parks	A.7110	1050	Overtime	52,000			40,000	(12,000)	
528	DPW-Parks	A.7110	4127	Propane Gas	15,515			12,515	(3,000)	
530	DPW-Parks	A.7110	4611	Refuse Removal	16,443			13,443	(3,000)	
532	DWP-Parks.DC Stadium	A.7110.66	4613	Repairs/Alt to Real Prop	45,000			30,000	(15,000)	
479	DCFS- Serv for Recip	A.6070	4401.106	Professional Services- Program	500,000			750,000	250,000	
143	Contingency & Vacancy Factor	A.1990	4767.1000	Special Contingency. BOE	0			99,361	99,361	Establish a special contingency account for the BOE.
	LEGISLATIVE CHANGE:						**(17,688)**		**488,970**	
	LEGISLATIVE CUMULATIVE CHANGE:						**438,833,679**		**439,340,337**	
	TOTAL CHANGE TO APPROPRIATIONS:						**27,763,200**		**28,269,858**	
	CUMMULATIVE CHANGE:						**438,833,679**		**439,340,337**	FINAL BALANCE APPROPRIATIONS

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
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District 6 - Town of Poughkeepsie	Flesland		
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District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		

Present: 24
Absent: 1
Vacant: 0

Resolution: —
Motion: ✓

Total : 24 (Yes) 0 (No)
Abstentions: 0

AF / D Borchert

See attached sheet

add DPW Engineer remove Assistant Civil Engineer II

2013342
12.5.13

2014 Budget Amendments

PAGE #	DEPARTMENT	DEPT CODE	APPROP LINE	LINE DESCRIPTION	2014 BUDGET	B&F 11-21-13 AMENDED TOTAL	11/21/13 DIFFERENCE	FINAL 12-5-13 AMENDMENTS	12/5/13 DIFFERENCE	COMMENTS / INTENT
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408	DPW Engineering	D.5020	1010	Positions- Add 1270, Delete 3083	1,105,143			1,136,960	31,817	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8200	Pymts to State Soc Sec	84,558			86,702	2,144	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8355	Long-Term Disability	1,403			2,075	672	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8400	Hospital, Med & Surg Ins	210,543			215,566	5,023	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8450	Optical Insurance	3,416			3,420	4	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8500	Dental Insurance	15,943			15,630	(313)	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8800	Life Ins & Acc Death & Dismemb	361			790	429	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8850	ACC Death & Dismemb	33			72	39	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
470	Dept Comm & Family Srvcs	A.6010	1010	Positions-2168	17,621,191			17,679,628	58,437	Add Back WCWP Support Asst position 2168 to DCFS instead of DMH
470	Dept Comm & Family Srvcs	A.6010	8100	Pymts to Retire System	3,476,934			3,488,388	11,454	Add Back WCWP Support Asst position 2168 to DCFS instead of DMH
470	Dept Comm & Family Srvcs	A.6010	8200	Pymts to State Soc Sec	1,347,176			1,351,648	4,472	Add Back WCWP Support Asst position 2168 to DCFS instead of DMH
470	Dept Comm & Family Srvcs	A.6010	8355	Long-Term Disability	23,502			23,562	60	Add Back WCWP Support Asst position 2168 to DCFS instead of DMH
470	Dept Comm & Family Srvcs	A.6010	8400	Hospital, Med & Surg Ins	421,193			428,640	7,447	Add Back WCWP Support Asst position 2168 to DCFS instead of DMH
478	DCFS- Serv for Recip	A.6070	4400.4425	Contract Agencies.Hudson River Ho	527,438			537,438	10,000	
494	DCFS-Youth Dev Delinquent Progr	A.7310.54	4400.4461	Contract Agencies.Coop Ext	0			20,000	20,000	
25	OCIS-Telecom	A.1650	4230.51	Telephone.Landlines	380,000			350,000	(30,000)	
25	OCIS-Telecom	A.1650	4230.52	Telephone.Cell Phones/Wireless Se	95,000			80,000	(15,000)	
35	OCIS-Print/Mail-Mail	A.1670.19	4650	External Postage	355,418			290,000	(65,418)	
86	Finance	A.1310	4448	Accountants & Auditors	10,000			5,000	(5,000)	
212	Emergency Response	A.3410	4613	Repairs/Alt to Real Prop	12,000			10,000	(2,000)	
224	Probation	A.3140	4439	Summons & Witness Fees	0			35,000	35,000	Reinstitute family court process serving eliminated in 2010.
553	Soil & Water Conservation	A.8710	4400.4662	Soil Conservation	235,000			265,000	30,000	Increase appropriations for Soil & Water Conservation
136	DPW-Bldgs	A.1620	4126	Fuel Oil for Heating	263,725			253,725	(10,000)	Offset increase in appropriation to Soil & Water Conservation
136	DPW-Bldgs	A.1620	4210	Gas & Public Utilities	140,560			135,560	(5,000)	Offset increase in appropriation to Soil & Water Conservation
400	DPW-Auto Center	A.1640	4130	Gasoline/Diesel	975,000			960,000	(15,000)	Offset increase in appropriation to Soil & Water Conservation
401	DPW- Auto Center	A.1640	4612.101	Repairs/Alt to Equip.Vehicle	60,000			55,000	(5,000)	
409	DPW- Engineering	D.5020	4130	Gasoline/Diesel	5,600			3,600	(2,000)	
410	DPW- Engineering	D.5020	4401.105	Professional Services - Consultants	45,000			10,000	(35,000)	
421	DPW- Road Machinery Admin	E5130	4130	Gasoline/Diesel	481,500			441,500	(40,000)	
526	DPW-Parks	A.7110	1050	Overtime	52,000			40,000	(12,000)	
528	DPW-Parks	A.7110	4127	Propane Gas	15,515			12,515	(3,000)	
530	DPW-Parks	A.7110	4611	Refuse Removal	16,443			13,443	(3,000)	
532	DWP-Parks.DC Stadium	A.7110.66	4613	Repairs/Alt to Real Prop	45,000			30,000	(15,000)	
479	DCFS- Serv for Recip	A.6070	4401.106	Professional Services- Program	500,000			750,000	250,000	
143	Contingency & Vacancy Factor	A.1990	4767.1000	Special Contingency. BOE	0			99,361	99,361	Establish a special contingency account for the BOE.
	LEGISLATIVE CHANGE:						**(17,688)**		**488,970**	
	LEGISLATIVE CUMULATIVE CHANGE:						**438,833,679**		**439,340,337**	
	TOTAL CHANGE TO APPROPRIATIONS:						**27,763,200**		**28,269,858**	
	CUMMULATIVE CHANGE:						**438,833,679**		**439,340,337**	FINAL BALANCE APPROPRIATIONS

Roll Call Sheets

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

Present: 24 **Resolution:** ___ **Total :** 24 (Yes) 0 (No)

Absent: 1 **Motion:** ✓

Vacant: 0 **Abstentions:** 0

AF/D Borchert

See attached sheet

Add WCWP Support Asst Position to DCFS instead of DMH

12.5.13

2013342

2014 Budget Amendments

PAGE #	DEPARTMENT	DEPT CODE	APPROP LINE	LINE DESCRIPTION	2014 BUDGET	B&F 11-21-13 AMENDED TOTAL	11/21/13 DIFFERENCE	FINAL 12-5-13 AMENDMENTS	12/5/13 DIFFERENCE	COMMENTS / INTENT
16	Comptroller	A.1315	8400	Hospital, Med & Surg Ins	160,975			179,592	18,617	Add Senior Accountant Position 335 to Comptroller
16	Comptroller	A.1315	8450	Optical Insurance	2,732			2,960	228	Add Senior Accountant Position 335 to Comptroller
16	Comptroller	A.1315	8500	Dental Insurance	12,817			13,859	1,042	Add Senior Accountant Position 335 to Comptroller
408	DPW Engineering	D.5020	1010	Positions- Add 1270, Delete 3083	1,105,143			1,136,960	31,817	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8200	Pymts to State Soc Sec	84,558			86,702	2,144	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8355	Long-Term Disability	1,403			2,075	672	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8400	Hospital, Med & Surg Ins	210,543			215,566	5,023	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8450	Optical Insurance	3,416			3,420	4	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8500	Dental Insurance	15,943			15,630	(313)	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8800	Life Ins & Acc Death & Dismemb	361			790	429	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
408	DPW Engineering	D.5020	8850	ACC Death & Dismemb	33			72	39	Add Back Dir of Eng Position 1270 and delete ACE II Position 3083
470	Dept Comm & Family Srvcs	A.6010	1010	Positions-2168	17,621,191			17,679,628	58,437	Add Back WCWP Support Asst position 2168 to DCFS instead of DMH
470	Dept Comm & Family Srvcs	A.6010	8100	Pymts to Retire System	3,476,934			3,488,388	11,454	Add Back WCWP Support Asst position 2168 to DCFS instead of DMH
470	Dept Comm & Family Srvcs	A.6010	8200	Pymts to State Soc Sec	1,347,176			1,351,648	4,472	Add Back WCWP Support Asst position 2168 to DCFS instead of DMH
470	Dept Comm & Family Srvcs	A.6010	8355	Long-Term Disability	23,502			23,562	60	Add Back WCWP Support Asst position 2168 to DCFS instead of DMH
470	Dept Comm & Family Srvcs	A.6010	8400	Hospital, Med & Surg Ins	421,193			428,640	7,447	Add Back WCWP Support Asst position 2168 to DCFS instead of DMH
478	DCFS- Serv for Recip	A.6070	4400.4425	Contract Agencies.Hudson River Ho	527,438			537,438	10,000	
494	DCFS-Youth Dev Delinquent Progr	A.7310.54	4400.4461	Contract Agencies.Coop Ext	0			20,000	20,000	
25	OCIS-Telecom	A.1650	4230.51	Telephone.Landlines	380,000			350,000	(30,000)	
25	OCIS-Telecom	A.1650	4230.52	Telephone.Cell Phones/Wireless Se	95,000			80,000	(15,000)	
35	OCIS-Print/Mail-Mail	A.1670.19	4650	External Postage	355,418			290,000	(65,418)	
86	Finance	A.1310	4448	Accountants & Auditors	10,000			5,000	(5,000)	
212	Emergency Response	A.3410	4613	Repairs/Alt to Real Prop	12,000			10,000	(2,000)	
224	Probation	A.3140	4439	Summons & Witness Fees	0			35,000	35,000	Reinstitute family court process serving eliminated in 2010.
553	Soil & Water Conservation	A.8710	4400.4662	Soil Conservation	235,000			265,000	30,000	Increase appropriations for Soil & Water Conservation
136	DPW-Bldgs	A.1620	4126	Fuel Oil for Heating	263,725			253,725	(10,000)	Offset increase in appropriation to Soil & Water Conservation
136	DPW-Bldgs	A.1620	4210	Gas & Public Utilities	140,560			135,560	(5,000)	Offset increase in appropriation to Soil & Water Conservation
400	DPW-Auto Center	A.1640	4130	Gasoline/Diesel	975,000			960,000	(15,000)	Offset increase in appropriation to Soil & Water Conservation
401	DPW- Auto Center	A.1640	4612.101	Repairs/Alt to Equip.Vehicle	60,000			55,000	(5,000)	
409	DPW- Engineering	D.5020	4130	Gasoline/Diesel	5,600			3,600	(2,000)	
410	DPW- Engineering	D.5020	4401.105	Professional Services - Consultants	45,000			10,000	(35,000)	
421	DPW- Road Machinery Admin	E5130	4130	Gasoline/Diesel	481,500			441,500	(40,000)	
526	DPW-Parks	A.7110	1050	Overtime	52,000			40,000	(12,000)	
528	DPW-Parks	A.7110	4127	Propane Gas	15,515			12,515	(3,000)	
530	DPW-Parks	A.7110	4611	Refuse Removal	16,443			13,443	(3,000)	
532	DWP-Parks.DC Stadium	A.7110.66	4613	Repairs/Alt to Real Prop	45,000			30,000	(15,000)	
479	DCFS- Serv for Recip	A.6070	4401.106	Professional Services- Program	500,000			750,000	250,000	
143	Contingency & Vacancy Factor	A.1990	4767.1000	Special Contingency. BOE	0			99,361	99,361	Establish a special contingency account for the BOE.
	LEGISLATIVE CHANGE:						**(17,688)**		**488,970**	
	LEGISLATIVE CUMULATIVE CHANGE:						**438,833,679**		**439,340,337**	
	TOTAL CHANGE TO APPROPRIATIONS:						**27,763,200**		**28,269,858**	
	CUMMULATIVE CHANGE:						**438,833,679**		**439,340,337**	FINAL BALANCE APPROPRIATIONS

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 3 - Town of LaGrange	Borchert		
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District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson	absent	
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District 5 - Town of Poughkeepsie	Roman		
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District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
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District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
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District 18 - City of Beacon	Forman		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Blalock		
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District 21 - Town of East Fishkill	Horton		
District 22 - Town of Beekman	Hutchings		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		

Present: 24 **Resolution:** ___ **Total :** 24 (Yes) 0 (No)

Absent: 1 **Motion:** ✓

Vacant: 0 **Abstentions:** 0

AF/D Borchert

Moved bracketed amendments on attached sheet - OCIS/Finance/Emergency Response/DPW/Contingency

12.5.13

2013342

2014 Budget Amendments

PAGE #	DEPARTMENT	DEPT CODE	APPROP LINE	LINE DESCRIPTION	2014 BUDGET	B&F 11-21-13 AMENDED TOTAL	11/21/13 DIFFERENCE	FINAL 12-5-13 AMENDMENTS	12/5/13 DIFFERENCE	COMMENTS / INTENT
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224	Probation	A.3140	4439	Summons & Witness Fees	0			35,000	35,000	Reinstitute family court process serving eliminated in 2010.
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401	DPW- Auto Center	A.1640	4612.101	Repairs/Alt to Equip.Vehicle	60,000			55,000	(5,000)	
409	DPW- Engineering	D.5020	4130	Gasoline/Diesel	5,600			3,600	(2,000)	
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	TOTAL CHANGE TO APPROPRIATIONS:						**27,763,200**		**28,269,858**	
	CUMMULATIVE CHANGE:						**438,833,679**		**439,340,337**	FINAL BALANCE APPROPRIATIONS

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
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District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon	Forman		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Blalock		
District 20 - Town of Red Hook	Traudt		
District 21 - Town of East Fishkill	Horton		
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District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		

Present: 24
Absent: 1
Vacant: 0

Resolution: ___
Motion: ✓

Total : ___ Yes ___ No

Abstentions: ___

AF

add Family Court
Process Server
to Probation A3140.4439
+ $35,000

2013342
12.5.13

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
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District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
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Present: 24
Absent: 1
Vacant: 0

Resolution: —
Motion: ✓

Total : 24 (Yes) 0 (No)
Abstentions: 0

A8710 Soil + Water Conservation
4400.4662 + 30,000

2013342
12.5.13

Roll Call Sheets

District	Last Name	Yes	No
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District 20 - Town of Red Hook	Traudt		
District 21 - Town of East Fishkill	Horton		
District 22 - Town of Beekman	Hutchings		
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey		

Present: 24
Absent: 1
Vacant: 0

Resolution: ___
Motion: ✓

Total : 24 (Yes) 0 (No)

Abstentions: 0

AF/DBorchert

See attached sheet
Amendments in ^ Brackets

2013342
12·5·13

2014 Budget Amendments with Ve(s

PAGE #	DEPARTMENT	DEPT CODE	APPROP LINE	LINE DESCRIPTION	2014 BUDGET	FINAL 12-5-13 AMENDMENTS	12/5/13 DIFFERENCE	VETOES	TENTATIVE BUDGET VS. VETOES	COMMENTS / INTENT
	2014- Amendments to Budget Revenues									411,070,479
	STARTING POINT- 2014 Tentative Budget						411,070,479		411,070,479	
	BUDGET OFFICE AMENDMENTS:				FROM	TO	IMPACT	TO	IMPACT	
448	DPW Airport	EA.5610	50310	Interfund transfer	633,254	478,454	(154,800)		(154,800)	Move Balefill Debt service from Airport to General as it is not an Airport specific project.
546	Planning & Development	A.8020	39890	Other Home & Comm Srvc	17,500	37,500	20,000		20,000	Increase in funds needed for the Ag plan- 100% funded.
158	Sales Tax	A.1331	11100	Sales & Use Tax	153,993,000	181,891,000	27,898,000		27,898,000	Adjust budget to reflect gross sales tax revenue.
	BUDGET OFFICE CHANGE:						27,763,200		27,763,200	
	BUDGET OFFICE CUMULATIVE CHANGE:						438,833,679		438,833,679	
	LEGISLATIVE AMENDMENTS:				FROM	TO	IMPACT	TO	IMPACT	
98	Finance	A.1310	12350.01	Tax Adv & Redemption.Search Fee	180,000	190,000	10,000		10,000	
99	Real Property Tax Division	A.1355	12500.00	Assessor Fees.Maps & Aero Photos	11,000	12,500	1,500		1,500	
141	DPW-Bldgs.	A.1620	30210.	Court Facilities	410,000	435,000	25,000		25,000	
501	Dept Comm & Family Srvcs	A.6010	36100.04	DCFS Admin. RF2A	5,630,831	5,679,953	49,122		49,122	Add Back WCWP Support Asst position 2188 to DCFS instead of DMH- Reimb. 60%
327	Health Department- Planning & Ed	A.4010.27	34010.01	Pub Hlth. Article 6	188,375	206,713	18,338		18,338	Add GIS Tech Position 224 to Health Department- Reimb. 36% Salary only
510	DCFS-Safety Net	A6140	36400	Safety Net	1,777,000	1,779,900	2,900	1,777,000	0	Reimbursement for $10,000 increase for Hudson River Housing at 29%
533	DPW-Parks	A.7110	20010	Parks	182,625	190,000	7,375		7,375	
158	Sales Tax	A.1331	11100	Sales & Use Tax	181,891,000	182,240,361	349,361		349,361	Establish a special contingency account for the BOE using sales tax
	LEGISLATIVE CHANGE:						463,596		460,696	
	LEGISLATIVE CUMULATIVE CHANGE:						439,297,275		439,294,375	
	TOTAL CHANGE TO REVENUES:						28,226,796		28,223,896	
	CUMMULATIVE CHANGE REVENUES:						439,297,275		439,294,375	FINAL BALANCE REVENUES
	NET PROPERTY TAX LEVY IMPACT:				107,931,374	107,974,436	43,062	107,974,160	42,786	NET PROPERTY TAX LEVY IMPACT

Roll Call Sheets

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

Present: 24 **Resolution:** ✓ **Total :** 24 (Yes) 0 (No)

Absent: 1 **Motion:** ✓

Vacant: 0 **Abstentions:** 0

RW/JM PS. 479 DCFS - Serv for Recip
A6070.4401. Increase by $250,000
106 Heap Progam

2013 342
12.5.13

Roll Call Sheets

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

Present: 24 **Absent:** 1 **Vacant:** 0

Resolution: ___ **Motion:** ✓

Total : 8 Yes / 16 No

Abstentions: ___

JT/AMAC

defeated

See attached sheet

12.5.13
2013342

-9
180,000

(1)

Budget Amendment Form

From Legislator: TYNER

Page #	Department	Dept. Code	Approp Line	Line Description	From Recommend	To Amendment	Impact Difference
136	DPW-Buildings	A.1620	4220	Electric - Light & power	$598,641	$418,641	$180,000

Notes:
(If any)

[savings from no money-down, power-purchase agreements for county buildings → solar!) → (30% savings in Schenectady County thus far)

Roll Call Sheets

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

Present: 24
Absent: 1
Vacant: 0

Resolution: ___
Motion: ✓

Total : 16 (Yes) 8 (No)

Abstentions: 0

JT/J Doxsey See attached sheet

PS. 478 A6070. 4400. 4425

+$10,000

2013342
12.5.13

(2)

Budget Amendment Form

From Legislator: TYNER

Page #	Department	Dept. Code	Approp Line	Line Description	From Recommend	To Amendment	Impact Difference
478	DCFS – Services for Recipients	A6070	4400. 4425	Adsorption Housing	$527,438	$537,438	$10,000

Notes:
(If any)

Roll Call Sheets

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

Present: 24 **Absent:** 1 **Vacant:** 0

Resolution: ____ **Motion:** ____

Total : 13 (Yes) 11 (No)

Abstentions: 0

JT/AMAC

Pg. 494 A. 7310.54

4400.4461

+ #20,000

12.5.13

201342

(3)

Budget Amendment Form

From Legislator: TYNER

Page #	Department	Dept. Code	Approp Line	Line Description	From Recommend	To Amendment	Impact Difference
494	DCFS – Youth Dev. Delinquent Progs	A. 7310.54	4400. 4461	Cornell Cooperative Extension of Dutchess County	0	$20,000	$20,000

Notes:

(If any)

Roll Call Sheets

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

Present: 24 **Absent:** 1 **Vacant:** 0

Resolution: ___ **Motion:** ✓

Total : 7 Yes / 17 No

Abstentions: 0

JT/DBlalock
Pg. 535
A. 8040

Human Rights
+ 50,000

2013342
12.5.13

(4)

Budget Amendment Form

From Legislator: TYNER

Page #	Department	Dept. Code	Approp Line	Line Description	From Recommend	To Amendment	Impact Difference
535	Human Rights Commission	A. 8040		Human Rights Commission	0	$50,000	$50,000

Notes:
(If any)

[this is Dutchess — home to Eleanor Roosevelt]

Roll Call Sheets

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

Present: 24 **Absent:** 1 **Vacant:** 0

Resolution: ✓ **Motion:** ✓

Total : 7 Yes 17 No

Abstentions: ____

JT / AMAC

ET. 5680

12.5.13

2013342

17500.00 + 1,000
17500.01 + 1,000
17500.03 + 1,000
17500.05 + 1,000
17500.06 + 1,000
17500.07 + 1,000
17500.08 + 1,000

(5)

Budget Amendment Form

From Legislator: TYNER

Page #	Department	Dept. Code	Approp Line	Line Description	From Recommend	To Amendment	Impact Difference
395	Public Transportation	ET 5690	17500.00	Fixed Route : FB	665,380	666,380	$1000
			17500.01	Flex : FB	4506	5506	$1000
			17500.03	Rail → Rail : FB	$18,500	$19,500	$1000
			17500.05	OFA DAS: Tony	$260,049	$261,040	$1000
			17500.06	ADA Complementary Paratransit	$17,164	$18,164	$1000
			17500.07	Rail Maint : FB	$18,250	$19,250	$1000
			17500.08	Capitol	$9,250	$10,250	$1000

BUS OPERATIONS

Notes:
(If any)

Roll Call Sheets

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

Present: 24 **Absent:** 1 **Vacant:** 0

Resolution: ___ **Motion:** ✓

Total : 8 Yes 16 No

Abstentions: 0

ps. 539 . 540

A820 . 4403

+ 4,000

2013342

12.5.13

(6)

Budget Amendment Form

From Legislator: TYNER

Page #	Department	Dept. Code	Approp Line	Line Description	From Recommend	To Amendment	Impact Difference
539-540	Planning & Development	A.8020	4403	Environmental Services	$4000	$8000	$4000

Notes:
(If any)

(to help implement Solarize Dutchess program w/ Dc.C. Environmental Managent Council, Cornell Coop. Extension & Dutchess County, et al.)

Roll Call Sheets

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

Present: 24
Absent: 1
Vacant: 0

Resolution: ✓
Motion: ✓

Total : 8 Yes / 16 No

Abstentions: 0

JT | AM AC

MTBE - Groundwater

+ $1,000

12.5.13
2013342

Budget Amendment Form

From Legislator: TYNER

Page #	Department	Dept. Code	Approp Line	Line Description	From Recommend	To Amendment	Impact Difference
304	Health Dept. (Environmental)	A. 4010.29	4653	Public Info and Services	$380	$1350	$1000

Notes:
(If any)

to educate county residents
about threat of MTBE, etc.
in groundwater across county

Roll Call Sheets

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

Present: 24
Absent: 1
Vacant: 0

Resolution: ___
Motion: ✓

Total : 7 (Yes) 17 (No)

Abstentions: 0

JT/AMAC Youth Bureau

Project Return

+ #159,460

2013342
12.5.13

Budget Amendment Form

From Legislator: TYNER

Page #	Department	Dept. Code	Approp Line	Line Description	From Recommend	To Amendment	Impact Difference
499	Youth Bureau Project Return	A.7310.57	1010 4626.78 8200 9355 9400 9450 9500 9100 ↓ 4445	Project Return program for troubled youth	0	$ 159,460	$159,460

Notes:
(If any)

(over)

Roll Call Sheets

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

Present: 24
Absent: 1
Vacant: 0

Resolution:
Motion: ✓

Total : 8 (Yes) 16 (No)

Abstentions: 0

JT / R Weiss

PS. 284 Criminal Justice & + 20,000

2013342
12.5.13

Budget Amendment Form

From Legislator: TYNER

Page #	Department	Dept. Code	Approp Line	Line Description	From Recommend	To Amendment	Impact Difference
284	Criminal Justice Council	A-3010		CJC Admn	$65,325	$85,325	$20,000

Notes:

(If any)

Roll Call Sheets

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

Present: 24
Absent: 1
Vacant: 0

Resolution:
Motion: ✓

Total : 23 (Yes) 0 (No)

Abstentions: 0

AF/D Borchert

Call the Question

12.5.13
2013342

Roll Call Sheets

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

Present: 24 **Absent:** 1 **Vacant:** 0

Resolution: ___ **Motion:** ✓

Total : 1 (Yes) 23 (No)

Abstentions: 0

JT/AMAC

Ps. 480

DCFS - Medicaid Svs.

Living Wage

2013342

12.5.13

Budget Amendment Form

From Legislator: TYNER

Page #	Department	Dept. Code	Approp Line	Line Description	From Recommend	To Amendment	Impact Difference
480	DFS – Medicaid Services	A-6100	4458	Medicaid Services	$43,561,856	$37,561,856	$6,000,000

Notes:
(If any)

[Savings in Medicaid costs from new county law making sure employees of corporate chain stores and corporate chain restaurants are paid a living wage]

Roll Call Sheets

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

Present: 24 **Absent:** 1 **Vacant:** 0

Resolution: ✓ **Motion:** ✓

Total : 7 Yes / 17 No

Abstentions: 0

JT/AMAC

Jail - ATI Recommendations

2013342

12.5.13

Budget Amendment Form

From Legislator: TYNER

Page #	Department	Dept. Code	Approp Line	Line Description	From Recommend	To Amendment	Impact Difference
261	DOC	A. 3150	4428	Inmates in Other Institutions	$6,800,000	$1,000,000	$5,800,000

Notes:

(If any)

[Savings from following ATI recommendations from last November's Criminal Justice Council report — re: women, mentally ill, youth — and following National Institute of Correction recommendations for state parole violators — as noted 7/22 in Poughkeepsie Journal]

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison	1	
District 3 - Town of LaGrange	Borchert	2	
District 6 - Town of Poughkeepsie	Flesland	3	
District 10 - City of Poughkeepsie	Jeter-Jackson		1
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery		2
District 1 - Town of Poughkeepsie	Doxsey	4	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson	absent	
District 4 - Town of Hyde Park	Serino	5	
District 5 - Town of Poughkeepsie	Roman	6	
District 7 - Town of Hyde Park	Perkins		3
District 9 - City of Poughkeepsie	White		4
District 11 - Towns of Rhinebeck and Clinton	Tyner		5
District 12 - Town of East Fishkill	Weiss	7	
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner	8	
District 14 - Town of Wappinger	Amparo		6
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato	9	
District 17 - Town and Village of Fishkill	Miccio	10	
District 18 - City of Beacon	Forman	11	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Blalock		7
District 20 - Town of Red Hook	Traudt	12	
District 21 - Town of East Fishkill	Horton	½	8
District 22 - Town of Beekman	Hutchings	13	
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Thomes	14	
District 24 - Towns of Dover and Union Vale	Surman	15	
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Kelsey	16	

Present: 24 **Resolution:** ✓ **Total :** 16 8

Absent: 1 **Motion:** ___ Yes No

Vacant: 0 **Abstentions:** 0

2013342 ADOPTION OF THE TENTATIVE BUDGET FOR DUTCHESS COUNTY FOR THE YEAR 2014 SUBJECT TO AMENDMENTS HEREIN CONTAINED

Date: December 5, 2013

Roll Call Sheets

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

Present: 25 Resolution: ✓ Total: 8 17

Absent: 0 Motion: ✓ Yes No

Vacant: 0 JT/AMAC Abstentions: 0

2013342 Consideration of Veto – Cooperative Extension

A.7310.56.4400.4461 Contract Agencies.Coop Ext $20,000

Date: December 16, 2013

Roll Call Sheets

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

Present: 25
Absent: 0
Vacant: 0

Resolution: ✓
Motion: ✓

Total : 12 Yes / 13 No
Abstentions: 0

Consideration of Veto - Hudson River Housing
JT / BJJ
DCFS-SafetyNet 1,777,000 to 1,779,900
+ 2,900
12.16.13
201342
A6140 36400

Roll Call Sheets

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

Present: 25 **Absent:** 0 **Vacant:** 0

Resolution: ✓ **Motion:**

Total : 11 Yes 14 No

Abstentions: 0

JT/AMAC

2013342 Consideration of Veto – DWP Engineering

D.5020.1010 Director of Engineering (delete)
D.5020.1010 ACE II (restore)

Date: December 16, 2013

Discussion on Resolution No. 2013342 resulted as follows:

Legislator Flesland, duly seconded by Legislator Borchert, offered the following amendments:

Page	Dept	Dept #	Line #	Line Name	From	To	Change
296	Health Department- Planning & Ed	A.4010.27	1010	Positions-224	583,126	634,066	50,940
296	Health Department- Planning & Ed	A.4010.27	8100	Pymts to Retire System	106,721	116,705	9,984
296	Health Department- Planning & Ed	A.4010.27	8200	Pymts to State Soc Sec	44,620	48,518	3,898
296	Health Department- Planning & Ed	A.4010.27	8355	Long-Term Disability	600	660	60
296	Health Department- Planning & Ed	A.4010.27	8400	Hospital, Med & Surg Ins	102,526	121,143	18,617
296	Health Department- Planning & Ed	A.4010.27	8450	Optical Insurance	2,052	2,280	228
296	Health Department- Planning & Ed	A.4010.27	8500	Dental Insurance	9,378	10,420	1,042

Roll call on the foregoing amendment resulted as follows:

Yes: 24

No: 0

Absent: 1 – Wilkinson

Motion adopted.

Legislator Flesland, duly seconded by Legislator Borchert, offered the following amendments:

Page	Dept	Dept #	Line #	Line Name	From	To	Change
16	Comptroller	A.1315	1010	Positions-335	801,512	878,771	77,259
16	Comptroller	A.1315	8100	Pymts to Retire System	146,628	161,771	15,143
16	Comptroller	A.1315	8200	Pymts to State Soc Sec	61,328	67,240	5,912
16	Comptroller	A.1315	8355	Long-Term Disability	1,759	1,819	60
16	Comptroller	A.1315	8400	Hospital, Med & Surg Ins	160,975	179,592	18,617
16	Comptroller	A.1315	8450	Optical Insurance	2,732	2,960	228
16	Comptroller	A.1315	8500	Dental Insurance	12,817	13,859	1,042

Roll call on the foregoing amendment resulted as follows:

Yes: 24

No: 0

Absent: 1 – Wilkinson

Motion adopted.

Legislator Flesland, duly seconded by Legislator Borchert, offered the following amendments:

Page	Dept	Dept #	Line #	Line Name	From	To	Change
408	DPW Engineering	D.5020	1010	Positions- Add 1270, Delete 3083	1,105,143	1,136,960	31,817
408	DPW Engineering	D.5020	8200	Pymts to State Soc Sec	84,558	86,702	2,144
408	DPW Engineering	D.5020	8355	Long-Term Disability	1,403	2,075	672
408	DPW Engineering	D.5020	8400	Hospital, Med & Surg Ins	210,543	215,566	5,023
408	DPW Engineering	D.5020	8450	Optical Insurance	3,416	3,420	4
408	DPW Engineering	D.5020	8500	Dental Insurance	15,943	15,630	(313)
408	DPW Engineering	D.5020	8800	Life Ins & Acc Death & Dismemb	361	790	429
408	DPW Engineering	D.5020	8850	ACC Death & Dismemb	33	72	39

Roll call on the foregoing amendment resulted as follows:

Yes: 24

No: 0

Absent: 1 – Wilkinson

Motion adopted.

Legislator Flesland, duly seconded by Legislator Borchert, offered the following amendments:

Page	Dept	Dept #	Line #	Line Name	From	To	Change
470	Dept Comm & Family Srvcs	A.6010	1010	Positions-1903	17,621,191	17,679,628	58,437
470	Dept Comm & Family Srvcs	A.6010	8100	Pymts to Retire System	3,476,934	3,488,388	11,454
470	Dept Comm & Family Srvcs	A.6010	8200	Pymts to State Soc Sec	1,347,176	1,351,648	4,472
470	Dept Comm & Family Srvcs	A.6010	8355	Long-Term Disability	23,502	23,562	60
470	Dept Comm & Family Srvcs	A.6010	8400	Hospital, Med & Surg Ins	3,984,042	3,991,489	7,447

Roll call on the foregoing amendment resulted as follows:

Yes: 24

No: 0

Absent: 1 – Wilkinson

Motion adopted.

Legislator Flesland, duly seconded by Legislator Borchert, offered the following amendments:

Page	Dept	Dept #	Line #	Line Name	From	To	Change
25	OCIS-Telecom	A.1650	4230.51	Telephone.Landlines	380,000	350,000	(30,000)
25	OCIS-Telecom	A.1650	4230.52	Telephone.Cell Phones/Wireless Services	95,000	80,000	(15,000)
35	OCIS-Print/Mail-Mail	A.1670.19	4650	External Postage	355,418	290,000	(65,418)
86	Finance	A.1310	4448	Accountants & Auditors	10,000	5,000	(5,000)
212	Emergency Response	A.3410	4613	Repairs/Alt to Real Prop	12,000	10,000	(2,000)
136	DPW-Bldgs	A.1620	4126	Fuel Oil for Heating	263,725	253,725	(10,000)
136	DPW-Bldgs	A.1620	4210	Gas & Public Utilities	140,560	135,560	(5,000)
400	DPW-Auto Center	A.1640	4130	Gasoline/Diesel	975,000	960,000	(15,000)
401	DPW- Auto Center	A.1640	4612.101	Repairs/Alt to Equip.Vehicle	60,000	55,000	(5,000)
409	DPW- Engineering	D.5020	4130	Gasoline/Diesel	5,600	3,600	(2,000)
410	DPW- Engineering	D.5020	4401.105	Professional Services - Consultants	45,000	10,000	(35,000)
421	DPW- Road Machinery Admin	E5130	4130	Gasoline/Diesel	481,500	441,500	(40,000)
526	DPW-Parks	A.7110	1050	Overtime	52,000	40,000	(12,000)
528	DPW-Parks	A.7110	4127	Propane Gas	15,515	12,515	(3,000)
530	DPW-Parks	A.7110	4611	Refuse Removal	16,443	13,443	(3,000)
532	DWP-Parks.DC Stadium	A.7110.66	4613	Repairs/Alt to Real Prop	45,000	30,000	(15,000)
143	Contingency & Vacancy Factor	A.1990	4767.1000	Special Contingency. BOE	0	99,361	99,361

Roll call on the foregoing amendment resulted as follows:

Yes: 24

No: 0

Absent: 1 – Wilkinson

Motion adopted.

Legislator Flesland, duly seconded by Legislator Borchert, offered the following amendments:

Page	Dept	Dept #	Line #	Line Name	From	To	Change
224	Probation	A.3140	4439	Summons & Witness Fees	0	35,000	35,000

Roll call on the foregoing amendment resulted as follows:

Yes: 24

No: 0

Absent: 1 – Wilkinson

Motion adopted.

Legislator Flesland, duly seconded by Legislator Borchert, offered the following amendments:

Page	Dept	Dept #	Line #	Line Name	From	To	Change
553	Soil & Water Conservation	A.8710	4400.4662	Soil Conservation	235,000	265,000	30,000

Roll call on the foregoing amendment resulted as follows:

Yes: 24

No: 0

Absent: 1 – Wilkinson

Motion adopted.

Legislator Flesland, duly seconded by Legislator Borchert, offered the following amendments:

Page	Dept	Dept #	Line #	Line Name	From	To	Change
98	Finance	A.1310	12350.01	Tax Adv & Redemption.Search Fee	180,000	190,000	10,000
99	Real Property Tax Division	A.1355	12500.00	Assessor Fees.Maps & Aero Photos	11,000	12,500	1,500
141	DPW-Bldgs.	A.1620	30210.	Court Facilities	410,000	435,000	25,000
501	Dept Comm & Family Srvcs	A.6010	36100.04	DCFS Admin. RF2A	5,630,831	5,679,953	49,122

327	Health Department- Planning & Ed	A.4010.27	34010.01	Pub Hlth. Article 6	188,375	206,713	18,338
510	DCFS-Safety Net	A6140	36400	Safety Net	1,777,000	1,779,900	2,900
533	DPW-Parks	A.7110	20010	Parks	182,625	190,000	7,375

Roll call on the foregoing amendment resulted as follows:

Yes: 24

No: 0

Absent: 1 – Wilkinson

Motion adopted.

Legislator Weiss, duly seconded by Legislator Miccio, offered the following amendments:

Page	Dept	Dept #	Line #	Line Name	From	To	Change
479	DCFS- Serv for Recip	A.6070	4401.106	Professional Services- Program	500,000	750,000	250,000

Roll call on the foregoing amendment resulted as follows:

Yes: 24

No: 0

Absent: 1 – Wilkinson

Motion adopted.

Legislator Tyner, duly seconded by Legislator MacAvery, offered the following amendments:

Page	Dept	Dept #	Line #	Line Name	From	To	Change
136	DPW-Bldgs	A.1620	4220	Electric Light & Power	598,641	418,641	(180,000)

Roll call on the foregoing amendment resulted as follows:

Yes: 8 Jeter-Jackson, MacAvery, Doxsey, Perkins, White, Tyner, Amparo, Blalock

No: 16

Absent: 1 – Wilkinson

Motion defeated.

Legislator Tyner, duly seconded by Legislator Doxsey, offered the following amendments:

Page	Dept	Dept #	Line #	Line Name	From	To	Change
478	DCFS- Serv for Recip	A.6070	4400.4425	Contract Agencies.Hudson River Housing	527,438	537,438	10,000

Roll call on the foregoing amendment resulted as follows:

Yes: 16 Jeter-Jackson, MacAvery, Doxsey, Serino, Perkins, White, Tyner, Amparo, Incoronato, Blalock, Traudt, Horton, Thomes, Kelsey, Flesland, Weiss

No: 8

Absent: 1 – Wilkinson

Motion adopted.

Legislator Tyner, duly seconded by Legislator MacAvery, offered the following amendments:

Page	Dept	Dept #	Line #	Line Name	From	To	Change
498	DCFS-Youth Dev Delinquent	A.7310.54	4400.4461	Contract Agencies.Coop Ext.	0	20,000	20,000

Roll call on the foregoing amendment resulted as follows:

Yes: 13 Borchert, Jeter-Jackson, MacAvery, Doxsey, Serino, Perkins, White, Tyner, Amparo, Blalock, Traudt, Horton, Kelsey

No: 11

Absent: 1 – Wilkinson

Motion adopted.

Legislator Tyner, duly seconded by Legislator Blalock, offered the following amendments:

Page	Dept	Dept #	Line #	Line Name	From	To	Change
535	Human Rights Commission	A.8040			0	50,000	50,000

Roll call on the foregoing amendment resulted as follows:

Yes: 7 Jeter-Jackson, MacAvery, Doxsey, Perkins, Tyner, Amparo, Blalock

No: 17

Absent: 1 – Wilkinson

Motion defeated.

Legislator Tyner, duly seconded by Legislator MacAvery, offered the following amendments:

Page	Dept	Dept #	Line #	Line Name	From	To	Change
395	Public Transportation	ET.5680	17500.00	Bus Operations.Fixed Route	665,380	666,380	1,000
395	Public Transportation	ET.5680	17500.01	Bus Operations.Flex	4,586	5,586	1,000
395	Public Transportation	ET.5680	17500.03	Bus Operations.Dial-A-Ride	18,500	19,500	1,000
395	Public Transportation	ET.5680	17500.05	Bus Operations.OFA DAR-Town	260,040	261,040	1,000
395	Public Transportation	ET.5680	17500.06	Bus Operations. ADA Complementary Paratransit	17,164	18,164	1,000
395	Public Transportation	ET.5680	17500.07	Bus Operations.Rail Link	18,250	19,250	1,000
395	Public Transportation	ET.5680	17500.08	Bus Operations.C/O Pok	9,250	10,250	1,000

Roll call on the foregoing amendment resulted as follows:

Yes: 7 Jeter-Jackson, MacAvery, Doxsey, Perkins, Tyner, Amparo, Blalock

No: 17

Absent: 1 – Wilkinson

Motion defeated.

Legislator Tyner, duly seconded by Legislator MacAvery, offered the following amendments:

Page	Dept	Dept #	Line #	Line Name	From	To	Change
539	Planning and Development	A.8020	4403	Environmental Services	4,000	8,000	4,000

Roll call on the foregoing amendment resulted as follows:

Yes: 8 Jeter-Jackson, MacAvery, Doxsey, Perkins, White, Tyner, Amparo, Blalock

No: 16

Absent: 1 – Wilkinson

Motion defeated.

Legislator Tyner, duly seconded by Legislator MacAvery, offered the following amendments:

Page	Dept	Dept #	Line #	Line Name	From	To	Change
304	Health Dept.Env Health	A.4010.29	4653	Public Info & Services	350	1,350	1,000

Roll call on the foregoing amendment resulted as follows:

Yes: 8 Jeter-Jackson, MacAvery, Doxsey, Perkins, White, Tyner, Amparo, Blalock

No: 16

Absent: 1 – Wilkinson

Motion defeated.

Legislator Tyner, duly seconded by Legislator MacAvery, offered the following amendments:

Page	Dept	Dept #	Line #	Line Name	From	To	Change
499	DCFS-Youth Special Delinquent Program	A.7310.58			0	159,460	159,460

Roll call on the foregoing amendment resulted as follows:

Yes: 7 Jeter-Jackson, MacAvery, Doxsey, Perkins, Tyner, Amparo, Blalock,

No: 17

Absent: 1 – Wilkinson

Motion defeated.

Legislator Tyner, duly seconded by Legislator Weiss, offered the following amendments:

Page	Dept	Dept #	Line #	Line Name	From	To	Change
284	CJC Admin	A.3010	4401.105	Professional Services	65,000	85,325	20,000

Roll call on the foregoing amendment resulted as follows:

Yes: 8 Jeter- Jackson, MacAvery, Doxsey, Perkins, Tyner, White, Amparo, Blalock

No: 16

Absent: 1 – Wilkinson

Motion defeated.

Legislator Tyner, duly seconded by Legislator MacAvery, offered the following amendments:

Page	Dept	Dept #	Line #	Line Name	From	To	Change
480	DCFS-Medicaid Services	A.6100	4458	Medicaid Services	43,561,856	37,561,856	(6,000,000)

Flesland called the question, duly seconded by Legislator Borchert, and carried with Legislator Tyner being the only no vote.

Roll call on the foregoing amendment resulted as follows:

Yes: 1 Tyner

No: 23

Absent: 1 – Wilkinson

Motion defeated.

Legislator Tyner, duly seconded by Legislator MacAvery, offered the following amendments:

Page	Dept	Dept #	Line #	Line Name	From	To	Change
261	Jail	A.3150	4428	Inmates in Other Institutions	6,800,000	1,000,000	(5,800,000)

Roll call on the foregoing amendment resulted as follows:

Yes: 7 Jeter-Jackson, MacAvery, Doxsey, Perkins, Tyner, Amparo, Blalock

No: 17

Absent: 1 – Wilkinson

Motion defeated.

Roll call on the foregoing resolution, as amended, resulted as follows:

Yes: 16

No: 8 Jeter-Jackson, MacAvery, Perkins, White, Tyner, Amparo, Blalock, Horton

Absent: 1 – Wilkinson

Resolution adopted.

At the December 16, 2013, board meeting, the consideration of County Executive line-item vetoes of Resolution No. 2013342, Adoption of the Tentative Budget for Dutchess County for the Year 2014, Subject to the

Amendments Herein Contained, was discussed as follows:

Legislator Tyner, seconded by Legislator Jeter-Jackson, moved to override the veto to Hudson River Housing lines as follows:

Page	Dept	Dept #	Line #	Line Name	From	To	Change	Veto
510	DCFS-Safety Net	A6140	36400	Safety Net	1,777,000	1,779,900	2,900	1,777,000
478	DCFS- Serv for Recip	A.6070	4400.4425	Contract Agencies.Hudson River Housing	527,438	537,438	10,000	527,438

Roll call on the foregoing motion resulted as follows:

AYES: 12 Jeter-Jackson, MacAvery, Doxsey, Serino, Perkins, White, Tyner, Amparo, Incoronato, Blalock, Traudt, Kelsey,

NAYS: 13

Amendment defeated.

Legislator Tyner, seconded by Legislator MacAvery, moved to override the veto to Cornell Cooperative Extension line as follows:

Page	Dept	Dept #	Line #	Line Name	From	To	Change	Veto
498	Youth Services Division.Youth Development Program	A.7310.56	4400.4461	Contract Agencies.Coop Ext	0	20,000	20,000	0

Roll call on the foregoing motion resulted as follows:

AYES: 8 Jeter-Jackson, MacAvery, Doxsey, Perkins, White, Tyner, Amparo, Blalock

NAYS: 17

Amendment defeated.

Legislator Tyner, seconded by Legislator MacAvery, moved to override the veto to delete the Director of Engineering and restore ACE II as follows:

Page	Dept	Dept #	Line #	Line Name	From	To	Change	Veto
408	DPW Engineering	D.5020	1010	Positions- Add 1270, Delete 3083	1,105,143	1,136,960	31,817	1,105,143
408	DPW Engineering	D.5020	8200	Pymts to State Soc Sec	84,558	86,702	2,144	84,558
408	DPW Engineering	D.5020	8355	Long-Term Disability	1,403	2,075	672	1,403
408	DPW Engineering	D.5020	8400	Hospital, Med & Surg Ins	210,543	215,566	5,023	210,543
408	DPW Engineering	D.5020	8450	Optical Insurance	3,416	3,420	4	3,416
408	DPW Engineering	D.5020	8500	Dental Insurance	15,943	15,630	(313)	15,943
408	DPW Engineering	D.5020	8800	Life Ins & Acc Death & Dismemb	361	790	429	361
408	DPW Engineering	D.5020	8850	ACC Death & Dismemb	33	72	39	33

Roll call on the foregoing motion resulted as follows:

AYES: 11 Jeter-Jackson, MacAvery, Doxsey, Perkins, White, Tyner, Amparo, Forman, Blalock, Traudt, Hutchings,

NAYS: 14

Motion defeated.

Public Works & Capital Projects

RESOLUTION NO. 2013343

RE: AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY AND A PERMANENT EASEMENT FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM BRYAN ZITTEL

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

WHEREAS, the Department of Public Works has proposed the improvement of a section of Noxon Road, CR 21, in the Town of LaGrange, which project (PIN #8755.41) includes the acquisition of portions of certain properties, and

WHEREAS, a short environmental assessment form and a Negative Declaration was approved and adopted by this Legislature on December 8, 2008 under Resolution No. 208403 and the Department of Public Works determined that the improvement project (1) constitutes an unlisted action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and (2) will not have a significant effect on the environment, and

WHEREAS, the Department of Public Works has made a determination that in order to improve said road, it is necessary to acquire in fee a portion of property and a permanent easement of a portion of property presently owned by Bryan Zittel, and

WHEREAS, the acquisition in fee is a portion of parcel number 133400-6360-01-185545-0000, described as 218.61± square meters (2,353.05± square feet) more or less as shown on Map No. 53, Parcel No. 108, copy is annexed hereto, and

WHEREAS, the acquisition of a permanent easement is a portion of parcel number 133400-6360-01-185545-0000, described as 72.13± square meters (776.39± square feet) more or less as shown on Map No. 53, Parcel No. 109, copy is annexed hereto, and

WHEREAS, the Agreements to Purchase Real Property (Fee Acquisition) and (Permanent Easement) for the necessary real property are attached hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the subject property, Fee Acquisition, be purchased for the sum of $4,330.00 plus up to $450 for related expenses, and that the subject property, Permanent Easement, be purchased for the sum of $962.00, and that the terms and conditions of the Agreements be carried forth, now, therefore, be it

RESOLVED, that the County Executive or his designee is authorized to execute the Agreements to Purchase Real Property (Fee Acquisition and Permanent Easement) in substantially the form annexed hereto and all documents in connection with this acquisition, and be it further

RESOLVED, that on the submission by the property owner of deeds to the aforementioned land, which shall include the terms and conditions of the Agreements to Purchase Real Property, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, that payment be made to the property owner in the sum of $4,330.00 for Fee Acquisition and $962.00 for Permanent Easement, that the County reimburse Grantor for fees associated with the Release of Mortgage application, if any, and pay all necessary transfer tax and filing fees, and be it further

RESOLVED, that the terms and conditions of the aforementioned Agreements to Purchase Real Property (Fee Acquisition and Permanent Easement) be carried out by the Dutchess County Department of Public Works.

CA-245-13
CAB/ca/R-0907-RR
11/14/13
Fiscal Impact: See attached statement

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 12/10/2013

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

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

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

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 5,742

Total Current Year Revenue and Source $ 5,455

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

Identify Line Items(s):
H0290 5110 3009

Related Expenses: Amount $ 450

Nature/Reason:
Anticipated expenses related to Mortgage Releases, Filing Fees, Property Taxes and other closing costs.

Anticipated Savings to County: $5,455

Net County Cost (this year): $287

Over Five Years:

Additional Comments/Explanation:
This Fiscal Impact Statement pertains to the accompanying resolution request for the authorization to acquire additional right of way identified on Map 53, Parcels 108 &109, for the sum of $5,292.00 associated with the project identified as PIN 8755.41 Rehabilitation of CR 21(Noxon Road), NYS 55 to CR 49 (Titusville Road), Town of Lagrange.

Related expenses are included in the Total Current Year Costs.

Prepared by: Matthew W. Davis 2925

Out.pdf

ADVANCE PAYMENT AGREEMENT TO PURCHASE REAL PROPERTY
(FEE ACQUISITION)

Project: REHABILITATION OF NOXON ROAD/TITUSVILLE ROAD INTERSECTION
PIN: 8755.41 Map: 53 Parcel: 108

This Advance Payment Agreement by and between BRYAN ZITTEL, hereinafter referred to as the "Seller", and the COUNTY OF DUTCHESS, hereinafter referred to as the "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

1. PROPERTY DESCRIPTION. The Seller agrees to sell, grant, convey all right, title and interest to a 218.61± Square Meter (2353.05± Square Foot) parcel located on the West Side of CR 21, Noxon Road, in the Town of LaGrange, Dutchess County, New York, further described as:

   Being a portion of those same lands described in a deed dated June 27, 2006, and recorded on June 30, 2006 in Liber 22006 at Page 5273 (as Document #0220065273) in the Office of the County Clerk for Dutchess County, New York with the address 318 Noxon Road (Re. Tax map No. 133400-6360-01-185545-0000), and being the same lands designated as Map 53, Parcel 108 on exhibit "A" attached here to.

2. IMPROVEMENTS INCLUDED IN THE ACQUISITION. The following improvements, if any, now in or on the property are included in this Advance Payment Agreement: 2,050.52 sq. ft. of lawn and 177.83 sq. ft. of driveway material to be removed.

3. PURCHASE PRICE. Whereas, the Seller and the Buyer cannot agree upon the value of the real property interest and the legal damages, the Buyer is willing to pay an amount equal to the amount determined by the Buyer to be the value of the real property interest to be acquired and the legal damages. This amount is Four Thousand Tree Hundred Thirty Dollars($4,330.00). This price includes the real property interest described in Paragraph one (1) and the improvements described in Paragraph two (2). The Seller agrees, as a prerequisite to such advance payment, to execute and to deliver or cause the execution and delivery to the Buyer of all formal papers which the Buyer deems necessary to authorize payment and to secure to the Buyer a full release of all claims (other than the claim of the Seller) by reason of the acquisition of the aforementioned real property interest with improvements.

4. PAYMENT. Payment is to be made upon approval of this agreement by the Buyer after authorization by appropriate administrative and legal entities, as may be required by statute, and after Buyer has provided all papers necessary to convey clear title and release all third party claims to the advance payment proceeds.

5. CLAIM. Pursuant to New York State Eminent Domain Procedure Law, the Seller hereby reserves the right to file a claim with the Supreme Court, held in the judicial district where the real property is situated, or if a claim has been filed, reserves the right to prosecute said claim, it being understood, however, that any such claim shall be filed within one (1) year after title to the aforementioned real property interest is conveyed. It is agreed that, if the Supreme Court finds the value of the real property interest acquired is equal to or exceeds the advance payment amount, the amount of such advance payment shall be deducted from the amount so found by the court or, in the alternative, the award of said court shall be in the amount of the excess, if any, over and above the advance payment amount. In the event the amount so found by the court is less than the amount of said advance payment, the Buyer, upon application made to the court on at least eight days notice to the Seller, may request the difference between the award as found by the court and the amount of said advance payment. This Paragraph 5 of this Advance Payment Agreement shall not merge into the deed and shall survive the conveyance of the aforementioned real property interest.

6. FILING. It is understood and agreed by and between the parties hereto, that pursuant to statute, if no claim is filed by the Seller in the Supreme Court within one (1) year after title to the aforementioned real property interest is conveyed, then, upon the expiration of that time, this Advance Payment Agreement shall automatically become a Purchase Agreement in full and complete settlement of all claims without further ratification, approval or consent by Seller and Seller shall be deemed to have released Seller's claim against the Buyer.

7. TITLE DOCUMENTS. Buyer will pay for and furnish to the Seller an acquisition map.

8. MARKETABILITY OF TITLE. Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in fee simple and/or permanent easement to the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph three (3), and paid to the appropriate party by the Buyer.

9. RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS. Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between Seller and Buyer as of the date of conveyance: current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.

10. RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY. The aforesaid terms, agreements and understandings shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.

11. ENTIRE AGREEMENT. This Advance Payment Agreement when signed by both the Buyer and the Seller will be the record of the complete Advance Payment Agreement between the Buyer and Seller concerning the condemnation of the property. No verbal agreements or promises will be binding.

12. NOTICES. All notices under this Advance Payment Agreement shall be deemed delivered upon receipt. Any notices relating to this Advance Payment Agreement may be given by the attorneys for the parties.

13. PROJECT RELATED IMPROVEMENTS. The following improvements will occur within this fee acquisition as a result of the Rehabilitation of Noxon Road Project, PIN 8755.41: Including, but not limited to the following: the shoulder of Noxon Road will be widened and the adjacent side slope will be graded to meet with the existing ground and seeded to re-establish a grass surface.

14. ADDENDA. The following Addenda are incorporated into this Advance Payment Agreement:
[ ] Temporary Easement [ ] Cost to Cure [ ] Other _____

IN WITNESS WHEREOF, on this 25 day of October, 2013, the parties have entered into this Advance Payment Agreement.

Seller: _____
Bryan Zittel

STATE OF NEW YORK)
) SS:
COUNTY OF DUTCHESS)

On this 25th day of October, 2013, before me, the undersigned, a Notary Public in and for said state, personally appeared Bryan Zittel, 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 this instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

SUSANNE J. HICKS
Notary Public, State of New York
No. 4821387
Qualified in Dutchess County
Commission Expires July 31, 2014

County of Dutchess

Witness:_____

Buyer:_____
Marcus J. Molinaro
County Executive

APPROVED AS TO FORM:

_____
Carol A. Bogle
Chief Asst. County Attorney

APPROVED AS TO CONTENT:

_____
Gregory V. Bentley, P.E.
Director of Engineering

ADVANCE PAYMENT AGREEMENT TO PURCHASE REAL PROPERTY
(PERMANENT EASEMENT)

Project; REHABILITATION OF NOXON ROAD/TITUSVILLE ROAD INTERSECTION
PIN: 8755.41 Map: 53 Parcel: 109

This Advance Payment Agreement by and between BRYAN ZITTEL, hereinafter referred to as the "Seller", and the COUNTY OF DUTCHESS, hereinafter referred to as the "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

1. PROPERTY DESCRIPTION. The Seller agrees to sell, grant, convey permanent easement to a 72.13± Square Meter (776.39± Square Foot) parcel located on the West Side of CR 21, Noxon Road, in the Town of LaGrange, Dutchess County, New York, further described as:

   Being a portion of those same lands described in a deed dated June 27, 2006, and recorded on June 30, 2006 in Liber 22006 at Page 5273 (as Document #0220065273) in the Office of the County Clerk for Dutchess County, New York with the address of 318 Noxon Road (Re. Tax map No. 133400-6360-01-185545-0000), and being the same lands designated as Map 53, Parcel 109 on exhibit "A" attached here to.

2. IMPROVEMENTS INCLUDED IN THE ACQUISITION. The following improvements, if any, now in or on the property are included in this Advance Payment Agreement: None

3. PURCHASE PRICE. Whereas, the Seller and the Buyer cannot agree upon the value of the real property interest and the legal damages, the Buyer is willing to pay an amount equal to the amount determined by the Buyer to be the value of the real property interest to be acquired and the legal damages. This amount is Nine Hundred Sixty Two Dollars ($962.00). This price includes the real property interest described in Paragraph one (1) and the improvements described in Paragraph two (2). The Seller agrees, as a prerequisite to such advance payment, to execute and to deliver or cause the execution and delivery to the Buyer of all formal papers which the Buyer deems necessary to authorize payment and to secure to the Buyer a full release of all claims (other than the claim of the Seller) by reason of the acquisition of the aforementioned real property interest with improvements.

4. PAYMENT. Payment is to be made upon approval of this agreement by the Buyer after authorization by appropriate administrative and legal entities, as may be required by statute, and after Buyer has provided all papers necessary to convey clear title and release all third party claims to the advance payment proceeds.

5. CLAIM. Pursuant to New York State Eminent Domain Procedure Law, the Seller hereby reserves the right to file a claim with the Supreme Court, held in the judicial district where the real property is situated, or if a claim has been filed, reserves the right to prosecute said claim, it being understood, however, that any such claim shall be filed within one (1) year after title to the aforementioned real property interest is conveyed. It is agreed that, if the Supreme Court finds the value of the real property interest acquired is equal to or exceeds the advance payment amount, the amount of such advance payment shall be deducted from the amount so found by the court or, in the alternative, the award of said court shall be in the amount of the excess, if any, over and above the advance payment amount. In the event the amount so found by the court is less than the amount of said advance payment, the Buyer, upon application made to the court on at least eight days notice to the Seller, may request the difference between the award as found by the court and the amount of said advance payment. This Paragraph 5 of this Advance Payment Agreement shall not merge into the deed and shall survive the conveyance of the aforementioned real property interest.

6. FILING. It is understood and agreed by and between the parties hereto, that pursuant to statute, if no claim is filed by the Seller in the Supreme Court within one (1) year after title to the aforementioned real property interest is conveyed, then, upon the expiration of that time, this Advance Payment Agreement shall automatically become a Purchase Agreement in full and complete settlement of all claims without further ratification, approval or consent by Seller and Seller shall be deemed to have released Seller's claim against the Buyer.

7. TITLE DOCUMENTS. Buyer will pay for and furnish to the Seller an acquisition map.

8. MARKETABILITY OF TITLE. Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in fee simple and/or permanent easement to the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph three (3), and paid to the appropriate party by the Buyer.

9. RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS. Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between Seller and Buyer as of the date of conveyance: current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.

10. RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY. The aforesaid terms, agreements and understandings shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.

11. ENTIRE AGREEMENT. This Advance Payment Agreement when signed by both the Buyer and the Seller will be the record of the complete Advance Payment Agreement between the Buyer and Seller concerning the condemnation of the property. No verbal agreements or promises will be binding.

12. NOTICES. All notices under this Advance Payment Agreement shall be deemed delivered upon receipt. Any notices relating to this Advance Payment Agreement may be given by the attorneys for the parties.

13. PROJECT RELATED IMPROVEMENTS. The following improvements will occur within this fee acquisition as a result of the Rehabilitation of Noxon Road Project, PIN 8755.41: Work area in connection with the grading of the slope and installation of a drainage outlet, including clearing/grubbing activities, future grading, cleaning, rehabilitation, inspection, landscaping, stone outlet protection, equipment and machinery access and the placement of temporary erosion and sediment control measures for the duration of this project.

14. ADDENDA. The following Addenda are incorporated into this Advance Payment Agreement:
[ ] Temporary Easement [ ] Cost to Cure [ ] Other _____

IN WITNESS WHEREOF, on this 25 day of OCT, 2013, the parties have entered into this Advance Payment Agreement.

Seller: B Ziffel
Bryan Ziffel

STATE OF NEW YORK)
) SS:
COUNTY OF DUTCHESS)

On this 25th day of October, 2013, before me, the undersigned, a Notary Public in and for said state, personally appeared Bryan Ziffel, 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 this instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

S J Hicks
Notary Public

SUSANNE J. HICKS
Notary Public, State of New York
No. 4821387
Qualified in Dutchess County
Commission Expires July 31, 2014

County of Dutchess

Witness:_____

Buyer:_____
Marcus J. Molinaro
County Executive

APPROVED AS TO FORM:

_____
Carol A. Bogle
Chief Asst. County Attorney

APPROVED AS TO CONTENT:

_____
Gregory V. Bentley, P.E.
Director of Engineering

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

MAP NO. 53
PARCEL NO. 108-111,141
SHEET 1 OF 3

REHABILITATION OF NOXON ROAD
NY ROUTE 55 TO TITUSVILLE ROAD

PIN 8755.41

Originals of this map (sheets 1 through 3) are on file at the offices of the Dutchess County Department of Public Works

ACQUISITION DESCRIPTION:
Types: FEE, PE, TE
Portion of Real Property Tax Parcel ID No.
133400-6360-01-185545-0000

Town of LaGrange
County of Dutchess
State of New York

REPUTED OWNER:
Zittel, Bryan
318 Noxon Road
Poughkeepsie, NY 12603

BRYAN ZITTEL
(REPUTED OWNER)
L.22006 P.5273

CARL OSTERLING
(REPUTED OWNER)
318 NOXON ROAD

GRID NORTH

TO B-19 (STA. 3+466.195)
S 19°26'42.00" E

3.45±m (11.3±FT) N 81°45'23.93" E
℄ STA. 3+499.746
3.19±m

14.42±m (47.3±FT)
N 81°45'23.93" E

℄ STA. 3+500.415
0.19±m

14.31±m (46.9±FT)
S 19°33'46.40" E

15.56±m (51.0±FT)
N 19°33'46.40" W

℄ STA. 3+496.945
17.33±m

8.78±m (28.8±FT) N 55°53'50.11" W

℄ STA. 3+504.004
12.12±m

6.12±m (20.1±FT) N 11°46'19.63" W

℄ STA. 3+510.070
12.93±m

10.32±m (33.8±FT) N 86°44'14.45" W

℄ STA. 3+514.056
3.41±m

℄ STA. 3+515.300
3.43±m

℄ STA. 3+526.251
2.48±m

℄ STA. 3+534.917
8.58±m

℄ STA. 3+539.525
14.12±m

9.80±m (32.2±FT)
N 4°45'11.53" E

11.65±m (38.2±FT)
S 63°44'40.04" W
S 63°44'40.04" W

6.10±m (20.0±FT)
N 26°15'19.96" W

℄ STA. 3+545.524
15.22±m

10.58±m (34.7±FT) N 62°3'15.94" W

℄ STA. 3+555.081
10.68±m

℄ STA. 3+556.110
4.48±m

6.29±m (20.6±FT) S 62°45'23.93" W

2.22±m (7.3±FT) S 62°45'23.93" W

℄ STA. 3+556.474
2.29±m

ZABAWSKI
(REPUTED OWNERS)
322 NOXON ROAD

TO B-21 (STA. 3+601.521)
S 36°39'32.84" E

SURVEY BASELINE
NOXON ROAD
COUNTY ROUTE 21

26.79±m (87.9±FT)
N 24°24'6.88" W

56.24±m (184.5±FT)
S 24°24'6.88" E

10.60±m (34.8±FT)
N 15°42'55.54" E

15.79±m (51.8±FT)
S 24°24'6.88" E

B-20 SPK
STA. 3+636.804
N: 314153.599
E: 204137.605

℄ STA. 3+541.141
2.60±m

0.49±m (1.6±FT)
S 29°29'45.16" E

℄ STA. 3+541.629
2.66±m

6.11±m (20.0±FT)
S 29°29'45.16" E

℄ STA. 3+547.691
3.42±m

15.09±m (49.5±FT)
N 29°29'45.16" W

8.49±m (27.9±FT)
S 29°29'45.16" E

HB

BRYAN ZITTEL
(REPUTED OWNER)
318 NOXON ROAD
218.61 SQ. METER +/-
2353.05 SQ. FT +/-

FEE
M53
P108

BRYAN ZITTEL
(REPUTED OWNER)
318 NOXON ROAD
186.54 SQ. METER +/-
1469.67 SQ. FT +/-

TE
M53
P110

BRYAN ZITTEL
(REPUTED OWNER)
318 NOXON ROAD
104.35 SQ. METER +/-
1123.24 SQ. FT +/-

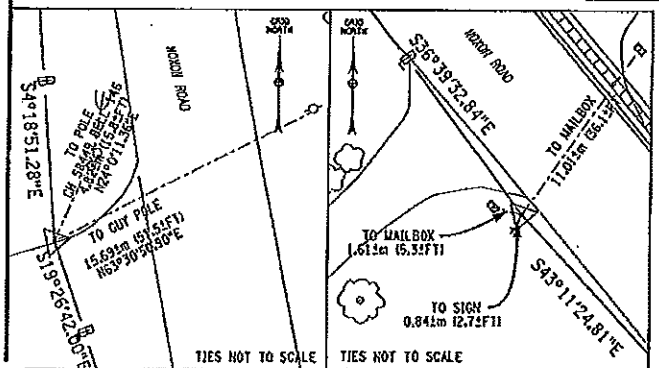
TE
M53
P111

BRYAN ZITTEL
(REPUTED OWNER)
318 NOXON ROAD
72.13 SQ. METER +/-
776.39 SQ. FT +/-

PE
M53
P109

BRYAN ZITTEL
(REPUTED OWNER)
318 NOXON ROAD
78.14 SQ. METER +/-
841.04 SQ. FT +/-

TE
M53
P141



℄STA. 3+466.195	℄STA. 3+601.521
B-19 SPK	B-21 SPK
N: 314220.181m	N: 314101.683m
E: 204114.099m	E: 204176.245m

5 0 5 10 15

SCALE 1:250
ONE METER EQUALS 3.280833333333 FEET.
ONE SQUARE METER EQUALS 10.7636673611 SQUARE FEET.

MAP NUMBER 53
REVISED DATE ~~4/2/12~~ ~~11/13/12~~ 3/18/13
DATE PREPARED 4/2/12

PREPARED BY DB CHECKED BY EG/JA FINAL CHECK BY MAU

'EXHIBIT A'

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

MAP NO. 53
PARCEL NO. 108-111.141
SHEET 2 OF 3

REHABILITATION OF NOXON ROAD
NY ROUTE 55 TO TITUSVILLE ROAD

PIN 8755.41

Map of property which the Commissioner of Public Works deems necessary to be acquired in the name of the People of the County of Dutchess in fee acquisition, permanent easement and temporary easement for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and the Eminent Domain Procedure Law.

PARCEL 108, A FEE ACQUISITION TO BE EXERCISED FOR THE PURPOSE OF THE WIDENING OF COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILITATION PROJECT WITH IMPROVEMENTS INCLUDING, BUT NOT LIMITED TO THE FOLLOWING; THE SHOULDER OF NOXON ROAD WILL BE WIDENED AND THE ADJACENT SIDE SLOPE WILL BE GRADED TO MEET WITH THE EXISTING GROUND AND SEEDED TO RE-ESTABLISH A GRASS SURFACE; DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF COUNTY ROUTE 21 (NOXON ROAD), SAID POINT ALSO BEING AT THE DIVISION LINE OF LANDS OF CARL OSTERLING (REPUTED OWNER) TO THE NORTH AND LANDS OF BRYAN ZITTEL (REPUTED OWNER) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 0.19±m MEASURED AT RIGHT ANGLES FROM STATION 3+500.415± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE ALONG SAID BOUNDARY SOUTH 23°2'36.07" EAST A DISTANCE OF 56.24±m (184.5±FT) TO A POINT, SAID POINT BEING ON THE DIVISION LINE OF LANDS OF BRYAN ZITTEL (REPUTED OWNER) TO THE NORTH AND LANDS OF STANLEY M ZABAWSKI, JOHN M ZABAWSKI AND JULIA ZABAWSKI (REPUTED OWNERS) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 2.29±m MEASURED AT RIGHT ANGLES FROM STATION 3+556.474± OF SAID BASELINE; THENCE ALONG SAID DIVISION LINE SOUTH 62°45'23.93" WEST A DISTANCE OF 2.22±m (7.3±FT) TO A POINT, SAID POINT BEING BEING DISTANT 4.48±m MEASURED AT RIGHT ANGLES FROM STATION 3+556.110± OF SAID BASELINE; THENCE THROUGH LANDS OF BRYAN ZITTEL (REPUTED OWNER) NORTH 29°29'45.16" WEST A DISTANCE OF 15.09±m (49.5±FT) TO A POINT, SAID POINT BEING DISTANT 2.60±m MEASURED AT RIGHT ANGLES FROM STATION 3+541.141± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 24°24'6.88" WEST A DISTANCE OF 26.79±m (87.9±FT) TO A POINT, SAID POINT BEING DISTANT 3.43±m MEASURED AT RIGHT ANGLES FROM STATION 3+515.300± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 18°33'46.40" WEST A DISTANCE OF 15.56±m (51.0±FT) TO A POINT, SAID POINT BEING ON THE DIVISION LINE OF LANDS OF CARL OSTERLING (REPUTED OWNER) TO THE NORTH AND LANDS OF BRYAN ZITTEL (REPUTED OWNER) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 3.19±m MEASURED AT RIGHT ANGLES FROM STATION 3+499.746± OF SAID BASELINE; THENCE ALONG SAID BOUNDARY NORTH 81°45'23.93" EAST A DISTANCE OF 3.45±m (11.3±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 218.61± SQUARE METERS (2353.05± SQUARE FEET) MORE OR LESS.

PARCEL 109, A PERMANENT EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH THE GRADING OF THE SLOPE AND INSTALLATION OF A DRAINAGE OUTLET, INCLUDING CLEARING/GRUBBING ACTIVITIES, FUTURE GRADING, CLEANING, REHABILITATION, INSPECTION, LANDSCAPING, STONE OUTLET PROTECTION, EQUIPMENT AND MACHINERY ACCESS AND THE PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT; ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILITATION PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON LANDS OF BRYAN ZITTEL (REPUTED OWNER), SAID POINT BEING DISTANT 2.66±m MEASURED AT RIGHT ANGLES FROM STATION 3+541.629± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE THROUGH LANDS OF BRYAN ZITTEL (REPUTED OWNER) SOUTH 29°29'45.16" EAST A DISTANCE OF 6.11±m (20.0±FT) TO A POINT, SAID POINT BEING DISTANT 3.42±m MEASURED AT RIGHT ANGLES FROM STATION 3+547.691± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 63°44'40.04" WEST A DISTANCE OF 12.00±m (39.4±FT) TO A POINT, SAID POINT BEING DISTANT 15.22±m MEASURED AT RIGHT ANGLES FROM STATION 3+545.524± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 26°15'19.96" WEST A DISTANCE OF 6.10±m (20.0±FT) TO A POINT, SAID POINT BEING DISTANT 14.12±m MEASURED AT RIGHT ANGLES FROM STATION 3+539.525± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 63°44'40.04" EAST A DISTANCE OF 11.65±m (38.2±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 72.13± SQUARE METERS (776.39± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 109, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

PARCEL 110, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH THE REHABILITATION OF A DRIVEWAY TO MEET THE PROPOSED ROADWAY EDGE, CLEARING/GRUBBING AND GRADING THE SIDE SLOPES OF THE DRIVEWAY TO MEET THE EXISTING GROUND, SEEDING TO RE-ESTABLISH A GRASS SURFACE, AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT; ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILATATION PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE DIVISION LINE OF LANDS OF CARL OSTERLING (REPUTED OWNER) TO THE NORTH AND LANDS OF BRYAN ZITTEL (REPUTED OWNER) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 3.19±m MEASURED AT RIGHT ANGLES FROM STATION 3+499.746± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE THROUGH LANDS OF BRYAN ZITTEL (REPUTED OWNER) SOUTH 18°33'46.40" EAST A DISTANCE OF 14.31±m (46.9±FT) TO A POINT, SAID POINT BEING DISTANT 3.41±m MEASURED AT RIGHT ANGLES FROM STATION 3+514.056± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 86°44'14.45" WEST A DISTANCE OF 10.32±m (33.8±FT) TO A POINT, SAID POINT BEING DISTANT 12.93±m MEASURED AT RIGHT ANGLES FROM STATION 3+510.070± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 11°46'19.63" WEST A DISTANCE OF 6.12±m (20.1±FT) TO A POINT, SAID POINT BEING DISTANT 12.12±m MEASURED AT RIGHT ANGLES FROM STATION 3+504.004± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 55°53'50.11" WEST A DISTANCE OF 8.78±m (28.8±FT) TO A POINT, SAID POINT BEING ON THE DIVISION LINE OF LANDS OF CARL OSTERLING (REPUTED OWNER) TO THE NORTH AND LANDS OF BRYAN ZITTEL (REPUTED OWNER) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 17.33±m MEASURED AT RIGHT ANGLES FROM STATION 3+496.945± OF SAID BASELINE; THENCE CONTINUING ALONG SAID BASELINE NORTH 81°45'23.93" EAST A DISTANCE OF 14.42±m (47.3±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 136.54± SQUARE METERS (1496.67± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 110, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

MAP NUMBER 53 3/18/13
REVISED DATE ~~4/2/12~~ ~~11/13/12~~
DATE PREPARED 4/2/12

PREPARED BY DB CHECKED BY EG/JA FINAL CHECK BY MAU

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REHABILITATION OF NOXON ROAD
NY ROUTE 55 TO TITUSVILLE ROAD

PIN 8755.41

MAP NO. 53
PARCEL NO. 108-111,141
SHEET 3 OF 3

PARCEL 111, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH THE CLEARING/GRUBBING AND GRADING OF SIDE SLOPES TO MEET THE EXISTING GROUND, SEEDING TO RE-ESTABLISH A GRASS SURFACE, AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT; ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILATATION PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON LANDS OF BRYAN ZITTEL (REPUTED OWNER), SAID POINT BEING DISTANT 2.66±m MEASURED AT RIGHT ANGLES FROM STATION 3+541.629± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE THROUGH LANDS OF BRYAN ZITTEL (REPUTED OWNER) SOUTH 63°44'40.04" WEST A DISTANCE OF 11.65±m (38.2±FT) TO A POINT, SAID POINT BEING DISTANT 14.12±m MEASURED AT RIGHT ANGLES FROM STATION 3+539.525± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 4°45'11.53" EAST A DISTANCE OF 9.80±m (32.2±FT) TO A POINT, SAID POINT BEING DISTANT 8.58±m MEASURED AT RIGHT ANGLES FROM STATION 3+534.917± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 15°42'55.54" EAST A DISTANCE OF 10.60±m (34.8±FT) TO A POINT, SAID POINT BEING DISTANT 2.48±m MEASURED AT RIGHT ANGLES FROM STATION 3+526.251± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 24°24'6.88" EAST A DISTANCE OF 15.79±m (51.8±FT) TO A POINT, SAID POINT BEING DISTANT 2.60±m MEASURED AT RIGHT ANGLES FROM STATION 3+541.141± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 29°29'45.16" EAST A DISTANCE OF 0.49±m (1.6±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 104.35± SQUARE METERS (1123.24± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 111, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

PARCEL 141, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH THE CLEARING/GRUBBING AND GRADING OF SIDE SLOPES TO MEET THE EXISTING GROUND, SEEDING TO RE-ESTABLISH A GRASS SURFACE, AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT; ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILATATION PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE DIVISION LINE OF LANDS OF BRYAN ZITTEL (REPUTED OWNER) TO THE NORTH AND LANDS OF STANLEY M ZABAWSKI, JOHN M ZABAWSKI AND JULIA ZABAWSKI (REPUTED OWNERS) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 4.48±m MEASURED AT RIGHT ANGLES FROM STATION 3+556.110± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE ALONG SAID BOUNDARY SOUTH 62°45'23.93" WEST A DISTANCE OF 6.29±m (20.6±FT) TO A POINT, SAID POINT BEING DISTANT 10.68±m MEASURED AT RIGHT ANGLES FROM STATION 3+555.081± OF SAID BASELINE; THENCE THROUGH LANDS OF BRYAN ZITTEL (REPUTED OWNER) NORTH 62°3'15.94" WEST A DISTANCE OF 10.56±m (34.7±FT) TO A POINT, SAID POINT BEING DISTANT 15.22±m MEASURED AT RIGHT ANGLES FROM STATION 3+545.524± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 63°44'40.04" EAST A DISTANCE OF 12.00±m (39.4±FT) TO A POINT, SAID POINT BEING DISTANT 3.42±m MEASURED AT RIGHT ANGLES FROM STATION 3+547.691± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 29°29'45.16" EAST A DISTANCE OF 8.49±m (27.9±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 78.14± SQUARE METERS (841.04± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 141, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

THE SURVEY BASELINE IS A PORTION OF THE 2006 SURVEY BASELINE FOR THE RE-CONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD), AS SHOWN ON THE MAP AND DESCRIBED AS FOLLOWS:
BEGINNING AT STATION 3+466.195; THENCE SOUTH 19°26'42.00" EAST TO STATION 3+536.804; THENCE SOUTH 36°39'32.84" EAST TO STATION 3+601.521.

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date April 9 2013

Robert H. Balkind, P.E.
Acting Commissioner of Public Works

Recommended by:

Date April 8 2013

Gregory V. Bentley, P.E.
Director of Engineering

STATE OF NEW YORK
EDWARD T. GANNON
049907
LICENSED LAND SURVEYOR

MAP NUMBER 53 3/18/13
REVISED DATE ~~4/2/12~~ ~~11/13/12~~
DATE PREPARED 4/2/12

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map is an accurate description and map made from an accurate survey, prepared under my direction.

Date 3/27 2013

EDWARD T. GANNON Land Surveyor
P.L.S. License No. 49907

WSP- SELLS
555 PLEASANTVILLE ROAD
BRIARCLIFF MANOR, NY 10510

PREPARED BY DB CHECKED BY EG/JA FINAL CHECK BY MAU

Public Works and Capital Projects Roll Call

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

Present: 9
Absent: 3
Vacant: 0

Resolution: ✓
Motion: ___

Total : 9 (Yes) 0 (No)
Abstentions: 0

2013343 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY AND A PERMANENT EASEMENT FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LAGRANGE FROM BRYAN ZITTEL

Date: December 3, 2013

Roll Call Sheets

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

Present: 24 **Resolution:** ✓ **Total :** 24 0

Absent: 1 **Motion:** ___ Yes No

Vacant: 0 **Abstentions:** 0

2013343 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY AND A PERMANENT EASEMENT FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LAGRANGE FROM BRYAN ZITTEL

Date: December 5, 2013

RESOLUTION NO. 2013344

RE: AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM DANIEL J. FRANCESE AND GILDA J. FRANCESE

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

WHEREAS, the Department of Public Works has proposed the improvement of a section of Noxon Road, CR 21, in the Town of LaGrange, which project (PIN #8755.41) includes the acquisition of portions of certain properties, and

WHEREAS, an environmental assessment form and a Negative Declaration was approved and adopted by this Legislature on December 8, 2008 under Resolution No. 208403 and the Department of Public Works determined that the improvement project (1) constitutes an unlisted action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and (2) will not have a significant effect on the environment, and

WHEREAS, the Department of Public Works has made a determination that in order to improve said road, it is necessary to acquire in fee a portion of property presently owned by Daniel J. Francese and Gilda J. Francese, and

WHEREAS, the acquisition in fee is a portion of parcel number 133400-6360-01-183575-0000, described as 96.22± square meters (1,035.68± square feet) more or less as shown on Map No. 51, Parcel No. 102, copy is annexed hereto, and

WHEREAS, the Agreement to Purchase Real Property (Fee Acquisition) for the necessary real property is attached hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the subject property, Fee Acquisition, be purchased for the sum of $5,600.00 plus up to $450.00 for related expenses, and that the terms and conditions of the Agreement be carried forth, now, therefore, be it

RESOLVED, that the County Executive or his designee is authorized to execute the Agreement to Purchase Real Property (Fee Acquisition) in substantially the form annexed hereto and all documents in connection with this acquisition, and be it further

RESOLVED, that on the submission by the property owner of a deed to the aforementioned land, which shall include the terms and conditions of the Agreement to Purchase Real Property, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, that payment be made to the property owner in the sum of $5,600.00, that the County reimburse Grantor for fees associated with the Release of Mortgage application, if any, and pay all necessary transfer tax and filing fees, and be it further

RESOLVED, that the terms and conditions of the aforementioned Agreement to Purchase Real Property (Fee Acquisition) be carried out by the Dutchess County Department of Public Works.

CA-244-13
CAB/ca/R-0907-TT
11/14/13
Fiscal Impact: See attached statement

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 12/10/2013

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

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

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

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 6,050

Total Current Year Revenue and Source $ 5,748

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

Identify Line Items(s):
H0290 5110 3009

Related Expenses: Amount $ 450

Nature/Reason:
Anticipated expenses related to Mortgage Releases, Filling Fees, Property Taxes and other closing costs.

Anticipated Savings to County: $5,748

Net County Cost (this year): $302

Over Five Years:

Additional Comments/Explanation:
This Fiscal Impact Statement pertains to the accompanying resolution request form for the authorization to acquire additional right of way for a consideration of $5,600.00, identified on Map 51 Parcel 102, for the project identified as PIN 8755.41 Rehabilitation of CR 21(Noxon Road), NYS 55 to CR 49 (Titusville Road), Town of Lagrange.

Related expenses are included in the Total Current Year Costs.

Prepared by: Matthew W. Davis 2925

Dut.pdf

AGREEMENT TO PURCHASE REAL PROPERTY
(FEE ACQUISITION)

Project: REHABILITATION OF NOXON ROAD (NYS ROUTE 55 TO TITUSVILLE ROAD)
PIN: 8755.41 Map: 51 Parcel: 102

This Agreement by and between DANIEL J. FRANCESE AND GILDA J. FRANCESE, hereinafter referred to as the "Seller", and the COUNTY OF DUTCHESS, hereinafter referred to as the "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

1. PROPERTY DESCRIPTION. The Seller agrees to sell, grant, convey all right, title and interest to a 96.22± Square Meter (1035.68± Square Foot) parcel located on the West Side of CR 21, Noxon Road, in the Town of LaGrange, Dutchess County, New York, further described as:

   Being a portion of those same lands described in a deed dated December 6, 1990, and recorded on December 7, 1990 in Liber 1880 at Page 548 in the Office of the County Clerk for Dutchess County, New York with the address 308 Noxon Road (Re. Tax map No. 133400-6360-01-183575-0000), and being the same lands designated as Map 51, Parcel 102 on exhibit "A" attached hereto.

2. IMPROVEMENTS INCLUDED IN THE PURCHASE. The following improvements, if any, now in or on the property are included in this Agreement: Removing 1,040.89 sq. ft. of lawn as well as (2) 20" diameter trees.

3. PURCHASE PRICE. The total purchase price is FIVE THOUSAND SIX HUNDRED Dollars ($5,600.00). This price includes the acquisition of the above real property in fee as described in paragraph 1 and the improvements described in paragraph 2,if any.

4. PAYMENT. All by check at closing.

5. CLOSING DATE AND PLACE. Transfer of Title shall take place at the Dutchess County Attorney's Office, or at another mutually acceptable location, on or about November 15, 2013.

6. TITLE DOCUMENTS. Buyer shall provide the following documents in connection with the sale:
   A. Closing Documents. Buyer will prepare and deliver to the Seller for execution at the time of closing the documents necessary to transfer the real property interest stated in Paragraph 1 above.
   B. Abstract, Bankruptcy and Tax Searches, and Acquisition Map. Buyer will pay for a search of public deeds, court and tax records and will prepare a Title Certification Letter. Buyer will pay for and furnish to the Seller an acquisition map.
   C. Buyer will be responsible for the recording of all deeds and releases in the Office of the Dutchess County Clerk.

7. MARKETABILITY OF TITLE. Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in connection with the fee simple acquisition of the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph 3, and paid to the appropriate party by the Buyer at the time of closing. The Buyer shall be responsible for the reimbursement to the Seller of any Lien Release Application Fees and for any Prepayment Penalties associated with the release of any liens.

8. RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS. Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between the Seller and Buyer as of the date of closing; current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.

9. RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY. The stipulations aforesaid shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.

10. ENTIRE AGREEMENT. This agreement outlines the complete understanding of the Buyer and Seller pertaining to this acquisition. No verbal agreements or promises will be binding. This agreement must be approved by the Dutchess County Legislature and executed by the Dutchess County Executive in order for it to be binding on the parties.

11. NOTICES. All notices under this agreement shall be deemed delivered upon receipt. Any notices relating to this agreement may be given by the attorneys for the parties.

12. PROJECT RELATED IMPROVEMENTS. The following improvements will occur within this fee acquisition as a result of the Rehabilitation of Noxon Road Project, PIN 8755.41: Including, but not limited to the following: the shoulder of Noxon Road will be widened and the adjacent side slope will be cleared/grubbed and graded to meet with the existing ground and seeded to re-establish a grass surface.

IN WITNESS WHEREOF, on this 4th day of November, 2013, the parties have entered into this Agreement.

Seller: Daniel J. Francese and Gilda J. Francese
Representative: XXX

By: _____
DANIEL J. FRANCESE
Printed Name
OWNER
Title
Witness: Wayne Gridley

By: _____
GILDA J. FRANCESE
Printed Name
OWNER
Title
Witness: Wayne Gridley

County of Dutchess

Witness: _____

Buyer: _____
Marcus J. Molinaro
County Executive

APPROVED AS TO FORM:

_____
Carol A. Bogle
Chief Asst. County Attorney

APPROVED AS TO CONTENT:

_____
Gregory V. Bentley, P.E.
Director of Engineering

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REHABILITATION OF NOXON ROAD
NY ROUTE 55 TO TITUSVILLE ROAD

PIN 8755.41

MAP NO. 51
PARCEL NO. 102,103,104
SHEET 1 OF 3

Originals of this map (sheets 1 through 2) are on file at the offices of the Dutchess County Department of Public Works

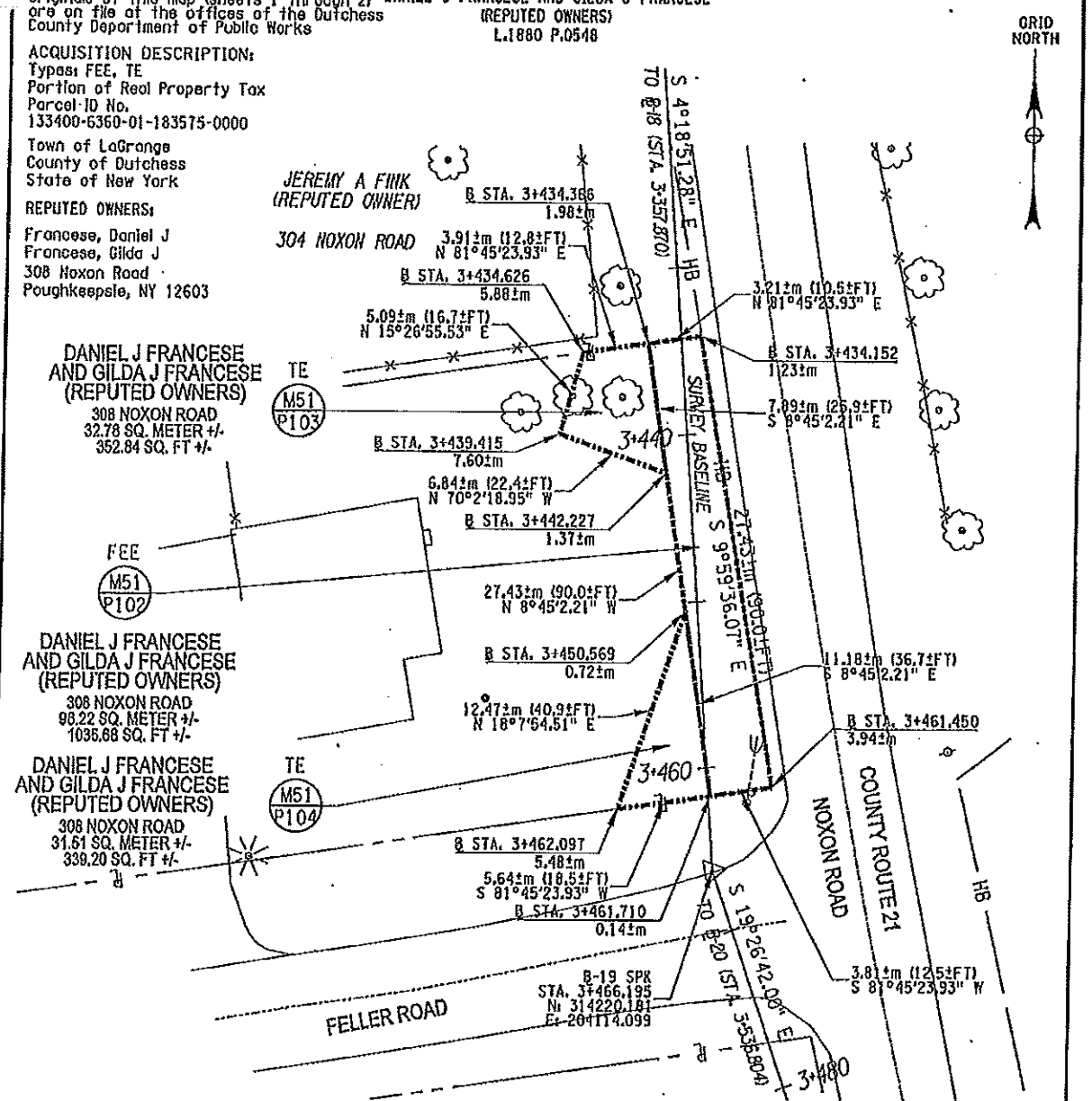
DANIEL J FRANCESE AND GILDA J FRANCESE
(REPUTED OWNERS)
L.1880 P.0548

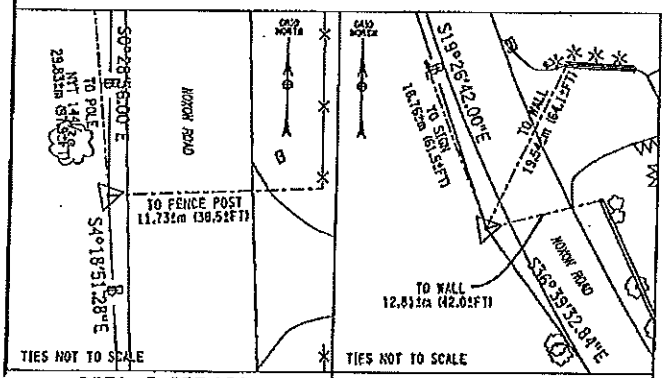
ACQUISITION DESCRIPTION:
Types: FEE, TE
Portion of Real Property Tax
Parcel ID No.
133400-6360-01-183575-0000

Town of LaGrange
County of Dutchess
State of New York

REPUTED OWNERS:

Francese, Daniel J
Francese, Gilda J
308 Noxon Road
Poughkeepsie, NY 12603





BSTA. 3+357.870	BSTA. 3+536.804
B-18 SPK	B-20 SPK
N: 314328.199m	N: 314153.599m
E: 204105.950m	E: 204137.605m

5 0 5 10 15

SCALE 1:250
ONE METER EQUALS 3.28083333333 FEET.
ONE SQUARE METER EQUALS 10.7638673611 SQUARE FEET.

MAP NUMBER 51
REVISED DATE ~~4/2/12~~ 11/12/12
DATE PREPARED 4/2/12

PREPARED BY DB CHECKED BY EG/JA FINAL CHECK BY MAU

'EXHIBIT A'

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

MAP NO. 51
PARCEL NO. 102,103,104
SHEET 2 OF 3

REHABILITATION OF NOXON ROAD
NY ROUTE 55 TO TITUSVILLE ROAD

PIN 8755.41

Map of property which the Commissioner of Public Works deems necessary to be acquired in the name of the People of the County of Dutchess in fee acquisition and temporary easement for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and the Eminent Domain Procedure Law.

PARCEL 102, A FEE ACQUISITION TO BE EXERCISED FOR THE PURPOSE OF THE WIDENING OF COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILITATION PROJECT WITH IMPROVEMENTS INCLUDING, BUT NOT LIMITED TO THE FOLLOWING: THE SHOULDER OF NOXON ROAD WILL BE WIDENED AND THE ADJACENT SIDE SLOPE WILL BE CLEARED/GRUBBED AND GRADED TO MEET WITH THE EXISTING GROUND AND SEEDED TO RE-ESTABLISH A GRASS SURFACE; DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF COUNTY ROUTE 21 (NOXON ROAD), SAID POINT ALSO BEING AT THE INTERSECTION OF SAID BOUNDARY AND THE NORTHERLY BOUNDARY OF FELLER ROAD, SAID POINT ALSO BEING DISTANT 3.94±m MEASURED AT RIGHT ANGLES FROM STATION 3+461.450± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE ALONG SAID BOUNDARY SOUTH 81°45'23.93" WEST A DISTANCE OF 3.81±m (12.5±FT) TO A POINT, SAID POINT BEING DISTANT 0.14±m MEASURED AT RIGHT ANGLES FROM STATION 3+461.710± OF SAID BASELINE; THENCE THROUGH THE LANDS OF DANIEL J FRANCESE AND GILDA J FRANCESE (REPUTED OWNERS) NORTH 8°45'2.21" WEST A DISTANCE OF 27.43±m (90.0±FT) TO A POINT, SAID POINT BEING ON THE DIVISION LINE OF LANDS OF JEREMY A FINK (REPUTED OWNER) TO THE NORTH AND LANDS OF DANIEL J FRANCESE AND GILDA J FRANCESE (REPUTED OWNERS) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 1.98±m MEASURED AT RIGHT ANGLES FROM STATION 3+434.366± OF SAID BASELINE; THENCE CONTINUING ALONG SAID BOUNDARY NORTH 81°45'23.93" EAST A DISTANCE OF 3.21±m (10.5±FT) TO A POINT, SAID POINT BEING ON THE WESTERLY BOUNDARY OF COUNTY ROUTE 21 (NOXON ROAD), SAID POINT ALSO BEING DISTANT 1.23±m MEASURED AT RIGHT ANGLES FROM STATION 3+434.152± OF SAID BASELINE; THENCE CONTINUING ALONG SAID BOUNDARY SOUTH 9°59'36.07" EAST A DISTANCE OF 27.43±m (90.0±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 96.22± SQUARE METERS (1035.68± SQUARE FEET) MORE OR LESS.

PARCEL 103, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH THE CLEARING/GRUBBING AND GRADING OF SIDE SLOPES TO MEET THE EXISTING GROUND, SEEDING TO RE-ESTABLISH A GRASS SURFACE, AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT; ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILATATION PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE DIVISION LINE OF LANDS OF JEREMY A FINK (REPUTED OWNER) TO THE NORTH AND LANDS OF DANIEL J FRANCESE AND GILDA J FRANCESE (REPUTED OWNERS) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 1.98±m MEASURED AT RIGHT ANGLES FROM STATION 3+434.366± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE THROUGH THE LANDS OF DANIEL J FRANCESE AND GILDA J FRANCESE (REPUTED OWNERS) SOUTH 8°45'2.21" EAST A DISTANCE OF 7.89±m (25.9±FT) TO A POINT, SAID POINT BEING DISTANT 1.37±m MEASURED AT RIGHT ANGLES FROM STATION 3+442.227± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 70°2'18.95" WEST A DISTANCE OF 6.84±m (22.4±FT) TO A POINT, SAID POINT BEING DISTANT 7.60±m MEASURED AT RIGHT ANGLES FROM STATION 3+439.415± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 15°26'55.53" EAST A DISTANCE OF 5.09±m (16.7±FT) TO A POINT, SAID POINT BEING ON THE DIVISION LINE OF LANDS OF JEREMY A FINK (REPUTED OWNER) TO THE NORTH AND LANDS OF DANIEL J FRANCESE AND GILDA J FRANCESE (REPUTED OWNERS) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 5.88±m MEASURED AT RIGHT ANGLES FROM STATION 3+434.626± OF SAID BASELINE; THENCE CONTINUING ALONG SAID DIVISION LINE NORTH 81°45'23.93" EAST A DISTANCE OF 3.91±m (12.8±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 32.78± SQUARE METERS (352.84± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 103, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

MAP NUMBER 51
REVISED DATE ~~4/2/12~~ 11/12/12
DATE PREPARED 4/2/12

PREPARED BY DB CHECKED BY EG/JA FINAL CHECK BY MAH

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REHABILITATION OF NOXON ROAD
NY ROUTE 55 TO TITUSVILLE ROAD

PIN 8755.41

MAP NO. 51
PARCEL NO. 102,103,104
SHEET 3 OF 3

PARCEL 104, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH THE CLEARING/GRUBBING AND GRADING OF SIDE SLOPES TO MEET THE EXISTING GROUND, SEEDING TO RE-ESTABLISH A GRASS SURFACE, AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT; ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILATATION PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY BOUNDARY OF FELLER ROAD, SAID POINT ALSO BEING DISTANT 0.14±m MEASURED AT RIGHT ANGLES FROM STATION 3+461.710± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE ALONG SAID BOUNDARY SOUTH 81°45'23.93" WEST A DISTANCE OF 5.64±m (18.5±FT) TO A POINT, SAID POINT BEING DISTANT 5.48±m MEASURED AT RIGHT ANGLES FROM STATION 3+462.097± OF SAID BASELINE; THENCE THROUGH THE LANDS OF DANIEL J FRANCESE AND GILDA J FRANCESE (REPUTED OWNERS) NORTH 18°7'54.51" EAST A DISTANCE OF 12.47±m (40.9±FT) TO A POINT, SAID POINT BEING DISTANT 0.72±m MEASURED AT RIGHT ANGLES FROM STATION 3+450.569± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 8°45'2.21" EAST A DISTANCE OF 11.18±m (36.7±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 31.51± SQUARE METERS (339.20± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 104, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

THE SURVEY BASELINE IS A PORTION OF THE 2006 SURVEY BASELINE FOR THE RE-CONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD), AS SHOWN ON THE MAP AND DESCRIBED AS FOLLOWS:
BEGINNING AT STATION 3+357.870; THENCE SOUTH 4°18'51.28" EAST TO STATION 3+466.195; THENCE SOUTH 19°26'42.00" EAST TO STATION 3+536.804.

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date Dec 16 2012

Robert H. Balkind, P.E.
Acting Commissioner of Public Works

Recommended by:

Date December 13 2012

Gregory V. Bentley, P.E.
Director of Engineering

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map is an accurate description and map made from an accurate survey, prepared under my direction.

Date 12/4 2012

STATE OF NEW YORK
EDWARD T. GANNON
049907
LICENSED LAND SURVEYOR

EDWARD T. GANNON Land Surveyor
N.S. License No. 49907

WSP- SELLS
555 PLEASANTVILLE ROAD
BRIARCLIFF MANOR, NY 10510

MAP NUMBER 51
REVISED DATE ~~4/2/12~~ 11/12/12
DATE PREPARED 4/2/12

PREPARED BY DB CHECKED BY EG/JA FINAL CHECK BY MAU

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	absent	
District 1 - Town of Poughkeepsie	Doxsey		
District 4 - Town of Hyde Park	Serino	absent	
District 5 - Town of Poughkeepsie	Roman		
District 7 - Town of Hyde Park	Perkins		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 22 - Town of Beekman	Hutchings (C)		
District 24 - Towns of Dover and Union Vale	Surman (VC)	absent	

Present: 9 **Absent:** 3 **Vacant:** 0

Resolution: ✓ **Motion:** ___

Total : 9 Yes 0 No

Abstentions: 0

2013344 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM DANIEL J. FRANCESE AND GILDA J. FRANCESE

Date: December 3, 2013

Roll Call Sheets

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

Present: 24 **Resolution:** ✓ **Total :** 24 (Yes) 0 (No)

Absent: 1 **Motion:** ___

Vacant: 0 **Abstentions:** 0

2013344 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM DANIEL J. FRANCESE AND GILDA J. FRANCESE

Date: December 5, 2013

RESOLUTION NO. 2013345

RE: AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM CARL OSTERLING

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

WHEREAS, the Department of Public Works has proposed the improvement of a section of Noxon Road, CR 21, in the Town of LaGrange, which project (PIN #8755.41) includes the acquisition of portions of certain properties, and

WHEREAS, an environmental assessment form and a Negative Declaration was approved and adopted by this Legislature on December 8, 2008 under Resolution No. 208403 and the Department of Public Works determined that the improvement project (1) constitutes an unlisted action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and (2) will not have a significant effect on the environment, and

WHEREAS, the Department of Public Works has made a determination that in order to improve said road, it is necessary to acquire in fee a portion of property presently owned by Carl Osterling, and

WHEREAS, the acquisition in fee is a portion of parcel number 133400-6360-01-181561-0000, described as 80.64± square meters (868.04± square feet) more or less as shown on Map No. 52, Parcel No. 105, copy is annexed hereto, and

WHEREAS, the Agreement to Purchase Real Property (Fee Acquisition) for the necessary real property is attached hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the subject property, Fee Acquisition, be purchased for the sum of $3,175.00 plus up to $450.00 for related expenses, and that the terms and conditions of the Agreement be carried forth, now, therefore, be it

RESOLVED, that the County Executive or his designee is authorized to execute the Agreement to Purchase Real Property (Fee Acquisition) in substantially the form annexed hereto and all documents in connection with this acquisition, and be it further

RESOLVED, that on the submission by the property owner of a deed to the aforementioned land, which shall include the terms and conditions of the Agreement to Purchase Real Property, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, that payment be made to the property owner in the sum of $3,175.00, that the County reimburse Grantor for fees associated with the Release of Mortgage application, if any, and pay all necessary transfer tax and filing fees, and be it further

RESOLVED, that the terms and conditions of the aforementioned Agreement to Purchase Real Property (Fee Acquisition) be carried out by the Dutchess County Department of Public Works.

CA-243-13
CAB/ca/R-0907-SS
11/14/13
Fiscal Impact: See attached statement

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 12/10/2013

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

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

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

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS
(To be completed by requesting department)

Total Current Year Cost $ 3,625

Total Current Year Revenue and Source $ 3,444

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

Identify Line Items(s):
H0290 5110 3009

Related Expenses: Amount $ 450
Nature/Reason:
Anticipated expenses related to Mortgage Releases, Filling Fees, Property Taxes and other closing costs.

Anticipated Savings to County: $3,444

Net County Cost (this year): $181
Over Five Years:

Additional Comments/Explanation:
This Fiscal Impact Statement pertains to the accompanying resolution request form for the authorization to acquire additional right of way for a consideration of $3,175.00, identified on Map 52 Parcel 105, for the project identified as PIN 8755.41 Rehabilitation of CR 21(Noxon Road), NYS 55 to CR 49 (Titusville Road), Town of Lagrange.

Related expenses are included in the Total Current Year Costs.

Prepared by: Matthew W. Davis 2925

Dut.pdf

ADVANCE PAYMENT AGREEMENT TO PURCHASE REAL PROPERTY
(FEE ACQUISITION)

Project: REHABILITATION OF NOXON ROAD/TITUSVILLE ROAD INTERSECTION
PIN: 8755.41 Map: 52 Parcel: 105

This Advance Payment Agreement by and between CARL OSTERLING, hereinafter referred to as the "Seller", and the COUNTY OF DUTCHESS, hereinafter referred to as the "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

1. PROPERTY DESCRIPTION. The Seller agrees to sell, grant, convey all right, title and interest to a 80.64± Square Meter (868.04± Square Foot) parcel located on the West Side of CR 21, Noxon Road, in the Town of LaGrange, Dutchess County, New York, further described as:

   Being a portion of those same lands described in a deed dated June 30, 2008 and recorded July 15, 2008 in Liber 22008 at Page 4348 (as Document #0220084348) in the Office of the County Clerk for Dutchess County, New York with the address 312 Noxon Road (Re. Tax map No. 133400-6360-01-181561-0000), and being the same lands designated as Map 52, Parcel 105 on exhibit "A" attached here to.

2. IMPROVEMENTS INCLUDED IN THE ACQUISITION. The following improvements, if any, now in or on the property are included in this Advance Payment Agreement: 1,022.58 sq. ft. of lawn and 129.17 sq. ft. of driveway material to be removed.

3. PURCHASE PRICE. Whereas, the Seller and the Buyer cannot agree upon the value of the real property interest and the legal damages, the Buyer is willing to pay an amount equal to the amount determined by the Buyer to be the value of the real property interest to be acquired and the legal damages. This amount is Three Thousand One Hundred Seventy Five dollars ($3,175.00). This price includes the real property interest described in Paragraph one (1) and the improvements described in Paragraph two (2). The Seller agrees, as a prerequisite to such advance payment, to execute and to deliver or cause the execution and delivery to the Buyer of all formal papers which the Buyer deems necessary to authorize payment and to secure to the Buyer a full release of all claims (other than the claim of the Seller) by reason of the acquisition of the aforementioned real property interest with improvements.

4. PAYMENT. Payment is to be made upon approval of this agreement by the Buyer after authorization by appropriate administrative and legal entities, as may be required by statute, and after Buyer has provided all papers necessary to convey clear title and release all third party claims to the advance payment proceeds.

5. CLAIM. Pursuant to New York State Eminent Domain Procedure Law, the Seller hereby reserves the right to file a claim with the Supreme Court, held in the judicial district where the real property is situated, or if a claim has been filed, reserves the right to prosecute said claim, it being understood, however, that any such claim shall be filed within one (1) year after title to the aforementioned real property interest is conveyed. It is agreed that, if the Supreme Court finds the value of the real property interest acquired is equal to or exceeds the advance payment amount, the amount of such advance payment shall be deducted from the amount so found by the court or, in the alternative, the award of said court shall be in the amount of the excess, if any, over and above the advance payment amount. In the event the amount so found by the court is less than the amount of said advance payment, the Buyer, upon application made to the court on at least eight days notice to the Seller, may request the difference between the award as found by the court and the amount of said advance payment. This Paragraph 5 of this Advance Payment Agreement shall not merge into the deed and shall survive the conveyance of the aforementioned real property interest.

6. FILING. It is understood and agreed by and between the parties hereto, that pursuant to statute, if no claim is filed by the Seller in the Supreme Court within one (1) year after title to the aforementioned real property interest is conveyed, then, upon the expiration of that time, this Advance Payment Agreement shall automatically become a Purchase Agreement in full and complete settlement of all claims without further ratification, approval or consent by Seller and Seller shall be deemed to have released Seller's claim against the Buyer.

7. TITLE DOCUMENTS. Buyer will pay for and furnish to the Seller an acquisition map.

8. MARKETABILITY OF TITLE. Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in fee simple and/or permanent easement to the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph three (3), and paid to the appropriate party by the Buyer.

9. RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS. Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between Seller and Buyer as of the date of conveyance: current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.

10. RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY. The aforesaid terms, agreements and understandings shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.

11. ENTIRE AGREEMENT. This Advance Payment Agreement when signed by both the Buyer and the Seller will be the record of the complete Advance Payment Agreement between the Buyer and Seller concerning the condemnation of the property. No verbal agreements or promises will be binding.

12. NOTICES. All notices under this Advance Payment Agreement shall be deemed delivered upon receipt. Any notices relating to this Advance Payment Agreement may be given by the attorneys for the parties.

13. PROJECT RELATED IMPROVEMENTS. The following improvements will occur within this fee acquisition as a result of the Rehabilitation of Noxon Road Project, PIN 8755.41: Including, but not limited to the following: the shoulder of Noxon Road will be widened and the adjacent side slope will be graded to meet with the existing ground and seeded to re-establish a grass surface.

14. ADDENDA. The following Addenda are incorporated into this Advance Payment Agreement:
[ ] Temporary Easement [ ] Cost to Cure [ ] Other _____

IN WITNESS WHEREOF, on this 26 day of AUGUST, 2013, the parties have entered into this Advance Payment Agreement.

Seller: _____
Carl Osterling

STATE OF NEW YORK)
) SS:
COUNTY OF DUTCHESS)

On this 26th day of August, 2013, before me, the undersigned, a Notary Public in and for said state, personally appeared CARL E. OSTERLING, 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 this instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
Notary Public
HERNAN VELEZ
Notary Public - State of New York
ID No. 01VE6101982
Qualified In Dutchess County
My Commission Expires November 24, 2015

County of Dutchess

Witness:_____

Buyer:_____
Marcus J. Molinaro
County Executive

APPROVED AS TO FORM:

_____
Carol A. Bogle
Sr. Asst. County Attorney

APPROVED AS TO CONTENT:

_____
Gregory V. Bentley, P.E.
Director of Engineering

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REHABILITATION OF NOXON ROAD
NY ROUTE 55 TO TITUSVILLE ROAD

PIN 8755.41

MAP NO. 52
PARCEL NO. 105,106,107
SHEET 1 OF 3

Originals of this map (sheets 1 through 2) are on file at the offices of the Dutchess County Department of Public Works

CARL OSTERLING
(REPUTED OWNER)
L.22008 P.4348

GRID NORTH

ACQUISITION DESCRIPTION:
Types: FEE, TE
Portion of Real Property Tax
Parcel ID No.
133400-6360-01-181561-0000

Town of LaGrange
County of Dutchess
State of New York

REPUTED OWNER:
Osterling, Carl
312 Noxon Road
Poughkeepsie, NY 12603

TO ℄-18 (STA. 3+357.870)
S 4°18'51.28" E

℄-19 SPK
STA. 3+466.195
N: 314228.181
E: 204114.099

S 19°26'42.00" E
SURVEY BASELINE

FELLER ROAD

℄ STA. 3+477.028
0.73±m

7.06±m (23.2±FT)
N 81°45'23.93" E

3.33±m (10.9±FT)
N 81°45'23.93" E

℄ STA. 3+477.676
2.54±m

3.66±m (12.0±FT)
S 11°43'36.18" E

℄ STA. 3+475.658
7.65±m

11.34±m (37.2±FT)
N 11°43'36.18" W

3+480

HB

TE
M52
P107

8.14±m (26.7±FT)
N 71°36'12.04" W

℄ STA. 3+480.652
1.22±m

FEE
M52
P105

CARL OSTERLING
(REPUTED OWNER)
312 NOXON ROAD
80.64 SQ. METER +/-
868.04 SQ. FT +/-

℄ STA. 3+488.263
2.25±m

22.86±m (75.0±FT)
S 13°32'36.07" E

CARL OSTERLING
(REPUTED OWNER)
312 NOXON ROAD
12.88 SQ. METER +/-
138.61 SQ. FT +/-

℄ STA. 3+489.806
2.38±m

11.52±m (37.8±FT)
N 14°46'53.56" W

13.67±m (44.8±FT)
N 67°7'59.02" E

9.97±m (32.7±FT)
S 14°46'53.56" E

℄ STA. 3+490.622
16.02±m

3+500

6.46±m (21.2±FT)
N 7°45'42.82" W

14.42±m (47.3±FT)
S 81°45'23.93" W

℄ STA. 3+500.415
0.19±m

℄ STA. 3+499.746
3.19±m

TE
M52
P106

℄ STA. 3+496.945
17.33±m

3.45±m (11.3±FT)
S 81°45'23.93" W

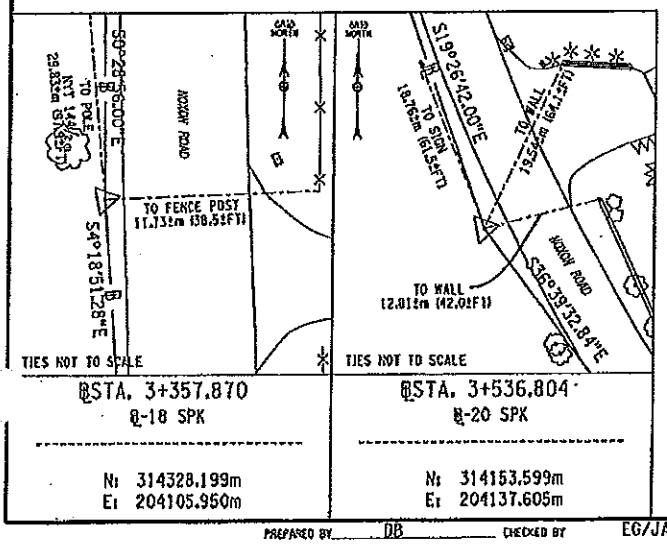
COUNTY ROUTE 21
NOXON ROAD

TO ℄-20 (STA. 3+536.804)

3+520

CARL OSTERLING
(REPUTED OWNER)
312 NOXON ROAD
114.03 SQ. METER +/-
1227.39 SQ. FT +/-

BRYAN ZITTEL
(REPUTED OWNER)
318 NOXON ROAD



℄STA. 3+357.870
℄-18 SPK

N: 314328.199m
E: 204105.950m

℄STA. 3+536.804
℄-20 SPK

N: 314153.599m
E: 204137.605m

5 0 5 10 15

SCALE 1:250
ONE METER EQUALS 3.280833333333 FEET.
ONE SQUARE METER EQUALS 10.76386736111 SQUARE FEET.

MAP NUMBER 52
REVISED DATE ~~4/2/12~~ 11/13/12
DATE PREPARED 4/2/12

PREPARED BY DB CHECKED BY EG/JA FINAL CHECK BY MAU

'EXHIBIT A'

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

MAP NO. 52
PARCEL NO. 105,106,107
SHEET 2 OF 3

REHABILITATION OF NOXON ROAD
NY ROUTE 55 TO TITUSVILLE ROAD

PIN 8755.41

Map of property which the Commissioner of Public Works deems necessary to be acquired by appropriation in the name of the People of the County of Dutchess in fee acquisition and temporary easement for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and the Eminent Domain Procedure Law.

PARCEL 105, A FEE ACQUISITION TO BE EXERCISED FOR THE PURPOSE OF THE WIDENING OF COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILITATION PROJECT WITH IMPROVEMENTS INCLUDING, BUT NOT LIMITED TO THE FOLLOWING: THE SHOULDER OF NOXON ROAD WILL BE WIDENED AND THE ADJACENT SIDE SLOPE WILL BE GRADED TO MEET WITH THE EXISTING GROUND AND SEEDED TO RE-ESTABLISH A GRASS SURFACE; DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF COUNTY ROUTE 21 (NOXON ROAD), SAID POINT ALSO BEING AT THE INTERSECTION OF SAID BOUNDARY AND THE SOUTHERLY BOUNDARY OF FELLER ROAD, SAID POINT ALSO BEING DISTANT 2.54±m MEASURED AT RIGHT ANGLES FROM STATION 3+477.676± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE ALONG SAID BOUNDARY SOUTH 13°32'36.07" EAST A DISTANCE OF 22.86±m (75.0±FT) TO A POINT, SAID POINT BEING ON THE DIVISION LINE OF LANDS OF CARL OSTERLING (REPUTED OWNER) TO THE NORTH AND LANDS OF BRYAN ZITTEL (REPUTED OWNER) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 0.19±m MEASURED AT RIGHT ANGLES FROM STATION 3+500.415± OF SAID BASELINE; THENCE ALONG SAID DIVISION LINE SOUTH 81°45'23.93" WEST A DISTANCE OF 3.45±m (11.3±FT) TO A POINT, SAID POINT BEING BEING DISTANT 3.19±m MEASURED AT RIGHT ANGLES FROM STATION 3+499.746± OF SAID BASELINE; THENCE THROUGH LANDS OF CARL OSTERLING (REPUTED OWNER) NORTH 14°46'53.56" WEST A DISTANCE OF 11.52±m (37.8±FT) TO A POINT, SAID POINT BEING DISTANT 2.25±m MEASURED AT RIGHT ANGLES FROM STATION 3+488.263± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 11°43'35.18" WEST A DISTANCE OF 11.34±m (37.2±FT) TO A POINT, SAID POINT BEING ON THE SOUTHERLY BOUNDARY OF FELLER ROAD, SAID POINT ALSO BEING DISTANT 0.73±m MEASURED AT RIGHT ANGLES FROM STATION 3+477.028± OF SAID BASELINE; THENCE ALONG SAID BOUNDARY NORTH 81°45'23.93" EAST A DISTANCE OF 3.33±m (10.9±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 80.64± SQUARE METERS (868.04± SQUARE FEET) MORE OR LESS.

PARCEL 106, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH THE REHABILITATION OF A DRIVEWAY TO MEET THE PROPOSED ROADWAY EDGE, AS WELL AS GRADING THE SIDE SLOPES OF THE DRIVEWAY TO MEET THE EXISTING GROUND, SEEDING TO RE-ESTABLISH A GRASS SURFACE, AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT; ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILATATION PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE DIVISION LINE OF LANDS OF CARL OSTERLING (REPUTED OWNER) TO THE NORTH AND LANDS OF BRYAN ZITTEL (REPUTED OWNER) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 3.19±m MEASURED AT RIGHT ANGLES FROM STATION 3+499.746± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE ALONG SAID DIVISION LINE SOUTH 81°45'23.93" WEST A DISTANCE OF 14.42±m (47.3±FT) TO A POINT, SAID POINT BEING DISTANT 17.33±m MEASURED AT RIGHT ANGLES FROM STATION 3+496.945± OF SAID BASELINE; THENCE THROUGH LANDS OF CARL OSTERLING (REPUTED OWNER) NORTH 7°45'42.82" WEST A DISTANCE OF 6.46±m (21.2±FT) TO A POINT, SAID POINT BEING DISTANT 16.02±m MEASURED AT RIGHT ANGLES FROM STATION 3+490.622± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 67°7'59.02" EAST A DISTANCE OF 13.67±m (44.8±FT) TO A POINT, SAID POINT BEING DISTANT 2.38±m MEASURED AT RIGHT ANGLES FROM STATION 3+489.806± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 14°46'53.56" EAST A DISTANCE OF 9.97±m (32.7±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 114.03± SQUARE METERS (1227.39± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 106, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

MAP NUMBER 52
REVISED DATE ~~4/2/12~~ 11/13/12
DATE PREPARED 4/2/12

PREPARED BY DB CHECKED BY EG/JA FINAL CHECK BY MAH

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REHABILITATION OF NOXON ROAD
NY ROUTE 55 TO TITUSVILLE ROAD

PIN 8755.41

MAP NO. 52
PARCEL NO. 105,106,107
SHEET 3 OF 3

PARCEL 107, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH THE GRADING OF SIDE SLOPES TO MEET THE EXISTING GROUND, SEEDING TO RE-ESTABLISH A GRASS SURFACE, AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT; ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILATATION PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY BOUNDARY OF FELLER ROAD, SAID POINT ALSO BEING DISTANT 0.73±m MEASURED AT RIGHT ANGLES FROM STATION 3+477.028± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE THROUGH LANDS OF CARL OSTERLING (REPUTED OWNER) SOUTH 11°43'35.18" EAST A DISTANCE OF 3.66±m (12.0±FT) TO A POINT, SAID POINT BEING DISTANT 1.22±m MEASURED AT RIGHT ANGLES FROM STATION 3+480.652± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 71°36'12.04" WEST A DISTANCE OF 8.14±m (26.7±FT) TO A POINT, SAID POINT BEING ON THE SOUTHERLY BOUNDARY OF FELLER ROAD, SAID POINT ALSO BEING DISTANT 7.65±m MEASURED AT RIGHT ANGLES FROM STATION 3+475.658± OF SAID BASELINE; THENCE CONTINUING ALONG SAID BOUNDARY NORTH 81°45'23.93" EAST A DISTANCE OF 7.06±m (23.2±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 12.88± SQUARE METERS (138.61± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 107, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

THE SURVEY BASELINE IS A PORTION OF THE 2006 SURVEY BASELINE FOR THE RE-CONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD), AS SHOWN ON THE MAP AND DESCRIBED AS FOLLOWS;
BEGINNING AT STATION 3+357.870; THENCE SOUTH 4°18'51.28" EAST TO STATION 3+466.195; THENCE SOUTH 19°26'42.00" EAST TO STATION 3+536.804.

MAP NUMBER 52
REVISED DATE ~~4/2/12~~ 11/13/12
DATE PREPARED 4/2/12

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date Dec. 16 20 12

Robert H. Balkind, P.E.
Acting Commissioner of Public Works

Recommended by:

Date December 13 20 12

Gregory V. Bentley, P.E.
Director of Engineering

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map is an accurate description and map made from an accurate survey, prepared under my direction.

Date 12/4 20 12

STATE OF NEW YORK
EDWARD T. GANNON
049907
LICENSED LAND SURVEYOR

EDWARD T. GANNON Land Surveyor
N.Y.S. License No. 49907

F. SELLS
35 PLEASANTVILLE ROAD
BRIARCLIFF MANOR, NY 10510

PREPARED BY DB CHECKED BY EG/JA FINAL CHECK BY MAH

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	absent	
District 1 - Town of Poughkeepsie	Doxsey		
District 4 - Town of Hyde Park	Serino	absent	
District 5 - Town of Poughkeepsie	Roman		
District 7 - Town of Hyde Park	Perkins		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 22 - Town of Beekman	Hutchings (C)		
District 24 - Towns of Dover and Union Vale	Surman (VC)	absent	

Present: 9 (C)
Absent: 3
Vacant: 0

Resolution: ✓
Motion: ___

Total : 9 (Yes) 0 (No)
Abstentions: 0

2013345 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM CARL OSTERLING

Date: December 3, 2013

Roll Call Sheets

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

Present: 24 **Resolution:** ✓ **Total :** 24 0

Absent: 1 **Motion:** ___ Yes No

Vacant: 0 **Abstentions:** 0

2013345 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM CARL OSTERLING

Date: December 5, 2013

RESOLUTION NO. 2013346

RE: AUTHORIZING ACQUISITION OF A PERMANENT EASEMENT FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM FRANCES INGLESE

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

WHEREAS, the Department of Public Works has proposed the improvement of a section of Noxon Road, CR 21, in the Town of LaGrange, which project (PIN #8755.41) includes the acquisition of portions of certain properties, and

WHEREAS, an environmental assessment form and a Negative Declaration was approved and adopted by this Legislature on December 8, 2008 under Resolution No. 208403 and the Department of Public Works determined that the improvement project (1) constitutes an unlisted action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and (2) will not have a significant effect on the environment, and

WHEREAS, the Department of Public Works has made a determination that in order to improve said road, it is necessary to acquire a permanent easement of a portion of property presently owned by Frances Inglese, and

WHEREAS, the acquisition of a permanent easement is a portion of parcel number 133400-6360-01-164721-0000, described as 45.45± square meters (489.22± square feet) more or less as shown on Map No. 33, Parcel No. 66, copy is annexed hereto, and

WHEREAS, the Agreement to Purchase Real Property (Permanent Easement) for the necessary real property is attached hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the subject property, Permanent Easement, be purchased for the sum of $4,090.00 plus up to $450.00 for related expenses, and that the terms and conditions of the Agreement be carried forth, now, therefore, be it

RESOLVED, that the County Executive or his designee is authorized to execute the Agreement to Purchase Real Property (Permanent Easement) in substantially the form annexed hereto and all documents in connection with this acquisition, and be it further

RESOLVED, that on the submission by the property owner of a deed to the aforementioned land, which shall include the terms and conditions of the Agreement to Purchase Real Property, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, that payment be made to the property owner in the sum of $4,090.00, that the County reimburse Grantor for fees associated with the Release of Mortgage application, if any, and pay all necessary transfer tax and filing fees, and be it further

RESOLVED, that the terms and conditions of the aforementioned Agreement to Purchase Real Property (Permanent Easement) be carried out by the Dutchess County Department of Public Works.

CA-242-13
CAB/ca/R-0907-II
11/14/13
Fiscal Impact: See attached statement

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 12/10/2013

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

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

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

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 4,540

Total Current Year Revenue and Source $ 4,313

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

Identify Line Items(s):
H0290 5110 3008

Related Expenses: Amount $ 450

Nature/Reason:
Anticipated expenses related to Mortgage Releases, Filling Fees, Property Taxes and other closing costs.

Anticipated Savings to County: $4,313

Net County Cost (this year): $227

Over Five Years:

Additional Comments/Explanation:
This Fiscal Impact Statement pertains to the accompanying resolution request form for the authorization to acquire additional right of way for a consideration of $4,090.00, identified on Map 33 Parcels 66, for the project identified as PIN 8755.41 Rehabilitation of CR 21(Noxon Road), NYS 55 to CR 49 (Titusville Road), Town of Lagrange.

Related expenses are included in the Total Current Year Costs.

Prepared by: Matthew W. Davis 2925

DoLpdf

ADVANCE PAYMENT AGREEMENT TO PURCHASE REAL PROPERTY
(PERMANENT EASEMENT)

Project: REHABILITATION OF NOXON ROAD/TITUSVILLE ROAD INTERSECTION
PIN: 8755.41 Map: 33 Parcel: 66

This Advance Payment Agreement by and between FRANCES A. INGLESE, hereinafter referred to as the "Seller", and the COUNTY OF DUTCHESS, hereinafter referred to as the "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

1. PROPERTY DESCRIPTION. The Seller agrees to sell, grant, convey a permanent easement to a 45.45± Square Meter (489.22± Square Foot) parcel located on the West Side of CR 21, Noxon Road, in the Town of LaGrange, Dutchess County, New York, further described as:

   Being a portion of those same lands described in a deed dated October 31, 2003, and recorded on November 3, 2003 as Document #0220039064 in the Office of the County Clerk for Dutchess County, New York with the address 256 Noxon Road (Re. Tax map No. 133400-6360-01-164721-0000), and being the same lands designated as Map 33, Parcel 66 on exhibit "A" attached here to.

2. IMPROVEMENTS INCLUDED IN THE ACQUISITION. The following improvements, if any, now in or on the property are included in this Advance Payment Agreement: (1) 31" diameter tree, (1) 19" diameter tree, miscellaneous small decorative plantings.

3. PURCHASE PRICE. Whereas, the Seller and the Buyer cannot agree upon the value of the real property interest and the legal damages, the Buyer is willing to pay an amount equal to the amount determined by the Buyer to be the value of the real property interest to be acquired and the legal damages. This amount is Four Thousand Ninety Dollars ($4,090.00). This price includes the real property interest described in Paragraph one (1) and the improvements described in Paragraph two (2). The Seller agrees, as a prerequisite to such advance payment, to execute and to deliver or cause the execution and delivery to the Buyer of all formal papers which the Buyer deems necessary to authorize payment and to secure to the Buyer a full release of all claims (other than the claim of the Seller) by reason of the acquisition of the aforementioned real property interest with improvements.

4. PAYMENT. Payment is to be made upon approval of this agreement by the Buyer after authorization by appropriate administrative and legal entities, as may be required by statute, and after Buyer has provided all papers necessary to convey clear title and release all third party claims to the advance payment proceeds.

5. CLAIM. Pursuant to New York State Eminent Domain Procedure Law, the Seller hereby reserves the right to file a claim with the Supreme Court, held in the judicial district where the real property is situated, or if a claim has been filed, reserves the right to prosecute said claim, it being understood, however, that any such claim shall be filed within one (1) year after title to the aforementioned real property interest is conveyed. It is agreed that, if the Supreme Court finds the value of the real property interest acquired is equal to or exceeds the advance payment amount, the amount of such advance payment shall be deducted from the amount so found by the court or, in the alternative, the award of said court shall be in the amount of the excess, if any, over and above the advance payment amount. In the event the amount so found by the court is less than the amount of said advance payment, the Buyer, upon application made to the court on at least eight days notice to the Seller, may request the difference between the award as found by the court and the amount of said advance payment. This Paragraph 5 of this Advance Payment Agreement shall not merge into the deed and shall survive the conveyance of the aforementioned real property interest.

6. FILING. It is understood and agreed by and between the parties hereto, that pursuant to statute, if no claim is filed by the Seller in the Supreme Court within one (1) year after title to the aforementioned real property interest is conveyed, then, upon the expiration of that time, this Advance Payment Agreement shall automatically become a Purchase Agreement in full and complete settlement of all claims without further ratification, approval or consent by Seller and Seller shall be deemed to have released Seller's claim against the Buyer.

7. TITLE DOCUMENTS. Buyer will pay for and furnish to the Seller an acquisition map.

8. MARKETABILITY OF TITLE. Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in fee simple and/or permanent easement to the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph three (3), and paid to the appropriate party by the Buyer.

9. RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS. Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between Seller and Buyer as of the date of conveyance: current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.

10. RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY. The aforesaid terms, agreements and understandings shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.

11. ENTIRE AGREEMENT. This Advance Payment Agreement when signed by both the Buyer and the Seller will be the record of the complete Advance Payment Agreement between the Buyer and Seller concerning the condemnation of the property. No verbal agreements or promises will be binding.

12. NOTICES. All notices under this Advance Payment Agreement shall be deemed delivered upon receipt. Any notices relating to this Advance Payment Agreement may be given by the attorneys for the parties.

13. PROJECT RELATED IMPROVEMENTS. The following improvements will occur within this permanent easement as a result of the Rehabilitation of Noxon Road Project, PIN 8755.41: This permanent easement is being exercised for the purpose of work area in connection with the grading of the slope and installation of a drainage outlet, including clearing/grubbing activities, future grading, cleaning, rehabilitation, inspection, landscaping, stone outlet protection, equipment and machinery access and the placement of temporary erosion and sediment control measures for the duration of this project.

14. ADDENDA. The following Addenda are incorporated into this Advance Payment Agreement:
[ ] Temporary Easement [ ] Cost to Cure [ ] Other _____

IN WITNESS WHEREOF, on this 30th day of October, 2013, the parties have entered into this Advance Payment Agreement.

Seller: _____
Frances A. Inglese

STATE OF NEW YORK)
) SS:
COUNTY OF DUTCHESS)

On this 30th day of October, 2013, before me, the undersigned, a Notary Public in and for said state, personally appeared Frances A. Inglese, 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 this instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
Notary Public

SUSANNE J. HICKS
Notary Public, State of New York
No. 4821387
Qualified in Dutchess County
Commission Expires July 31, 2014

County of Dutchess

Witness:_____

Buyer:_____
Marcus J. Molinaro
County Executive

APPROVED AS TO FORM:

_____
Carol A. Bogle
Chief Asst. County Attorney

APPROVED AS TO CONTENT:

_____
Gregory V. Bentley, P.E.
Director of Engineering

'EXHIBIT A'

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

MAP NO. 33
PARCEL NO. 66, 67, 68
SHEET 1 OF 3

REHABILITATION OF NOXON ROAD
NY ROUTE 55 TO TITUSVILLE ROAD

PIN 8755.41

Originals of this map (sheets 1 through 3) are on file at the offices of the Dutchess County Department of Public Works

ACQUISITION DESCRIPTION:
Types: PE, TE
Portion of Real Property Tax
Parcel ID No.
133400-6360-01-164721-0000
Town of LaGrange
County of Dutchess
State of New York

REPUTED OWNER:

Inglese, Frances A.
256 Noxon Road
Poughkeepsie, NY 12603

FRANCES A. INGLESE
(REPUTED OWNER)
L.22003 P.9064

ERIC R YON AND
AMY L YON
(REPUTED OWNERS)

248 NOXON ROAD

BRIAN W REILLY AND
ANDREA M REILLY
(REPUTED OWNERS)

260 NOXON ROAD

FRANCES A. INGLESE
(REPUTED OWNER)
256 NOXON ROAD
80.46 SQ. METER +/-
866.06 SQ. FT +/-
TE M33 P67

FRANCES A. INGLESE
(REPUTED OWNER)
256 NOXON ROAD
185.71 SQ. METER +/-
1998.97 SQ. FT +/-
TE M33 P68

FRANCES A. INGLESE
(REPUTED OWNER)
256 NOXON ROAD
46.45 SQ. METER +/-
499.22 SQ. FT +/-
PE M33 P66

4.07±m (13.4±FT)
N 74°23'2.46" E

℄ STA. 2+992.682
7.03±m

℄ STA. 2+993.282
11.05±m

16.44±m (53.9±FT)
N 2°36'56.95" W

S 7°59'16.20" E
17.18±m (56.4±FT)

5.58±m (18.3±FT)
N 84°50'2.23" E
(S 84°50'2.23" W)

℄ STA. 3+009.669
12.35±m

℄ STA. 3+009.860
9.77±m

7.87±m (25.8±FT)
N 5°9'57.77" W

7.88±m (25.9±FT)
S 7°53'16.20" E

℄ STA. 3+015.354
12.54±m

2.19±m (7.2±FT)
S 5°9'57.77" W

5.41±m (17.7±FT)
N 51°2'41.70" E

℄ STA. 3+017.535
12.62±m

℄ STA. 3+018.196
17.94±m

℄ STA. 3+017.740
6.66±m

2.80±m (9.2±FT)
N 5°9'57.77" W

℄ STA. 3+020.993
17.24±m

5.97±m (19.6±FT)
S 84°50'2.23" W
(N 84°50'2.23" E)

7.64±m (25.1±FT)
N 72°57'0.02" W

℄ STA. 3+024.124
10.27±m

13.28±m (43.6±FT)
N 8°5'52.58" W

℄ STA. 3+037.407
10.04±m

℄ STA. 3+038.808
19.04±m

4.25±m (13.9±FT)
N 2°44'53.9" W

9.11±m (29.9±FT)
N74°1'4.51" E

13.18±m (43.2±FT)
S 88°43'30.74" W

℄ STA. 3+043.045
19.37±m

26.65±m (87.4±FT)
S 7°59'16.20" E

NOXON ROAD

SURVEY BASELINE
S 7°8'8.99" E

℄ STA. 3+044.391
6.26±m

COUNTY ROUTE 21

TO B-16 (STA. 2+913.480)

TO B-17 (STA. 3+187.45)

3+000
3+020
3+040

GRID NORTH

TO POLE
NYT 138
38.75±m (127.1±FT)

S42°52'12.98" E

NOXON ROAD

S 7°8'8.99" E

28.13±m (92.3±FT)
TO POLE
NYT 139

TIES NOT TO SCALE

℄STA. 2+913.481
℄-16 SPK

N: 314770.989m
E: 204078.439m

S 7°8'8.99" E

NOXON ROAD

TO POLE
NYT 141
11.44±m (37.5±FT)

S 82°55'0.00" E

TIES NOT TO SCALE

℄STA. 3+118.745
℄-17 SPK

N: 314567.315m
E: 204103.937m

5 0 5 10 15

SCALE 1:250
ONE METER EQUALS 3.280833333333 FEET.
ONE SQUARE METER EQUALS 10.763867361l SQUARE FEET.

MAP NUMBER 33 3/18/13
REVISED DATE ~~1/23/12~~ ~~11/12/12~~
DATE PREPARED 12/8/11

PREPARED BY DB CHECKED BY EG/JA FINAL CHECK BY MAU

'EXHIBIT A'

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

MAP NO. 33
PARCEL NO. 66, 67, 68
SHEET 2 OF 3

REHABILITATION OF NOXON ROAD
NY ROUTE 55 TO TITUSVILLE ROAD

PIN 8755.41

Map of property which the Commissioner of Public Works deems necessary to be acquired in the name of the People of the County of Dutchess in permanent easement and temporary easement for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and the Eminent Domain Procedure Law.

PARCEL 66, A PERMANENT EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH THE GRADING OF THE SLOPE AND INSTALLATION OF A DRAINAGE OUTLET, INCLUDING CLEARING/GRUBBING ACTIVITIES, FUTURE GRADING, CLEANING, REHABILITATION, INSPECTION, LANDSCAPING, STONE OUTLET PROTECTION, EQUIPMENT AND MACHINERY ACCESS AND THE PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT; ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILITATION PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF COUNTY ROUTE 21 (NOXON ROAD), SAID POINT BEING AT THE DIVISION LINE OF LANDS OF ERIC R. YON AND AMY L. YON (REPUTED OWNERS) TO THE NORTH AND LANDS OF FRANCES A. INGLESE (REPUTED OWNER) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 6.77±m MEASURED AT RIGHT ANGLES FROM STATION 3+009.860± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE ALONG SAID BOUNDARY SOUTH 7°59'16.20" EAST A DISTANCE OF 7.88±m (25.9±FT) TO A POINT, SAID POINT BEING DISTANT 6.66±m MEASURED AT RIGHT ANGLES FROM STATION 3+017.740± OF SAID BASELINE; THENCE THROUGH THE LANDS OF FRANCES A. INGLESE (REPUTED OWNER) SOUTH 84°50'2.23" WEST A DISTANCE OF 5.97±m (19.6±FT) TO A POINT, SAID POINT BEING DISTANT 12.62±m MEASURED AT RIGHT ANGLES FROM STATION 3+017.535± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 5°9'57.77" WEST A DISTANCE OF 7.87±m (25.8±FT) TO A POINT, SAID POINT BEING DISTANT 12.35±m MEASURED AT RIGHT ANGLES FROM STATION 3+009.669± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 84°50'2.23" EAST A DISTANCE OF 5.58±m (18.3±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 45.45± SQUARE METERS (489.22± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 66, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

PARCEL 67, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH GRADING THE SIDE SLOPE TO MEET THE EXISTING GROUND, CLEARING/GRUBBING ACTIVITIES AND SEEDING TO RE-ESTABLISH A GRASS SURFACE; ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILATATION PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF COUNTY ROUTE 21 (NOXON ROAD), SAID POINT BEING AT THE DIVISION LINE OF LANDS OF ERIC R. YON AND AMY L. YON (REPUTED OWNERS) TO THE NORTH AND LANDS OF FRANCES A. INGLESE (REPUTED OWNER) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 7.03±m MEASURED AT RIGHT ANGLES FROM STATION 2+992.682± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE ALONG THE WESTERLY BOUNDARY OF COUNTY ROUTE 21, SOUTH 7°59'16.20" EAST A DISTANCE OF 17.18±m (56.4±FT) TO A POINT, SAID POINT BEING DISTANT 6.77±m MEASURED AT RIGHT ANGLES FROM STATION 3+009.860± OF SAID BASELINE; THENCE THROUGH THE LANDS OF FRANCES A. INGLESE (REPUTED OWNER) NORTH 84°50'2.23" EAST A DISTANCE OF 5.58±m (18.3±FT) TO A POINT, SAID POINT BEING DISTANT 12.35±m MEASURED AT RIGHT ANGLES FROM STATION 3+009.669± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 2°36'56.95" WEST A DISTANCE OF 16.44±m (53.9±FT) TO A POINT, SAID POINT ON THE DIVISION LINE OF THE LANDS OF ERIC R. YON AND AMY L. YON (REPUTED OWNERS) TO THE NORTH AND THE LANDS OF FRANCES A. INGLESE (REPUTED OWNER) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 11.05±m MEASURED AT RIGHT ANGLES FROM STATION 2+993.282± OF SAID BASELINE; THENCE CONTINUING ALONG SAID DIVISION LINE NORTH 74°23'2.46" EAST A DISTANCE OF 4.07±m (13.4±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 80.46± SQUARE METERS (866.06± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 67, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

MAP NUMBER 33 3/18/13
REVISED DATE ~~1/23/12~~ ~~11/12/12~~
DATE PREPARED 12/8/11

PREPARED BY DB CHECKED BY EG/JA FINAL CHECK BY MAU

'EXHIBIT A'

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REHABILITATION OF NOXON ROAD
NY ROUTE 55 TO TITUSVILLE ROAD

PIN 8755.41

MAP NO. 33
PARCEL NO. 66, 67, 68
SHEET 3 OF 3

PARCEL 68, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH THE REHABILITATION OF A DRIVEWAY TO MEET THE PROPOSED ROADWAY EDGE, AS WELL AS GRADING THE SIDE SLOPES OF THE DRIVEWAY AND ROADWAY TO MEET THE EXISTING GROUND, CLEARING/GRUBBING ACTIVITIES, SEEDING TO RE-ESTABLISH A GRASS SURFACE AND THE REMOVAL/REPLACEMENT OF A SECTION OF FENCING AND SECTION OF CURBING; ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILATATION PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF COUNTY ROUTE 21 (NOXON ROAD), SAID POINT BEING AT THE DIVISION LINE OF LANDS OF BRIAN W. REILLY AND ANDREA M. REILLY (REPUTED OWNERS) TO TRE SOUTH AND LANDS OF FRANCES A. INGLESE (REPUTED OWNER) TO THE NORTH, SAID POINT ALSO BEING DISTANT 6.26±m MEASURED AT RIGHT ANGLES FROM STATION 3+044.391± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE ALONG SAID DIVISION LINE SOUTH 88°43'30.74" WEST A DISTANCE OF 13.18±m (43.2±FT) TO A POINT, SAID POINT BEING DISTANT 19.37±m MEASURED AT RIGHT ANGLES FROM STATION 3+043.045± OF SAID BASELINE; THENCE THROUGH THE LANDS OF FRANCES A. INGLESE (REPUTED OWNER) NORTH 2°44'53.90" WEST A DISTANCE OF 4.25±m (13.9±FT) TO A POINT, SAID POINT BEING DISTANT 19.04±m MEASURED AT RIGHT ANGLES FROM STATION 3+038.808± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 74°1'4.51" EAST A DISTANCE OF 9.11±m (29.9±FT) TO A POINT, SAID POINT BEING DISTANT 10.04±m MEASURED AT RIGHT ANGLES FROM STATION 3+037.407± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 8°5'52.58" WEST A DISTANCE OF 13.28±m (43.6±FT) TO A POINT, SAID POINT BEING DISTANT 10.27±m MEASURED AT RIGHT ANGLES FROM STATION 3+024.124± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 72°57'0.02" WEST A DISTANCE OF 7.64±m (25.1±FT) TO A POINT, SAID POINT BEING DISTANT 17.24±m MEASURED AT RIGHT ANGLES FROM STATION 3+020.993± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 5°9'57.77" WEST A DISTANCE OF 2.80±m (9.2±FT) TO A POINT, SAID POINT BEING DISTANT 17.14±m MEASURED AT RIGHT ANGLES FROM STATION 3+018.198± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 51°2'41.70" EAST A DISTANCE OF 5.41±m (17.7±FT) TO A POINT, SAID POINT BEING DISTANT 12.54±m MEASURED AT RIGHT ANGLES FROM STATION 3+015.354± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 5°9'57.77" EAST A DISTANCE OF 2.19±m (7.2±FT) TO A POINT, SAID POINT BEING DISTANT 12.62±m MEASURED AT RIGHT ANGLES FROM STATION 3+017.535± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 84°50'2.23" EAST A DISTANCE OF 5.97±m (19.6±FT) TO A POINT ON THE WESTERLY BOUNDARY OF COUNTY ROUTE 21 (NOXON ROAD), SAID POINT BEING DISTANT 6.66±m MEASURED AT RIGHT ANGLES FROM STATION 3+017.740± OF SAID BASELINE; THENCE ALONG SAID BOUNDARY SOUTH 7°59'16.20" EAST A DISTANCE OF 26.65±m (87.4±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 185.71± SQUARE METERS (1998.97± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 68, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

THE SURVEY BASELINE IS A PORTION OF THE 2006 SURVEY BASELINE FOR THE RE-CONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD), AS SHOWN ON THE MAP AND DESCRIBED AS FOLLOWS:
BEGINNING AT STATION 2+913.481 THENCE SOUTH 7°8'8.99" EAST TO STATION 3+118.745.

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date April 9 20 13

Robert H. Balkind, P.E.
Acting Commissioner of Public Works

Recommended by:

Date April 8 20 13

Gregory V. Bentley, P.E.
Director of Engineering

STATE OF NEW YORK
EDWARD T. GANNON
049907
LICENSED LAND SURVEYOR

MAP NUMBER 33 3/18/13
REVISED DATE ~~1/23/12~~ ~~11/12/12~~
DATE PREPARED 12/8/11

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map is an accurate description and map made from an accurate survey, prepared under my direction.

Date 3/27 20 13

EDWARD T. GANNON Land Surveyor
P.L.S. License No. 49907

WSP- SELLS
555 PLEASANTVILLE ROAD
BRIARCLIFF MANOR, NY 10510

PREPARED BY DB CHECKED BY EG/JA FINAL CHECK BY MAU

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	absent	
District 1 - Town of Poughkeepsie	Doxsey		
District 4 - Town of Hyde Park	Serino	absent	
District 5 - Town of Poughkeepsie	Roman		
District 7 - Town of Hyde Park	Perkins		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 22 - Town of Beekman	Hutchings (C)		
District 24 - Towns of Dover and Union Vale	Surman (VC)	absent	

Present: 9 **Absent:** 3 **Vacant:** 0

Resolution: ✓ **Motion:** ___

Total : 9 Yes 0 No

Abstentions: 0

2013346 AUTHORIZING ACQUISITION OF A PERMANENT EASEMENT FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM FRANCES INGLESE

Date: December 3, 2013

Roll Call Sheets

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

Present: 24 **Resolution:** ✓ **Total :** 24 (Yes) 0 (No)

Absent: 1 **Motion:** ___

Vacant: 0 **Abstentions:** 0

2013346 AUTHORIZING ACQUISITION OF A PERMANENT EASEMENT FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM FRANCES INGLESE

Date: December 5, 2013

RESOLUTION NO. 2013347

RE: AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM JAMES RYAN AND JOYCE RYAN

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

WHEREAS, the Department of Public Works has proposed the improvement of a section of Noxon Road, CR 21, in the Town of LaGrange, which project (PIN #8755.41) includes the acquisition of portions of certain properties, and

WHEREAS, a full environmental assessment form and a Negative Declaration was approved and adopted by this Legislature on December 8, 2008 under Resolution No. 208403 and the Department of Public Works determined that the improvement project (1) constitutes an unlisted action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and (2) will not have a significant effect on the environment, and

WHEREAS, the Department of Public Works has made a determination that in order to improve said road, it is necessary to acquire in fee a portion of property presently owned by James Ryan and Joyce Ryan, and

WHEREAS, the acquisition in fee is a portion of parcel number 133400-6360-01-198711-0000, described as 86.43± square meters (930.31± square feet) more or less as shown on Map No. 34, Parcel No. 69, copy is annexed hereto, and

WHEREAS, the Agreement to Purchase Real Property (Fee Acquisition) for the necessary real property is attached hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the subject property, Fee Acquisition, be purchased for the sum of $5,530.00 plus up to $450 for related expenses and that the terms and conditions of the Agreements be carried forth, now, therefore, be it

RESOLVED, that the County Executive or his designee is authorized to execute the Agreement to Purchase Real Property (Fee Acquisition) in substantially the form annexed hereto and all documents in connection with this acquisition, and be it further

RESOLVED, that on the submission by the property owner of deed to the aforementioned land, which shall include the terms and conditions of the Agreement to Purchase Real Property, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, that payment be made to the property owner in the sum of $5,530.00 for Fee Acquisition in accordance with the agreement to purchase, that the County reimburse Grantor for fees associated with the Release of Mortgage application, if any, and pay all necessary transfer tax and filing fees, and be it further

RESOLVED, that the terms and conditions of the aforementioned Agreement to Purchase Real Property (Fee Acquisition) be carried out by the Dutchess County Department of Public Works.

CA-241-13
CAB/ca/R-0907-HH
11/13/13
Fiscal Impact: See attached statement

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 12/10/2013

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

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

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

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 5,980

Total Current Year Revenue and Source $ 5,681

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

Identify Line Items(s):
H0290 5110 3009

Related Expenses: Amount $ 450

Nature/Reason:
Anticipated expenses related to Mortgage Releases, Filling Fees, Property Taxes and other closing costs.

Anticipated Savings to County: $5,681

Net County Cost (this year): $299

Over Five Years:

Additional Comments/Explanation:
This Fiscal Impact Statement pertains to the accompanying resolution request form for the authorization to acquire additional right of way for a consideration of $5,530.00, identified on Map 34 Parcels 69, for the project identified as PIN 8755.41 Rehabilitation of CR 21(Noxon Road), NYS 55 to CR 49 (Titusville Road), Town of Lagrange.

Related expenses are included in the Total Current Year Costs.

Prepared by: Matthew W. Davis 2925

Dot pdf

AGREEMENT TO PURCHASE REAL PROPERTY
(FEE ACQUISITION)

Project: REHABILITATION OF NOXON ROAD (NYS ROUTE 55 TO TITUSVILLE ROAD)
PIN: 8755.41 Map: 34 Parcel: 69

This Agreement by and between JAMES RYAN AND JOYCE RYAN, his wife, hereinafter referred to as the "Seller", and the COUNTY OF DUTCHESS, hereinafter referred to as the "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

1. PROPERTY DESCRIPTION. The Seller agrees to sell, grant, convey all right, title and interest to a 86.43± Square Meter (930.31± Square Foot) parcel located on the East Side of CR 21, Noxon Road, in the Town of LaGrange, Dutchess County, New York, further described as:

   Being a portion of those same lands described in a deed dated October 24, 1977, and recorded on October 25, 1977 in Liber 1468 at Page 525 in the Office of the County Clerk for Dutchess County, New York with the address 257 Noxon Road (Re. Tax map No. 133400-6360-01-198711-0000), and being the same lands designated as Map 34, Parcel 69 on exhibit "A" attached hereto.

2. IMPROVEMENTS INCLUDED IN THE PURCHASE. The following improvements, if any, now in or on the property are included in this Agreement:
   The improvements included in No.1 are: the removal of the following: 778.34 sq. ft. of lawn; 150.70 sq. ft. of driveway material; 16 sq. ft. of 6"x6" wooden timber retaining wall; (1) 12" dia. Tree; (1) 18" dia Tree; (1) 8'x8' bush; (2) low evergreen bushes.

3. PURCHASE PRICE. The total purchase price is FIVE THOUSAND FIVE HUNDRED THIRTY Dollars ($5,530.00). This price includes the acquisition of the above real property in fee as described in paragraph 1 and the improvements described in paragraph 2, if any.

4. PAYMENT. All by check at closing.

5. CLOSING DATE ANDPLACE. Transfer of Title shall take place at the Dutchess County Attorney's Office, or at another mutually acceptable location, on or about July 15, 2013.

6. TITLE DOCUMENTS. Buyer shall provide the following documents in connection with the sale:
   A. Closing Documents. Buyer will prepare and deliver to the Seller for execution at the time of closing the documents necessary to transfer the real property interest stated in Paragraph 1 above.
   B. Abstract, Bankruptcy and Tax Searches, and Acquisition Map. Buyer will pay for a search of public deeds, court and tax records and will prepare a Title Certification Letter. Buyer will pay for and furnish to the Seller an acquisition map.
   C. Buyer will be responsible for the recording of all deeds and releases in the Office of the Dutchess County Clerk.

7. MARKETABILITY OF TITLE. Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in connection with the fee simple acquisition of the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph 3, and paid to the appropriate party by the Buyer at the time of closing. The Buyer shall be responsible for the reimbursement to the Seller of any Lien Release Application Fees and for any Prepayment Penalties associated with the release of any liens.

8. RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS. Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be

prorated and adjusted between the Seller and Buyer as of the date of closing; current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.

9. RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY. The stipulations aforesaid shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.

10. ENTIRE AGREEMENT. This agreement outlines the complete understanding of the Buyer and Seller pertaining to this acquisition. No verbal agreements or promises will be binding. This agreement must be approved by the Dutchess County Legislature and executed by the Dutchess County Executive in order for it to be binding on the parties.

11. NOTICES. All notices under this agreement shall be deemed delivered upon receipt. Any notices relating to this agreement may be given by the attorneys for the parties.

12. PROJECT RELATED IMPROVEMENTS. The following improvements will occur within this fee acquisition as a result of the Rehabilitation of Noxon Road Project, PIN 8755.41: Including, but not limited to the following: the shoulder of Noxon Road will be widened, a portion of a closed drainage system will be installed, and the adjacent side slope will be graded to meet with the existing ground and seeded to re-establish a grass surface.

IN WITNESS WHEREOF, on this 15 day of November, 2013, the parties have entered into this Agreement.

Seller: James Ryan and Joyce Ryan
Representative: XXX

By: X James J. Ryan

James Ryan
Printed Name

owner
Title

Witness:

By: X Joyce Ryan

Joyce Ryan
Printed Name

owner
Title

Witness:

County of Dutchess

Witness:_____

Buyer:_____
Marcus J. Molinaro
County Executive

APPROVED AS TO FORM:

_____
Carol A. Bogle
Sr. Asst. County Attorney

APPROVED AS TO CONTENT:

_____
Gregory V. Bentley, P.E.
Director of Engineering

'EXHIBIT A'

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REHABILITATION OF NOXON ROAD
NY ROUTE 55 TO TITUSVILLE ROAD

MAP NO. 34
PARCEL NO. 69, 70
SHEET 1 OF 2

PIN 8755.41

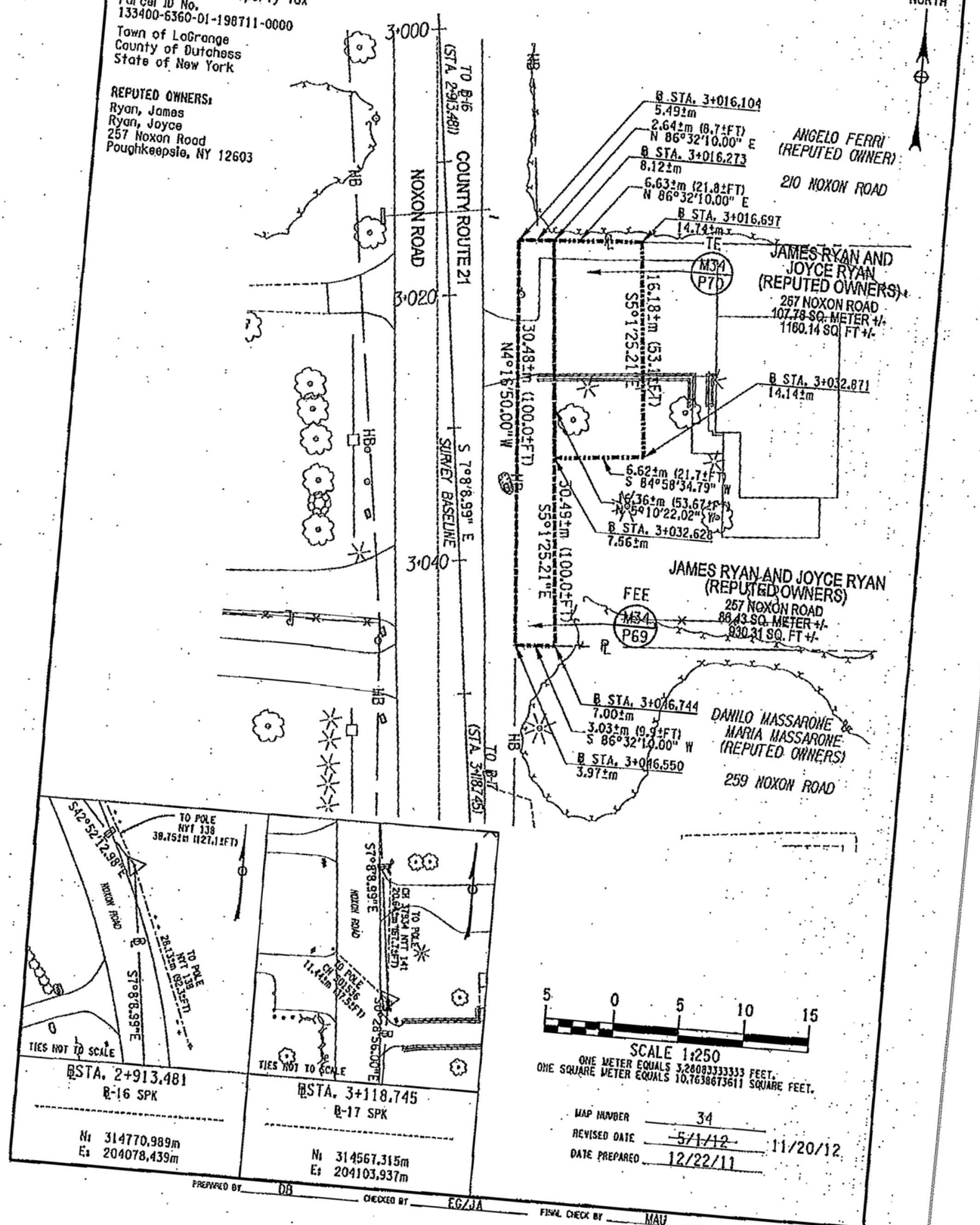
Originals of this map (sheets 1 through 2) are on file at the offices of the Dutchess County Department of Public Works

JAMES RYAN AND JOYCE RYAN
(REPUTED OWNERS)
L.1468 P.0525

ACQUISITION DESCRIPTION:
Types: FEE, TE
Portion of Real Property Tax
Parcel ID No.
133400-6360-01-198711-0000

Town of LaGrange
County of Dutchess
State of New York

REPUTED OWNERS:
Ryan, James
Ryan, Joyce
257 Noxon Road
Poughkeepsie, NY 12603



MAP NUMBER 34
REVISED DATE 5/1/12 11/20/12
DATE PREPARED 12/22/11

PREPARED BY DB CHECKED BY EG/JA FINAL CHECK BY MAU

'EXHIBIT A'

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

MAP NO. 34
PARCEL NO. 69, 70
SHEET 2 OF 2

REHABILITATION OF NOXON ROAD
NY ROUTE 55 TO TITUSVILLE ROAD

PIN 8755.41

Map of property which the Commissioner of Public Works deems necessary to be acquired in the name of the People of the County of Dutchess in fee acquisition and temporary easement for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and the Eminent Domain Procedure Law.

PARCEL 69, A FEE ACQUISITION TO BE EXERCISED FOR THE PURPOSE OF THE WIDENING OF COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILITATION PROJECT WITH IMPROVEMENTS INCLUDING, BUT NOT LIMITED TO THE FOLLOWING: THE SHOULDER OF NOXON ROAD WILL BE WIDENED, A PORTION OF A CLOSED DRAINAGE SYSTEM WILL BE INSTALLED, AND THE ADJACENT SIDE SLOPE WILL BE GRADED TO MEET WITH THE EXISTING GROUND AND SEEDED TO RE-ESTABLISH A GRASS SURFACE; DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY BOUNDARY OF COUNTY ROUTE 21 (NOXON ROAD), SAID POINT BEING AT THE DIVISION LINE OF LANDS OF ANGELO FERRI (REPUTED OWNERS) TO THE NORTH AND LANDS OF JAMES RYAN AND JOYCE RYAN (REPUTED OWNERS) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 5.49±m MEASURED AT RIGHT ANGLES FROM STATION 3+016.104± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE ALONG SAID DIVISION LINE NORTH 86°32'10.00" EAST A DISTANCE OF 2.64±m (8.7±FT) TO A POINT, SAID POINT BEING DISTANT 8.12±m MEASURED AT RIGHT ANGLES FROM STATION 3+016.273± OF SAID BASELINE; THENCE CONTINUING THROUGH THE LANDS OF JAMES RYAN AND JOYCE RYAN (REPUTED OWNERS) SOUTH 5°1'25.21" EAST A DISTANCE OF 30.49±m (100.0±FT) TO A POINT ON THE DIVISION LINE OF THE LANDS OF JAMES RYAN AND JOYCE RYAN (REPUTED OWNERS) TO THE NORTH AND DANILO MASSARONE AND MARIA MASSARONE (REPUTED OWNERS) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 7.00±m MEASURED AT RIGHT ANGLES FROM STATION 3+046.744± OF SAID BASELINE; THENCE CONTINUING ALONG SAID DIVISION LINE SOUTH 86°32'10.00" WEST A DISTANCE OF 3.03±m (9.9±FT) TO A POINT, SAID POINT ON THE AFOREMENTIONED DIVISION LINE, SAID POINT ALSO ON THE EASTERLY BOUNDARY OF COUNTY ROUTE 21 (NOXON ROAD); SAID POINT ALSO BEING DISTANT 3.97±m MEASURED AT RIGHT ANGLES FROM STATION 3+046.550± OF SAID BASELINE; THENCE CONTINUING ALONG SAID BOUNDARY NORTH 4°16'50.00" WEST A DISTANCE OF 30.48±m (100.0±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 86.43± SQUARE METERS (930.31± SQUARE FEET) MORE OR LESS.

PARCEL TO, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH THE REHABILITATION OF A DRIVEWAY TO MEET THE PROPOSED ROADWAY EDGE, AS WELL AS THE CONSTRUCTION OF A NEW PORTION OF THE DRIVEWAY, GRADING THE SIDE SLOPES OF THE DRIVEWAY TO MEET THE EXISTING GROUND, CLEARING/GRUBBING ACTIVITIES, PLANTING OF TREES, SEEDING TO RE-ESTABLISH A GRASS SURFACE, AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT; ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILATATION PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE DIVISION LINE OF LANDS OF ANGELO FERRI (REPUTED OWNER) TO THE NORTH AND LANDS OF JAMES RYAN AND JOYCE RYAN (REPUTED OWNERS) TO THE SOUTH; SAID POINT BEING DISTANT 8.12±m MEASURED AT RIGHT ANGLES FROM STATION 3+016.273± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE ALONG SAID DIVISION LINE NORTH 86°32'10.00" EAST A DISTANCE OF 6.63±m (21.8±FT) TO A POINT, SAID POINT BEING DISTANT 14.74±m MEASURED AT RIGHT ANGLES FROM STATION 3+016.697± OF SAID BASELINE; THENCE THROUGH THE LANDS OF JAMES RYAN AND JOYCE RYAN (REPUTED OWNERS) SOUTH 5°1'25.21" EAST A DISTANCE OF 16.18±m (53.1±FT) TO A POINT, SAID POINT BEING DISTANT 14.14±m MEASURED AT RIGHT ANGLES FROM STATION 3+032.871± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 84°58'34.79" WEST A DISTANCE OF 6.62±m (21.7±FT) TO A POINT, SAID POINT BEING DISTANT 7.56±m MEASURED AT RIGHT ANGLES FROM STATION 3+032.628± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 5°10'22.02" WEST A DISTANCE OF 16.36±m (53.7±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 107.78± SQUARE METERS (1160.14±SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 70, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

THE SURVEY BASELINE IS A PORTION OF THE 2006 SURVEY BASELINE FOR THE RE-CONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD), AS SHOWN ON THE MAP AND DESCRIBED AS FOLLOWS:
BEGINNING AT STATION 2+913.481 THENCE SOUTH 7°8'8.99" EAST TO STATION 3+118.745.

MAP NUMBER 34
REVISED DATE ~~5/1/12~~ 11/20/12
DATE PREPARED 12/22/11

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date Dec. 16 20 12

Robert H. Balkind, P.E.
Acting Commissioner of Public Works

Recommended by:

Date December 13 20 12

Gregory V. Bentley, P.E.
Director of Engineering

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map is an accurate description and map made from an accurate survey, prepared under my direction.

STATE OF NEW YORK · EDWARD T. GANNON · 049907 · LICENSED LAND SURVEYOR

Date 12/4 20 12

EDWARD T. GANNON Land Surveyor
L.S. License No. 49907

WSP- SELLS
555 PLEASANTVILLE ROAD
BRIARCLIFF MANOR, NY 10510

PREPARED BY DB CHECKED BY EG/JA FINAL CHECK BY MAU

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	absent	
District 1 - Town of Poughkeepsie	Doxsey		
District 4 - Town of Hyde Park	Serino	absent	
District 5 - Town of Poughkeepsie	Roman		
District 7 - Town of Hyde Park	Perkins		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 22 - Town of Beekman	Hutchings (C)		
District 24 - Towns of Dover and Union Vale	Surman (VC)	absent	

Present: 9 **Absent:** 3 **Vacant:** 0

Resolution: ✓ **Motion:** ___

Total : 9 Yes 0 No

Abstentions: 0

2013347 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM JAMES RYAN AND JOYCE RYAN

Date: December 3, 2013

Roll Call Sheets

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

Present: 24 **Resolution:** ✓ **Total :** 24 0

Absent: 1 **Motion:** ___ Yes No

Vacant: 6 **Abstentions:** 0

2013347 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM JAMES RYAN AND JOYCE RYAN

Date: December 5, 2013

Public Works & Capital Projects

RESOLUTION NO. 2013348

RE: AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM KAREN MILLS-HERON

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

WHEREAS, the Department of Public Works has proposed the improvement of a section of Noxon Road, CR 21, in the Town of LaGrange, which project (PIN #8755.41) includes the acquisition of portions of certain properties, and

WHEREAS, a full environmental assessment form and a Negative Declaration was approved and adopted by this Legislature on December 8, 2008 under Resolution No. 208403 and the Department of Public Works determined that the improvement project (1) constitutes an unlisted action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and (2) will not have a significant effect on the environment, and

WHEREAS, the Department of Public Works has made a determination that in order to improve said road, it is necessary to acquire in fee a portion of property presently owned by Karen Mills-Heron, and

WHEREAS, the acquisition in fee is a portion of parcel number 133400-6360-01-174601-0000, described as 80.02± square meters (861.29± square feet) more or less as shown on Map No. 48, Parcel No. 96, copy is annexed hereto, and

WHEREAS, the Agreement to Purchase Real Property (Fee Acquisition) for the necessary real property is attached hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the subject property, Fee Acquisition, be purchased for the sum of $3,900.00 plus up to $450 for related expenses and that the terms and conditions of the Agreements be carried forth, now, therefore, be it

RESOLVED, that the County Executive or his designee is authorized to execute the Agreement to Purchase Real Property (Fee Acquisition) in substantially the form annexed hereto and all documents in connection with this acquisition, and be it further

RESOLVED, that on the submission by the property owner of deed to the aforementioned land, which shall include the terms and conditions of the Agreement to Purchase Real Property, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, that payment be made to the property owner in the sum of $3,900.00 for

Fee Acquisition in accordance with the agreement to purchase, that the County reimburse Grantor for fees associated with the Release of Mortgage application, if any, and pay all necessary transfer tax and filing fees, and be it further

RESOLVED, that the terms and conditions of the aforementioned Agreement to Purchase Real Property (Fee Acquisition) be carried out by the Dutchess County Department of Public Works.

CA-240-13
CAB/ca/R-0907-PP
11/13/13
Fiscal Impact: See attached statement

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 12/13/2013

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

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

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

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 4,350

Total Current Year Revenue and Source $ 4,133

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

Identify Line Items(s):
H0290 5110 3009

Related Expenses: Amount $ 450

Nature/Reason:
Anticipated expenses related to Mortgage Releases, Filing Fees, Property Taxes and other closing costs.

Anticipated Savings to County: $4,133

Net County Cost (this year): $218

Over Five Years:

Additional Comments/Explanation:
This Fiscal Impact Statement pertains to the accompanying resolution request form for the authorization to acquire additional right of way for a consideration of $3900.00, identified on Map 48 Parcels 96, for the project identified as PIN 8755.41 Rehabilitation of CR 21(Noxon Road), NYS 55 to CR 49 (Titusville Road), Town of Lagrange.

Related expenses are included in the Total Current Year Costs.

Prepared by: Matthew W. Davis 2925

Dut.pdf

AGREEMENT TO PURCHASE REAL PROPERTY
(FEE ACQUISITION)

Project: REHABILITATION OF NOXON ROAD (NYS ROUTE 55 TO TITUSVILLE ROAD)
PIN: 8755.41 Map: 48 Parcel: 96

This Agreement by and between KAREN MILLS-HERON, hereinafter referred to as the "Seller", and the COUNTY OF DUTCHESS, hereinafter referred to as the "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

1. PROPERTY DESCRIPTION. The Seller agrees to sell, grant, convey all right, title and interest to a 80.02± Square Meter (861.29± Square Foot) parcel located on the West Side of CR 21, Noxon Road, in the Town of LaGrange, Dutchess County, New York, further described as:

   Being a portion of those same lands described in a deed dated January 26, 2001, and recorded on February 15, 2001 in Liber 22001 at Page1252 (as Document #0220011252) in the Office of the County Clerk for Dutchess County, New York with the address 298 Noxon Road (Re. Tax map No. 133400-6360-01-174601-0000), and being the same lands designated as Map 48, Parcel 96 on exhibit "A" attached hereto.

2. IMPROVEMENTS INCLUDED IN THE PURCHASE. The following improvements, if any, now in or on the property are included in this Agreement: 6.78 sq. ft. of lawn and 96.03 sq. ft. of driveway material to be removed. (1) 21" diameter tree to be removed and a row of medium shrubs that will be removed and replaced with new.

3. PURCHASE PRICE. The total purchase price is THREE THOUSAND NINE HUNDRED Dollars ($3,900.00). This price includes the acquisition of the above real property in fee as described in paragraph 1 and the improvements described in paragraph 2, if any.

4. PAYMENT. All by check at closing.

5. CLOSING DATE AND PLACE. Transfer of Title shall take place at the Dutchess County Attorney's Office, or at another mutually acceptable location, on or about September 30, 2013

6. TITLE DOCUMENTS. Buyer shall provide the following documents in connection with the sale:
   A. Closing Documents. Buyer will prepare and deliver to the Seller for execution at the time of closing the documents necessary to transfer the real property interest stated in Paragraph 1 above.
   B. Abstract, Bankruptcy and Tax Searches, and Acquisition Map. Buyer will pay for a search of public deeds, court and tax records and will prepare a Title Certification Letter. Buyer will pay for and furnish to the Seller an acquisition map.
   C. Buyer will be responsible for the recording of all deeds and releases in the Office of the Dutchess County Clerk.

7. MARKETABILITY OF TITLE. Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in connection with the fee simple acquisition of the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph 3, and paid to the appropriate party by the Buyer at the time of closing. The Buyer shall be responsible for the reimbursement to the Seller of any Lien Release Application Fees and for any Prepayment Penalties associated with the release of any liens.

8. RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS. Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between the Seller and Buyer as of the date of closing; current taxes computed on a fiscal

year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.

9. RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY. The stipulations aforesaid shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.

10. ENTIRE AGREEMENT. This agreement outlines the complete understanding of the Buyer and Seller pertaining to this acquisition. No verbal agreements or promises will be binding. This agreement must be approved by the Dutchess County Legislature and executed by the Dutchess County Executive in order for it to be binding on the parties.

11. NOTICES. All notices under this agreement shall be deemed delivered upon receipt. Any notices relating to this agreement may be given by the attorneys for the parties.

12. PROJECT RELATED IMPROVEMENTS. The following improvements will occur within this fee acquisition as a result of the Rehabilitation of Noxon Road Project, PIN 8755.41: Including, but not limited to the following: the shoulder of Noxon Road will be widened, and the adjacent side slope will be cleared/grubbed and graded to meet with the existing ground and seeded to re-establish a grass surface.

IN WITNESS WHEREOF, on this 22 day of August 2015, the parties have entered into this Agreement.

Seller: Karen Mills-Heron
Representative:

By: Karen Mills-Heron

Karen Mills Heron
Printed Name

owner
Title

Witness:

By:_____

_____
Printed Name

_____
Title

Witness:_____

County of Dutchess

Witness:_____

Buyer:_____
Marcus J. Molinaro
County Executive

APPROVED AS TO FORM:

_____
Carol A. Bogle
Sr. Asst. County Attorney

APPROVED AS TO CONTENT:

Gregory V. Bentley, P.E.
Director of Engineering

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REHABILITATION OF NOXON ROAD
NY ROUTE 55 TO TITUSVILLE ROAD

PIN 8756.41

MAP NO. 48
PARCEL NO. 96, 97
SHEET 1 OF 2

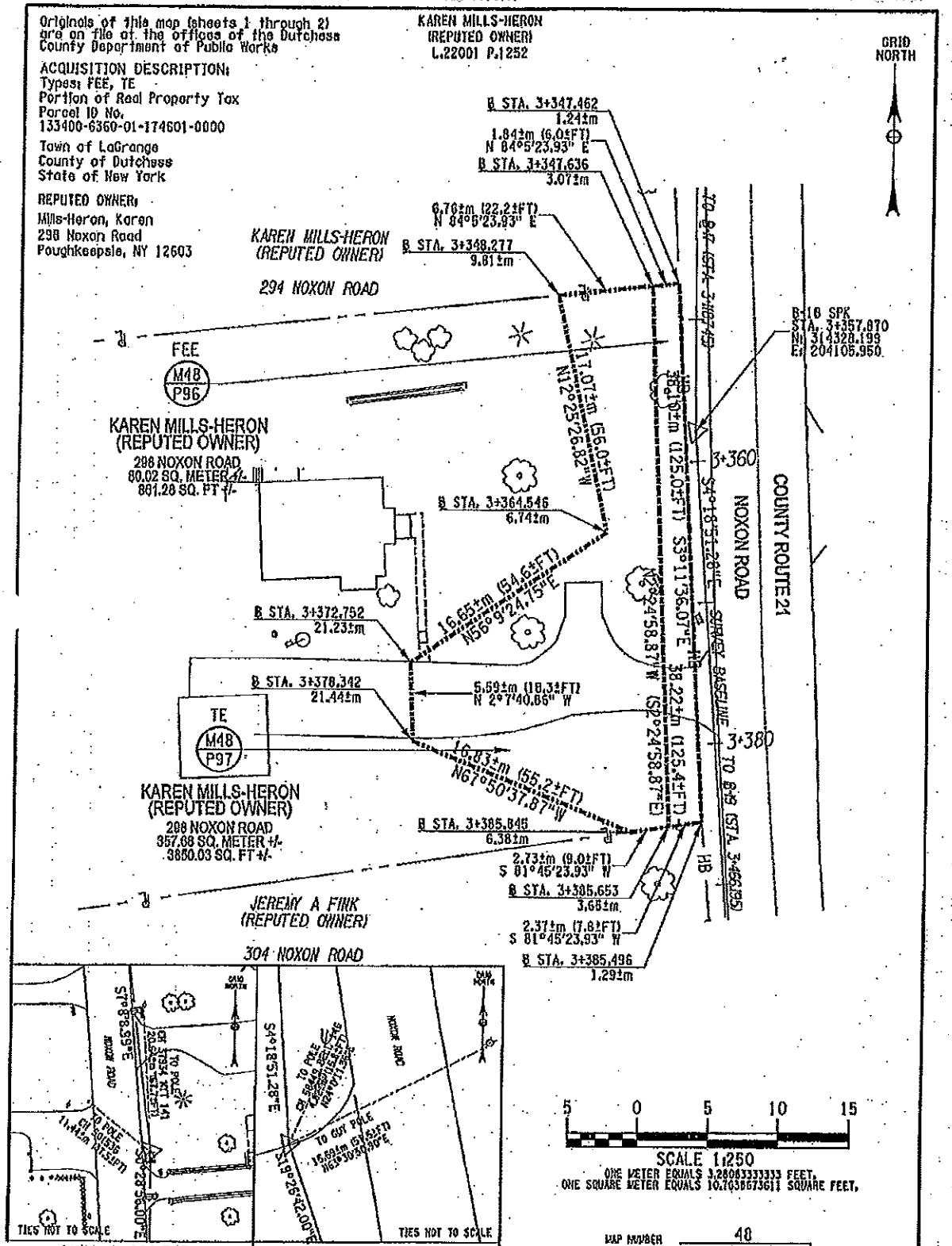
Originals of this map (sheets 1 through 2) are on file at the offices of the Dutchess County Department of Public Works

ACQUISITION DESCRIPTION:
Types: FEE, TE
Portion of Real Property Tax
Parcel ID No.
133400-6360-01-174601-0000

Town of LaGrange
County of Dutchess
State of New York

REPUTED OWNER:
Mills-Heron, Karen
298 Noxon Road
Poughkeepsie, NY 12603

KAREN MILLS-HERON
(REPUTED OWNER)
L.22001 P.1252



B STA. 3+118.745
B-17 SPK
N: 314567.315m
E: 204103.937m

B STA. 3+466.195
B-19 SPK
N: 314220.181m
E: 204114.099m

5 0 5 10 15
SCALE 1:250
ONE METER EQUALS 3.28083333333 FEET.
ONE SQUARE METER EQUALS 10.7638673611 SQUARE FEET.

MAP NUMBER 48
REVISED DATE ~~4/13/12~~ 11/26/12
DATE PREPARED 4/13/12

PREPARED BY DB CHECKED BY EG/JA FINAL CHECK BY MAU

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REHABILITATION OF NOXON ROAD
NY ROUTE 55 TO TITUSVILLE ROAD

PIN 8755.41

MAP NO. 48
PARCEL NO. 96, 97
SHEET 2 OF 2

Map of property which the Commissioner of Public Works deems necessary to be acquired in the name of the People of the County of Dutchess in fee acquisition and temporary easement for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and the Eminent Domain Procedure Law.

PARCEL 96, A FEE ACQUISITION TO BE EXERCISED FOR THE PURPOSE OF THE WIDENING OF COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILITATION PROJECT WITH IMPROVEMENTS INCLUDING, BUT NOT LIMITED TO THE FOLLOWING; THE SHOULDER OF NOXON ROAD WILL BE WIDENED, AND THE ADJACENT SIDE SLOPE WILL BE CLEARED/GRUBBED AND GRADED TO MEET WITH THE EXISTING GROUND AND SEEDED TO RE-ESTABLISH A GRASS SURFACE; DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF COUNTY ROUTE 21 (NOXON ROAD), SAID POINT ALSO BEING AT THE INTERSECTION OF SAID BOUNDARY AND THE DIVISION LINE OF LANDS OF KAREN MILLS-HERON (REPUTED OWNER) TO THE NORTH AND LANDS OF KAREN MILLS-HERON (REPUTED OWNER) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 1.24±m MEASURED AT RIGHT ANGLES FROM STATION 3+347.462± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE ALONG SAID BOUNDARY SOUTH 3°11'36.07" EAST A DISTANCE OF 38.10±m (125.0±FT) TO A POINT, SAID POINT BEING AT THE INTERSECTION OF THE AFOREMENTIONED BOUNDARY AND THE DIVISION LINE OF LANDS OF KAREN MILLS-HERON (REPUTED OWNER) TO THE NORTH AND LANDS OF JEREMY A FINK (REPUTED OWNER) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 1.29±m MEASURED AT RIGHT ANGLES FROM STATION 3+385.496± OF SAID BASELINE; THENCE ALONG SAID DIVISION LINE SOUTH 81°45'23.93" WEST A DISTANCE OF 2.37±m (7.8±FT) TO A POINT, SAID POINT BEING DISTANT 3.65±m MEASURED AT RIGHT ANGLES FROM STATION 3+385.653± OF SAID BASELINE; THENCE CONTINUING THROUGH THE LANDS OF KAREN MILLS-HERON (REPUTED OWNER) NORTH 2°24'58.87" WEST A DISTANCE OF 38.22±m (125.4±FT) TO A POINT, SAID POINT BEING ON THE DIVISION LINE OF LANDS OF KAREN MILLS-HERON (REPUTED OWNER) TO THE NORTH AND LANDS OF KAREN MILLS-HERON (REPUTED OWNER) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 3.07±m MEASURED AT RIGHT ANGLES FROM STATION 3+347.636± OF SAID BASELINE; THENCE ALONG SAID DIVISION LINE NORTH 84°5'23.93" EAST A DISTANCE OF 1.84±m (6.0±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 80.02± SQUARE METERS (861.29± SQUARE FEET) MORE OR LESS.

PARCEL 97, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH THE REHABILITATION OF A DRIVEWAY TO MEET THE PROPOSED ROADWAY EDGE, AS WELL AS CLEARING/GRUBBING AND GRADING THE SIDE SLOPES ADJACENT TO COUNTY ROUTE 21 (NOXON ROAD) AND THE DRIVEWAY TO MEET THE EXISTING GROUND, SEEDING TO RE-ESTABLISH A GRASS SURFACE, AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT; ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILATATION PROJECT, DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT ON THE DIVISION LINE OF LANDS OF KAREN MILLS-HERON (REPUTED OWNER) TO THE NORTH AND LANDS OF KAREN MILLS-HERON (REPUTED OWNER) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 3.07±m MEASURED AT RIGHT ANGLES FROM STATION 3+347.636± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE THROUGH THE LANDS OF KAREN MILLS-HERON SOUTH 2°24'58.87" EAST A DISTANCE OF 38.22±m (125.4±FT) TO A POINT, SAID POINT BEING ON THE DIVISION LINE OF LANDS OF KAREN MILLS-HERON (REPUTED OWNER) TO THE NORTH AND LANDS OF JEREMY A FINK (REPUTED OWNER) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 3.65±m MEASURED AT RIGHT ANGLES FROM STATION 3+385.653± OF SAID BASELINE, THENCE ALONG SAID DIVISION LINE SOUTH 81°45'23.93" WEST A DISTANCE OF 2.73±m (9.0±FT) TO A POINT, SAID POINT BEING DISTANT 6.38±m MEASURED AT RIGHT ANGLES FROM STATION 3+385.845± OF SAID BASELINE; THENCE CONTINUING THROUGH THE LANDS OF KAREN MILLS-HERON (REPUTED OWNER) NORTH 67°50'37.87" WEST A DISTANCE OF 16.83±m (55.2±FT) TO A POINT, SAID POINT BEING DISTANT 21.44±m MEASURED AT RIGHT ANGLES FROM STATION 3+378.342± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 2°7'40.86" WEST A DISTANCE OF 5.59±m (18.3±FT) TO A POINT, SAID POINT BEING DISTANT 21.23±m MEASURED AT RIGHT ANGLES FROM STATION 3+372.752± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 66°9'24.75" EAST A DISTANCE OF 16.65±m (54.6±FT) TO A POINT, SAID POINT BEING DISTANT 6.74±m MEASURED AT RIGHT ANGLES FROM STATION 3+364.546± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 12°25'26.82" WEST A DISTANCE OF 17.07±m (56.0±FT) TO A POINT, SAID POINT BEING ON THE DIVISION LINE OF THE LANDS OF KAREN MILLS-HERON TO THE NORTH AND LANDS OF KAREN MILLS-HERON (REPUTED OWNER) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 9.81±m MEASURED AT RIGHT ANGLES FROM STATION 3+348.277± OF SAID BASELINE; THENCE CONTINING ALONG SAID DIVISION LINE NORTH 84°5'23.93" EAST A DISTANCE OF 6.76±m (22.2±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 357.68± SQUARE METERS (3850.03± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 97, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

THE SURVEY BASELINE IS A PORTION OF THE 2006 SURVEY BASELINE FOR THE RE-CONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD), AS SHOWN ON THE MAP AND DESCRIBED AS FOLLOWS;
BEGINNING AT STATION 3+118.745; THENCE SOUTH 0°28'56.00" EAST TO STATION 3+357.870; THENCE SOUTH 4°18'51.28 EAST TO STATION 3+466.195,

MAP NUMBER 48
REVISED DATE ~~4/13/12~~ 11/26/12
DATE PREPARED 4/13/12

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date Dec. 16 20 12

Robert H. Balkind, P.E.
Acting Commissioner of Public Works

Recommended by:

Date December 13 20 12

Gregory V. Bentley, P.E.
Director of Engineering

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map is an accurate description and map made from an accurate survey, prepared under my direction.

12/4 20 12

STATE OF NEW YORK · EDWARD T. GANNON · 049907 · LICENSED LAND SURVEYOR

EDWARD T. GANNON Land Surveyor
License No. 49907
SELLS
656 PLEASANTVILLE ROAD
BRIARCLIFF MANOR, NY 10510

PREPARED BY DB CHECKED BY EG/JA FINAL CHECK BY MAU

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	absent	
District 1 - Town of Poughkeepsie	Doxsey		
District 4 - Town of Hyde Park	Serino	absent	
District 5 - Town of Poughkeepsie	Roman		
District 7 - Town of Hyde Park	Perkins		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 22 - Town of Beekman	Hutchings (C)		
District 24 - Towns of Dover and Union Vale	Surman (VC)	absent	

Present: 9 **Absent:** 3 **Vacant:** 0

Resolution: ✓ **Motion:** ___

Total : 9 (Yes) 0 (No) **Abstentions:** 0

2013348 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM KAREN MILLS-HERON

Date: December 3, 2013

Roll Call Sheets

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

Present: 24 **Resolution:** ✓ **Total :** 24 0

Absent: 1 **Motion:** ___ Yes No

Vacant: 0 **Abstentions:** 0

2013348 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM KAREN MILLS-HERON

Date: December 5, 2013

Public Works & Capital Projects

RESOLUTION NO. 2013349

RE: AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM JOHN A. DAUBMAN AND SANDRA H. DAUBMAN

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

WHEREAS, the Department of Public Works has proposed the improvement of a section of Noxon Road, CR 21, in the Town of LaGrange, which project (PIN #8758.69) includes the acquisition of portions of certain properties, and

WHEREAS, a Type II short environmental assessment form and a Negative Declaration was approved and adopted by this Legislature on December 8, 2008 under Resolution No. 208403, however, the Department of Public Works determined that the improvement project will not have a significant effect on the environment, and

WHEREAS, the Department of Public Works has made a determination that in order to improve said road, it is necessary to acquire in fee a portion of property presently owned by John A. Daubman and Sandra H. Daubman, and

WHEREAS, the acquisition in fee is a portion of parcel number 133400-6360-03-217468-0000, described as 34.83± square meters (374.86± square feet) more or less as shown on Map No. 60, Parcel No. 126, copy is annexed hereto, and

WHEREAS, the Agreement to Purchase Real Property (Fee Acquisition) for the necessary real property is attached hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the subject property (Fee Acquisition) be purchased for the sum of $3,100.00 plus up to $450 for related expenses and that the terms and conditions of the Agreements be carried forth, now, therefore, be it

RESOLVED, that the County Executive is authorized to execute the Agreement to Purchase Real Property (Fee Acquisition) in substantially the form annexed hereto and all documents in connection with this acquisition, and be it further

RESOLVED, that on the submission by the property owner of deed to the aforementioned land, which shall include the terms and conditions of the Agreement to Purchase Real Property, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, that payment be made to the property owner in the sum of $3,100.00 for Fee Acquisition in accordance with the agreement to purchase, that the County reimburse

Grantor for fees associated with the Release of Mortgage application, if any, and pay all necessary transfer tax and filing fees, and be it further

RESOLVED, that the terms and conditions of the aforementioned Agreement to Purchase Real Property (Fee Acquisition) be carried out by the Dutchess County Department of Public Works.

CA-236-13
CAB/ca/R-0907-YY
11/12/13
Fiscal Impact: See attached statement

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 12/10/2013

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

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

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

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 3,550

Total Current Year Revenue and Source $ 3,373

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

Identify Line Items(s):
H0290 5110 3009

Related Expenses: Amount $ 450

Nature/Reason:
Anticipated expenses related to morgage releases, filing fees, property taxes and other closing costs.

Anticipated Savings to County: $3,373

Net County Cost (this year): $177

Over Five Years:

Additional Comments/Explanation:
This Fiscal Impact Statement pertains to accompanying resolution request form for the authorization to acquire additional right of way for a consideration of $3,100, identified on Map 60, Parcel 126 for the project identified as PIN 8758.69, Intersection Improvements at CR 21 (Noxon Road), and CR 49 (Titusville Road), Town of LaGrange.

Prepared by: Matthew W. Davis, ext. 2929

Dut.pdf

AGREEMENT TO PURCHASE REAL PROPERTY
(FEE ACQUISITION)

Project: REHABILITATION OF NOXON ROAD/TITUSVILLE ROAD INTERSECTION
PIN: 8758.69 Map: 60 Parcel: 126

This Agreement by and between JOHN A. DAUBMAN AND SANDRA H. DAUBMAN, his wife, residing at 11 Davis Road, Poughkeepsie, NY 12603, hereinafter referred to as the "Seller", and the COUNTY OF DUTCHESS, hereinafter referred to as the "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

1. PROPERTY DESCRIPTION. The Seller agrees to sell, grant, convey all right, title and interest to a 34.83± Square Meter (374.86± Square Foot) parcel located on the South side of Titusville Road, in the Town of LaGrange, Dutchess County, New York, further described as:

   Being a portion of those same lands described in a deed dated November 16, 1982, and recorded on November 18, 1982 in Liber 1590 at Page 512 in the Office of the County Clerk for Dutchess County, New York with the address 1 Davis Road (Re. Tax map No. 133400-6360-03-217468-0000), and being the same lands designated as Map 60, Parcel 126 on exhibit "A" attached hereto.

2. IMPROVEMENTS INCLUDED IN THE PURCHASE. The following improvements, if any, now in or on the property are included in this Agreement: 375.07 sq. ft. of lawn and (1) 27" diameter tree to be removed.

3. PURCHASE PRICE. The total purchase price is THREE THOUSAND ONE HUNDRED Dollars ($3,100.00). This price includes the acquisition of the above real property in fee as described in paragraph 1 and the improvements described in paragraph 2, if any.

4. PAYMENT. All by check at closing.

5. CLOSING DATE AND PLACE. Transfer of Title shall take place at the Dutchess County Attorney's Office, or at another mutually acceptable location, on or about September 16, 2013.

6. TITLE DOCUMENTS. Buyer shall provide the following documents in connection with the sale:
   A. Closing Documents. Buyer will prepare and deliver to the Seller for execution at the time of closing the documents necessary to transfer the real property interest stated in Paragraph 1 above.
   B. Abstract, Bankruptcy and Tax Searches, and Acquisition Map. Buyer will pay for a search of public deeds, court and tax records and will prepare a Title Certification Letter. Buyer will pay for and furnish to the Seller an acquisition map.
   C. Buyer will be responsible for the recording of all deeds and releases in the Office of the Dutchess County Clerk.

7. MARKETABILITY OF TITLE. Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in connection with the fee simple acquisition of the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph 3, and paid to the appropriate party by the Buyer at the time of closing. The Buyer shall be responsible for the reimbursement to the Seller of any Lien Release Application Fees and for any Prepayment Penalties associated with the release of any liens.

8. RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS. Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between the Seller and Buyer as of the date of closing; current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.

9. RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY. The stipulations aforesaid shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.

10. ENTIRE AGREEMENT. This agreement outlines the complete understanding of the Buyer and Seller pertaining to this acquisition. No verbal agreements or promises will be binding. This agreement must be approved by the Dutchess County Legislature and executed by the Dutchess County Executive in order for it to be binding on the parties.

11. NOTICES. All notices under this agreement shall be deemed delivered upon receipt. Any notices relating to this agreement may be given by the attorneys for the parties.

12. PROJECT RELATED IMPROVEMENTS. The following improvements will occur within this fee acquisition as a result of the Rehabilitation of Noxon Road/Titusville Road Intersection Project, PIN 8758.69: Including, but not limited to the following: The shoulder of Titusville Road will be widened, new curb and sidewalk will be installed and the adjacent side slope will be graded to meet with the existing ground and seeded to re-establish a grass surface.

IN WITNESS WHEREOF, on this 23rd day of August, 2013, the parties have entered into this Agreement.

Seller: John A. Daubman and Sandra H. Daubman
Representative:

By: _____
John A. Daubman
Printed Name
Owner
Title
Witness: _____

By: _____
Sandra H. Daubman
Printed Name
Owner
Title
Witness: _____

County of Dutchess

Witness: _____

Buyer: _____
Marcus J. Molinaro
County Executive

APPROVED AS TO FORM:

_____
Carol A. Bogle
Sr. Asst. County Attorney

APPROVED AS TO CONTENT:

_____
Gregory V. Bentley, P.E.
Director of Engineering

'EXHIBIT A'

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

MAP NO. 60
PARCEL NO. 126, 127
SHEET 1 OF 2

REHABILITATION OF HOXON ROAD (CR 21) AND TITUSVILLE ROAD (CR 49) INTERSECTION

PIN 8758.69

Originals of this map (sheets 1 and 2) are on file at the offices of the Dutchess County Department of Public Works

ACQUISITION DESCRIPTION:
Types: FEE, TE
Portion of Real Property Tax
Parcel ID No.
133400-6360-03-217468-0000

Town of LaGrange
County of Dutchess
State of New York

REPUTED OWNER:
Daubman, John A.
Daubman, Sandra H.
1 Davis Road
Poughkeepsie, NY 12603

JOHN A. DAUBMAN AND SANDRA H. DAUBMAN (REPUTED OWNERS) L.1590 P.0512

GBR TITUSVILLE LLC. (REPUTED OWNER)

TITUSVILLE ROAD

TITUSVILLE ROAD COUNTY ROUTE 49

GRID NORTH

TO B-T4 (STA. 10+221.267)

10+260

10+280

10+300

HB

S 49°1'22.54" W SURVEY BASELINE

B STA. 10+257.729
21.81±m

10.97±m (36.0±FT)
S 72°38'47.16" W
(N 72°35'47.16" E)

1.26±m (4.2±FT)
S 13°3'48.49" E

B STA. 10+268.390
18.55±m

35.10±m (115.2±FT)
N 73°8'37.95" E

B STA. 10+258.330
22.94±m

1.71±m (5.6±FT)
S 13°3'48.49" E

B STA. 10+289.760
7.47±m

24.08±m (79.0±FT)
S 75°45'14.04" W
(N 75°45'14.04" E)

B STA. 10+259.131
24.45±m

30.44±m (99.9±FT)
S 73°54'57.83" W

0.29±m (0.9±FT)
N 13°3'48.49" W

B STA. 10+286.739
11.64±m

5.16±m (16.9±FT)
S 50°38'30.74" W

B STA. 10+289.896
7.92±m

4.27±m (14.0±FT)
N 13°3'48.49" W

B STA. 10+291.896
11.50±m

DAVIS ROAD

FEE
M60
P126

JOHN A. DAUBMAN AND SANDRA H. DAUBMAN (REPUTED OWNERS)
1 DAVIS ROAD
34.83 SQ. METER +/-
374.86 SQ. FT +/-

TE
M60
P127

JOHN A. DAUBMAN AND SANDRA H. DAUBMAN (REPUTED OWNERS)
1 DAVIS ROAD
66.48 SQ. METER +/-
715.55 SQ. FT +/-

294 TITUSVILLE ROAD

JOSEPH L. DAUBMAN AND PAUL L. DAUBMAN (REPUTED OWNERS)

TO TREE
9.54±m (31.3±FT)

S85°16'39.23" W

TO GUIDE RAIL
21.93±m (71.9±FT)

TO POST
12.72±m (41.7±FT)

S49°1'22.54" W

NOT TO SCALE

TITUSVILLE ROAD

TO POLE
15.14±m (49.6±FT)

TO POST
13.57±m (44.5±FT)

S49°1'22.54" W

DAVIS ROAD

TO SIGN
4.75±m (15.6±FT)

TIES NOT TO SCALE

℄STA. 10+221.267
℄-T4 SPK

N: 313992.563m
E: 204213.011m

℄STA. 10+302.442
℄-T5 PK

N: 313939.332m
E: 204151.727m

5 0 5 10 15

SCALE 1:250
ONE METER EQUALS 3.280833333333 FEET.
ONE SQUARE METER EQUALS 10.763867361l SQUARE FEET.

MAP NUMBER 60
REVISED DATE ~~2/22/12~~ 10/11/12
DATE PREPARED 2/22/12

PREPARED BY DB CHECKED BY FGA/LA

'EXHIBIT A'

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

MAP NO. 60
PARCEL NO. 126, 127
SHEET 2 OF 2

REHABILITATION OF NOXON ROAD (CR 21)
AND TITUSVILLE ROAD (CR 49) INTERSECTION

PIN 8758.69

Map of property which the Commissioner of Public Works deems necessary to be acquired by appropriation in the name of the People of the County of Dutchess in temporary easement for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and the Eminent Domain Procedure Law.

PARCEL 126, A FEE ACQUISITION TO BE EXERCISED FOR THE PURPOSE OF THE WIDENING OF COUNTY ROUTE 49 (TITUSVILLE ROAD) FOR THE NOXON AND TITUSVILLE ROAD INTERSECTION IMPROVEMENTS PROJECT WITH IMPROVEMENTS INCLUDING, BUT NOT LIMITED TO THE FOLLOWING; THE SHOULDER OF TITUSVILLE ROAD WILL BE WIDENED, NEW CURB AND SIDEWALK WILL BE INSTALLED AND THE ADJACENT SIDE SLOPE WILL BE GRADED TO MEET WITH THE EXISTING GROUND AND SEEDED TO RE-ESTABLISH A GRASS SURFACE; DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT ON THE SOUTHERLY BOUNDARY OF COUNTY ROUTE 49 (TITUSVILLE ROAD), SAID POINT ALSO BEING AT THE EASTERLY BOUNDARY OF DAVIS ROAD, SAID POINT ALSO BEING DISTANT 7.47±m MEASURED AT RIGHT ANGLES FROM STATION 10+289.760± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE ALONG SAID BOUNDARY NORTH 73°8'37.95" EAST A DISTANCE OF 35.10±m(115.2±FT) TO A POINT ON THE DIVISION LINE OF LANDS OF JOSEPH L DAUBMAN AND PAUL L DAUBMAN (REPUTED OWNERS) TO THE EAST AND OF LANDS OF JOHN A DAUBMAN AND SANDRA H DAUBMAN (REPUTED OWNERS) TO THE WEST, SAID POINT BEING DISTANT 21.81±m MEASURED AT RIGHT ANGLES FROM STATION 10+257.729± OF SAID BASELINE; THENCE ALONG SAID DIVISION LINE SOUTH 13°3'48.49" EAST A DISTANCE OF 1.28±m(4.2±FT) TO A POINT, SAID POINT BEING DISTANT 22.94±m MEASURED AT RIGHT ANGLES FROM STATION 10+258.330± OF SAID BASELINE; THENCE THROUGH LANDS OF JOHN A DAUBMAN AND SANDRA H DAUBMAN (REPUTED OWNERS) SOUTH 72°35'47.16" WEST A DISTANCE OF 10.97±m(36.0±FT) TO A POINT, SAID POINT BEING DISTANT 18.55±m MEASURED AT RIGHT ANGLES FROM STATION 10+268.390± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 75°45'14.04" WEST A DISTANCE OF 24.08±m(79.0±FT) TO A POINT ON THE EASTERLY BOUNDARY OF DAVIS ROAD, SAID POINT BEING DISTANT 7.72±m MEASURED AT RIGHT ANGLES FROM STATION 10+289.896± OF SAID BASELINE; THENCH ALONG SAID BOUNDARY NORTH 13°3'48.49" WEST A DISTANCE OF 0.29±m(0.9±FT)TO THE POINT OF BEGINNING, SAID PARCEL BEING 34.83± SQUARE METERS (374.86± SQUARE FEET) MORE OR LESS.

PARCEL 127, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH GRADING THE SIDE SLOPE BEHIND THE PROPOSED SIDEWALK TO MEET THE EXISTING GROUND AND SEEDING TO RE-ESTABLISH A GRASS SURFACE; ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD REHABILATATION PROJECT, DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT ON THE EASTERLY BOUNDARY OF DAVIS ROAD, SAID POINT BEING DISTANT 7.72±m MEASURED AT RIGHT ANGLES FROM STATION 10+289.896± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE THROUGH LANDS OF JOHN A DAUBMAN AND SANDRA H DAUBMAN (REPUTED OWNERS) NORTH 75°45'14.04" EAST A DISTANCE OF 24.08±m(79.0±FT) TO A POINT, SAID POINT BEING DISTANT 18.55±m MEASURED AT RIGHT ANGLES FROM STATION 10+268.390± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 72°35'47.16" EAST A DISTANCE OF 10.97±m(36.0±FT) TO A POINT ON THE DIVISION LINE OF LANDS OF JOSEPH L DAUBMAN AND PAUL L DAUBMAN (REPUTED OWNERS) TO THE EAST AND OF LANDS OF JOHN A DAUBMAN AND SANDRA H DAUBMAN (REPUTED OWNERS) TO THE WEST, SAID POINT BEING DISTANT 22.94±m MEASURED AT RIGHT ANGLES FROM STATION 10+258.330± OF SAID BASELINE; THENCE ALONG SAID DIVISION LINE SOUTH 13°3'48.49" EAST A DISTANCE OF 1.71±m(5.6±FT) TO A POINT, SAID POINT BEING DISTANT 24.45±m MEASURED AT RIGHT ANGLES FROM STATION 10+259.131± OF SAID BASELINE; THENCE THROUGH LANDS OF JOHN A DAUBMAN AND SANDRA H DAUBMAN (REPUTED OWNERS) SOUTH 73°54'57.83" WEST A DISTANCE OF 30.44±m(99.9±FT) TO A POINT, SAID POINT BEING DISTANT 11.64±m MEASURED AT RIGHT ANGLES FROM STATION 10+286.739± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 50°38'30.74" WEST A DISTANCE OF 5.16±m(16.9±FT) TO A POINT ON THE EASTERLY BOUNDARY OF DAVIS ROAD, SAID POINT BEING DISTANT 11.50±m MEASURED AT RIGHT ANGLES FROM STATION 10+291.896± OF SAID BASELINE; THENCE ALONG SAID BOUNDARY NORTH 13°3'48.49" WEST A DISTANCE OF 4.27±m(14.0±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 66.48± SQUARE METERS (715.55± SQUARE FEET) MORE OR LESS.

THE SURVEY BASELINE IS A PORTION OF THE 2006 SURVEY BASELINE FOR THE RE-CONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD), AS SHOWN ON THE MAP AND DESCRIBED AS FOLLOWS;
BEGINNING AT STATION 10+221.267 THENCE SOUTH 49°1'22.54" WEST TO STATION 10+302.442; ALL BEARINGS REFERRED TO GRID NORTH NEW YORK STATE PLANE EAST ZONE.

MAP NUMBER 60
REVISED DATE ~~2/22/12~~ 10/11/12
DATE PREPARED 2/22/12

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date Oct. 25 20 12

Robert H. Balkind, P.E.
Acting Commissioner of Public Works

Recommended by:

Date October 25 2012

Gregory V. Bentley, P.E.
Director of Engineering

"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map is an accurate description and map made from an accurate survey, prepared under my direction.

Date OCTOBER 16 2012

STATE OF NEW YORK
EDWARD T. GANNON
049907
LICENSED LAND SURVEYOR

EDWARD T. GANNON Land Surveyor
N.S. License No. 49907

WSP SELLS
555 PLEASANTVILLE ROAD
BRIARCLIFF MANOR, NY 10510

PREPARED BY DB CHECKED BY FG/JA FINAL CHECK BY STAFF

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	absent	
District 1 - Town of Poughkeepsie	Doxsey		
District 4 - Town of Hyde Park	Serino	absent	
District 5 - Town of Poughkeepsie	Roman		
District 7 - Town of Hyde Park	Perkins		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 22 - Town of Beekman	Hutchings (C)		
District 24 - Towns of Dover and Union Vale	Surman (VC)	absent	

Present: 9 **Absent:** 3 **Vacant:** 0

Resolution: ✓ **Motion:** ___

Total : 9 (Yes) 0 (No)

Abstentions: 0

2013349 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM JOHN A. DAUBMAN AND SANDRA H. DAUBMAN

Date: December 3, 2013

Roll Call Sheets

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

Present: 24 **Resolution:** ✓ **Total :** 24 (Yes) 0 (No)

Absent: 1 **Motion:** ___

Vacant: 0 **Abstentions:** 0

2013349 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FOR THE REHABILITATION OF A SECTION OF CR 21, NOXON ROAD, TOWN OF LA GRANGE FROM JOHN A. DAUBMAN AND SANDRA H. DAUBMAN

Date: December 5, 2013

Public Works & Capital Projects

RESOLUTION NO. 2013350

RE: AUTHORIZING THE COUNTY TO ENTER INTO AN UNDERTAKING AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION REGARDING HIGHWAY WORK PERMITS

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

WHEREAS, the Commissioner of Public Works has advised that the New York State Department of Transportation (NYSDOT) requested that the County enter into an Undertaking Agreement with respect to renewals of various Highway Work Permits that the County has with NYSDOT on multiple projects, and

WHEREAS, NYSDOT has historically set the expiration date of our permits to coincide with that of our insurance and the undertaking includes language related to indemnity that alleviates that need, and

WHEREAS, the County will now be able to request expiration dates for permits that are more pertinent to the specific project, and

WHEREAS, NYSDOT has indicated that this Legislature must authorize the execution of the Undertaking Agreement, now therefore, be it

RESOLVED, that this Legislature hereby authorizes the County Executive to enter into the Undertaking Agreement with the New York State Department of Transportation, in substantially the same form as attached hereto.

CA-235-13
CAB/ca/G-0188
11/13/13
Fiscal Impact: See attached statement

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 12/16/2013

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

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

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

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

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: Matt Dutcavich

Dut.pdf

UNDERTAKING

For the benefit of

The New York State Department of Transportation

In connection with work affecting state highways

(For use by New York municipalities and federal agencies

WHEREAS, the undersigned _____ (Municipality, County, Town, City or Village, or any agency of the federal government, hereinafter referred to as "Permittee") from time to time receives permits from the New York State Department of Transportation (hereinafter referred to as the "NYSDOT") and otherwise conducts activities and operations upon highways and/or within right-of-way controlled by the State of New York for such purposes as the obstruction, installation, construction, maintenance and/or operation of facilities; and

WHEREAS, Permittee's access and operation upon state right-of-way is conditioned upon compliance with Highway Law Sections 52, 103, 203 and/or 234, including the conditions that Permittee assume all responsibility for (a) the temporary control of all modes of traffic (including motorized and non-motorized travel) affected by Permittee's operations, (b) complete restoration of state facilities to their condition prior to permitted use or activity, and (c) all claims, damages, losses and expenses,

NOW, THEREFORE, in relation to all operations and/or actions undertaken within state right-of-way, Permittee hereby agrees to the following terms and conditions:

1. Permit Applications. Excepting only activities undertaken to protect public safety because of emergency conditions or incidents, Permittee shall provide timely written notice to NYSDOT of operations or activities affecting state right-of-way. Under normal circumstances, a minimum of five business days notice shall be provided. Notification of emergency activities shall be provided to NYSDOT as soon as practicable after the activity. The Permittee shall apply for project-specific permits for activities not allowed under any existing annual permit. Such application shall identify proposed project locations, desired dates/hours, proposed work/activities, traffic control, and site restoration

2. Applicable Rules, Regulations & Conditions. Permittee shall comply with all of the laws, rules and regulations applicable to construction, maintenance activities and operations and shall further comply with such terms and conditions that may be imposed by NYSDOT in connection with permitted activity or operations. Temporary Traffic Control, highway safety appurtenances, and restoration of state facilities shall be completed in accordance with NYSDOT regulations and standards.

3. Site Restoration. Permittee shall, at its own expense, promptly complete the work allowed under each permit and, within a reasonable time, restore State property damaged by its work/activities to substantially the same or equivalent condition as existed before such work was begun as determined by the Commissioner or his/her designee. In the event that the Permittee fails to so restore damaged State property within what the Commissioner deems to be a reasonable time, the Commissioner, after giving written notice to the Permittee, may restore the property to substantially the same or equivalent condition as existed before the Permittee's work/activities, in which case, Permittee agrees to reimburse the reasonable expenses in connection therewith.

4. Payment & Release of Liens. Permittee shall be responsible for the payment of all costs and materials relating to its work in the public right-of-way, and agrees to defend and save harmless NYSDOT against any and all lien claims made by persons supplying services or materials to Permittee in connection with Permittee's work.

5. Indemnity. In addition to the protection afforded to NYSDOT under any available insurance, NYSDOT shall not be liable for any damage or injury to the Permittee, its agents, employees, or to any other person, or to any property, occurring on the site or in any way associated with Permittee's activities or operations, whether undertaken by Permittee's own forces or by contractors or other agents working on Permittee's behalf. To the fullest extent permitted by law, the Permittee agrees to defend, indemnify and hold harmless the State of New York, NYSDOT, and their agents from and against all claims, damages, losses and expenses, including but not limited to, claims for personal injuries, property damage, wrongful death, and/or environmental claims and attorney fees arising out of any such claim, that are in any way associated with the Permittee's, activities or operations under any and all permits issued using this Undertaking.

FURTHERMORE, Permittee hereby warrants that the obligations of this Undertaking are backed by the full faith and credit of Permittee. Permittee may insure or bond any of the obligations set forth herein, or may rely upon self-insurance, budgeted funds, or funds for general operations.

This Undertaking shall be applicable to all permitted activities and operations undertaken after the date of execution and work initiated while this Undertaking is in effect. This Undertaking may be revoked by the Permittee or rejected by NYSDOT upon thirty days written notice but will continue to apply to all permitted activities/operations that were permitted by virtue of this Undertaking. Unless terminated for the purpose of future activities/operations, this Undertaking shall have a term of twenty (20) years and shall be kept on file to facilitate the issuance of future permits to which it will apply.

IN WITNESS WHEREOF, _____ (Municipality-County, Town, City, Village or federal agency) agrees to the terms of this Undertaking, and has caused its execution by the authorized officer or employee (attach Resolution of Approval).

_____ _____
Authorized Agent Date

_____
Print Name/Title

_____ (____) _____
Address Phone number

_____ _____
Address e-mail

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	absent	
District 1 - Town of Poughkeepsie	Doxsey		
District 4 - Town of Hyde Park	Serino	absent	
District 5 - Town of Poughkeepsie	Roman		
District 7 - Town of Hyde Park	Perkins		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 22 - Town of Beekman	Hutchings (C)		
District 24 - Towns of Dover and Union Vale	Surman (VC)	absent	

Present: 9 **Absent:** 3 **Vacant:** 0

Resolution: ✓ **Motion:** ___

Total : 9 (Yes) 0 (No) **Abstentions:** 0

2013350 AUTHORIZING THE COUNTY TO ENTER INTO AN UNDERTAKING AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION REGARDING HIGHWAY WORK PERMITS

Date: December 3, 2013

Roll Call Sheets

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

Present: 24 **Resolution:** ✓ **Total :** 24 0

Absent: 1 **Motion:** ___ Yes No

Vacant: 0 **Abstentions:** 0

2013350 AUTHORIZING THE COUNTY TO ENTER INTO AN UNDERTAKING AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION REGARDING HIGHWAY WORK PERMITS

Date: December 5, 2013

Public Works & Capital Projects

RESOLUTION NO. 2013351

RE: AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE AIRPORT (EA.5610)

Legislators HUTCHINGS, BORCHERT, and TRAUDT offer the following and moves its adoption:

WHEREAS, by Resolution No. 2013274 additional aviation fuels for resale were approved and the additional quantity requested was based on the fuel usage for the previous year, and

WHEREAS, the actual fuel usage for this year reflects a record high, attributable primarily to the County's competitive fuel pricing strategy, outstanding line service and prolonged good weather, and

WHEREAS, the airport is now in need of purchasing additional fuel for resale, and

WHEREAS, the Commissioner of Public Works requests that additional funds be appropriated to meet these additional needs, and

WHEREAS, it is necessary to amend the 2013 Adopted County Budget to meet these needs, now therefore, be it

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

APPROPRIATIONS		
Increase		
EA.5610.5901	AvGas for Resale	$ 78,540
EA.5610.5903	Jet Fuel for Resale	72,240
		$150,780
REVENUES		
Increase		
EA.5610.17760.01	Airport Sales AvGas	$ 78,540
EA.5610.17760.03	Airport Sales Jet Fuel	72,240
		$150,780

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 12/14/2013

CA-246-13 CAB/ca/G-103
11/14/13 Fiscal Impact: See attached statement

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

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

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

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 150,780

Total Current Year Revenue $ 150,780

and Source
New appropiations

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

Identify Line Items(s):

Line EA 5610.5901 (AvGas for Resale) + $78,540.
Line EA 5610.5903 (Jet Fuel for Resale) + $72,240.
Line EA 5610.17760.01 (Airport Sale AvGas) + $78,540.
Line EA 5610.17760.03 (Airport Sale Jet Fuel) + $72,240.

Related Expenses: Amount $ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): $0

Over Five Years: $0

Additional Comments/Explanation:

Request to Increase Budget Line EA 5610.5901 (AvGas for Resale) by $78,540.
Request to Increase Budget Line EA 5610.5903 (Jet Fuel for Resale) by $72,240.
Request to Increase Budget Line EA 5610.17760.01 (Airport Sale AvGas) by $78,540.
Request to Increase Budget Line EA 5610.17760.03 (Airport Sale Jet Fuel) by $72,240.

Prepared by: Robert Balkind, P.E. Deputy Commissioner of Public Works

Dut.pdf

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	absent	
District 1 - Town of Poughkeepsie	Doxsey		
District 4 - Town of Hyde Park	Serino	absent	
District 5 - Town of Poughkeepsie	Roman		
District 7 - Town of Hyde Park	Perkins		
District 15 - Towns of Poughkeepsie and Wappinger	Incoronato		
District 22 - Town of Beekman	Hutchings (C)		
District 24 - Towns of Dover and Union Vale	Surman (VC)	absent	

Present: 9 **Absent:** 3 **Vacant:** 0

Resolution: ✓ **Motion:** ___

Total : 9 Yes 0 No

Abstentions: 0

2013351 AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE AIRPORT (EA.5610)

Date: December 3, 2013

Roll Call Sheets

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

Present: 24 **Resolution:** ✓ **Total :** 24 0

Absent: 1 **Motion:** ____ Yes No

Vacant: 0 **Abstentions:** 0

2013351 AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE AIRPORT (EA.5610)

Date: December 5, 2013

Budget, Finance, and Personnel
PULLED AND COMBINED WITH 2013357

RESOLUTION NO. 2013352

RE: Requesting the Federal Energy Regulatory Commission and New York Independent System Operator Stop Plans for Electricity Rate Hike from Unneeded "New Capacity Zone"

Legislators TYNER, JETER-JACKSON, BLALOCK, MAC AVERY and PERKINS offer the following and move its adoption:

WHEREAS, Senator Charles Schumer has called on federal power officials to hold off on a plan to raise electricity rates in the mid-Hudson Valley and downstate, and

WHEREAS, a "new capacity zone" plan endorsed by the Federal Energy Regulatory Commission (FERC) is expected to raise what consumers pay for power in the mid-Hudson and downstate to incentivize the generation industry to build more downstate power plants, and

WHEREAS, Senator Schumer has called on FERC Chairman Jon Wellinghoff to delay an order to implement that plan by the New York Independent System Operator, which would raise power-supply costs in mid-Hudson counties (including Dutchess County), Westchester County and New York City starting May 1, and

WHEREAS, according to the Poughkeepsie Journal, this "new capacity zone" would force Central Hudson's rates to rise by about 10 percent, according to information from the New York State Public Service Commission, which opposes the plan, along with Central Hudson, and

WHEREAS, as the Sierra Club has already made clear, currently there is already an energy glut in the Hudson Valley, with Danskammer, Roseton, and Lovett power plants shut down, and the Bowline power plant operating at only twenty-five percent capacity, and

WHEREAS, Dutchess County homeowners and businesses cannot afford to pay electric rates any higher than they are already; such a rate hike would be quite destructive to the local economy, and therefore be it

RESOLVED, that the Dutchess County Legislature strongly urges the Federal Energy Regulatory Commission and the New York Independent System Operator to halt such plans for a hike in electric rates from such an unneeded "new capacity zone", and be it further

RESOLVED, that a copy of this resolution be sent to the Federal Energy Regulatory Commission and the New York Independent System Operator.

PULLED AND COMBINED WITH 2013357

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

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

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

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*		
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		
District 7 - Town of Hyde Park	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 22 - Town of Beekman	Hutchings (VC)		
District 24 - Towns of Dover and Union Vale	Surman		

Present: ____ **Resolution:** ____ **Total :** _____ _____

Absent: ____ **Motion:** ____ **Yes** **No**

Vacant: ____ **Abstentions:** _____

2013352 REQUESTING THE FEDERAL ENERGY REGULATORY COMMISSION AND NEW YORK INDEPENDENT SYSTEM OPERATOR STOP PLANS FOR ELECTRICITY RATE HIKE FROM UNNEEDED "NEW CAPACITY ZONE"

Date: December 3, 2013

Public Safety

RESOLUTION NO. 2013353

RE: GRANTING SICK LEAVE AT HALF PAY TO
CONSTANCE RAMSEY-DIXON, AN EMPLOYEE OF THE
DUTCHESS COUNTY SHERIFF'S OFFICE, CORRECTION DIVISION

Legislators ROMAN, FLESLAND, BOLNER, HORTON and PERKINS offer the following and move its adoption:

WHEREAS, Constance Ramsey-Dixon has been an employee of the Dutchess County Sheriff's Office, Correction Division, since August 28, 2006 and is considered to be a satisfactory employee and one that does not abuse her sick time, and

WHEREAS, Constance Ramsey-Dixon was granted thirty days half-pay sick leave by the Sheriff for the period from August 3, 2013 through September 13, 2013, and

WHEREAS, due to extenuating medical circumstances requiring the need for an unexpected second surgery, Constance Ramsey-Dixon has requested an extension of her sick leave at half pay, and

WHEREAS, the Commissioner of Human Resources has reviewed the recommendation of the Sheriff that Constance Ramsey-Dixon is entitled to sick leave at half pay and concurs with said recommendation, and

WHEREAS, it is estimated that Constance Ramsey-Dixon will be capable of returning to work on or before December 14, 2013, now, therefore, be it

RESOLVED, that Constance Ramsey-Dixon receive half pay sick leave retroactive from September 14, 2013 until December 14, 2013, or until her return to work, whichever is sooner.

CA-238-13
KPB/ca/G-175
11/12/13
Fiscal Impact: See attached statement

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 12/11/2013

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

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

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

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS
(To be completed by requesting department)

Total Current Year Cost $ 7,044

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: Richard Wiands, Senior Human Resources Associate

Dot.pdf

Public Safety Roll Call

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

Present: 10
Absent: 2
Vacant: 0

Resolution: ✓
Motion: ___

Total : 10 (Yes) 0 (No)
Abstentions: 0

2013353 GRANTING SICK LEAVE AT HALF PAY TO CONSTANCE RAMSEY-DIXON, AN EMPLOYEE OF THE DUTCHESS COUNTY SHERIFF'S OFFICE, CORRECTION DIVISION

Date: December 3, 2013

Roll Call Sheets

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

Present: 24 **Resolution:** ✓ **Total :** 24 0

Absent: 1 **Motion:** ___ Yes No

Vacant: 0 **Abstentions:** 0

2013353 GRANTING SICK LEAVE AT HALF PAY TO CONSTANCE RAMSEY-DIXON, AN EMPLOYEE OF THE DUTCHESS COUNTY SHERIFF'S OFFICE, CORRECTION DIVISION

Date: December 5, 2013

Public Safety

RESOLUTION NO. 2013354

RE: REAPPOINTMENTS TO THE CITIZENS ADVISORY COMMITTEE ON SEX OFFENDER MANAGEMENT

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

WHEREAS, Resolution No. 205282 created a Citizens Advisory Committee on Sex Offender Management Committee consisting of nine members; and

WHEREAS, the Chairman of the Legislature has reappointed of the following to the Citizens Advisory Committee on Sex Offender Management:

Name	Term Expires
Nancy Garo 15 Verplanck Avenue Beacon, NY 12508	November 30, 2016
Victor Civitillo Sr. Assistant County Attorney 22 Market Street Poughkeepsie, NY 12601	November 30, 2016
Thomas A. Bauer 89 Van Wagner Road Poughkeepsie, NY 12603	November 30, 2016

now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby confirms the reappointments of Nancy Garo, Victor Civitillo, and Thomas A. Bauer as members of the Citizens Advisory Committee on Sex Offender Management.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 12/16/2013

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

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

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

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Public Safety Roll Call

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

Present: 10 **Resolution:** ✓ **Total :** 10 (Yes) 0 (No)

Absent: 2 **Motion:** ___

Vacant: 0 **Abstentions:** 0

2013354 REAPPOINTMENTS TO THE CITIZENS ADVISORY COMMITTEE ON SEX OFFENDER MANAGEMENT

Date: December 3, 2013

Roll Call Sheets

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

Present: 24 **Resolution:** ✓ **Total :** 24 0

Absent: 1 **Motion:** ___ Yes No

Vacant: 0 **Abstentions:** 0

2013354 REAPPOINTMENTS TO THE CITIZENS ADVISORY COMMITTEE ON SEX OFFENDER MANAGEMENT

Date: December 5, 2013

Family & Human Services

RESOLUTION NO. 2013355

RE: AUTHORIZING AMENDMENT OF FUNDING UNDER THE TRADE ADJUSTMENT ASSISTANCE ACT, THE WORKFORCE INVESTMENT ACT AND THE NATIONAL EMERGENCY GRANT TO SUPPORT ON THE JOB TRAINING

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

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

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

WHEREAS, the New York State Department of Labor has provided allocations to Dutchess County for the operation of FY 2012 TAA funding for the period 10/01/11 through 9/30/14, and for the operation of PY 2013 Title 1B Administration funding for the period of 07/01/13 through 06/30/15 and for the operation of PY 2013 Title 1B Adult funding for the period of 07/01/13 through 06/30/15 and for the operation of PY 2013 Title 1B Dislocated Worker funding for the period of 07/01/13 through 06/30/15, and

WHEREAS, the New York State Department of Labor has provided an allocation to Dutchess County to reduce PY 2012 National Emergency Grant funding for the period of 06/29/12-06/30/14, now, therefore be it

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

APPROPRIATIONS Increase (Decrease)

2012		
CD6292.2012.4813	TAA Participant Funding	$ 2,737
CD6292.2012.4826	OJT/NEG Wages	(29,628)
CD6292.2012.4828	OJT/NEG Administration	(2,371)
2013		
CD6292.2013.4804	T-1B Administration	103,971
CD6292.2013.4801	T-1B Adult	461,448
CD6292.2013.4802	T-1B Dislocated Worker	474,287
		$1,010,444

REVENUES Increase (Decrease)

2012		
CD6292.2012.47910.22	TAA Participant Funding	$ 2,737
CD6292.2012.47910.37	OJT/NEG Wages	(29,628)
CD6292.2012.47910.39	OJT/NEG Administration	(2,371)
2013		
CD6292.2013.47910.04	T-1B Administration	103,971
CD6292.2013.47910.01	T-1B Adult	461,448
CD6292.2013.47910.03	T-1B Dislocated Worker	474,287
		$1,010,444

CA-239-13
LK/CRC/ca/G-1263
11/13/13
Fiscal Impact: See attached statement

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 12/16/2013

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

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

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

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 1,010,444

Total Current Year Revenue $ 1,010,444
and Source

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

Identify Line Items(s):

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:

Prepared by: Laraine Kautz, Executive Director - DCWIB

Dut.

New York State Department of Labor
Andrew M. Cuomo, *Governor*
Peter M. Rivera, *Commissioner*

October 25, 2013

Mr. Marcus J. Molinaro
County Executive
Dutchess County
Dutchess County Office Building
22 Market Street, 6th Floor
Poughkeepsie, New York 12601

Dear Mr. Molinaro:

Attached is a Notice of Obligational Authority (NOA) for PY13 for LWIA– Dutchess County.

This NOA represents the balance of funding available for the Program Year 2013 Title 1B Adult and Dislocated Worker programs. These funds are available for use for the period July 1, 2013 – June 30, 2015.

Any questions concerning this information should be directed to Ms. Nancy Bell, State Representative at 518-457-0239.

Sincerely,

Karen A. Coleman

Karen A. Coleman
Deputy Commissioner
for Workforce Development

Attachment

cc: Ms. Heidi Seelbach-Budd
Ms. Susan Newhouse
Ms. Nancy Bell
Ms. Laraine Kautz
Mr. Alfonso Rubio-Aragon
Ms. Delores Caruso

Phone: (518) 457-4317
W. Averell Harriman State Office Campus
Building 12, Room 590, Albany, NY 12240

NOTICE OF OBLIGATIONAL AUTHORITY LWIA# 60 NOA #PY13- 3

LWIA: Dutchess County

Grantee:
Marcus J. Molinaro
County Executive, Dutchess County

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

This NOA authorizes Program Year 2013 funding for the period (07/01/13 through 6/30/15), except Youth (04/01/13 through 6/30/15.)

NYSDOL Contact: Nancy Bell TELEPHONE: (518) 457-0239

WIA GRANT	PRIOR LEVEL	CHANGE THIS NOA	NEW LEVEL
CFDA# 17.259 T-1B Youth	$545,553.90	$0.00	$545,553.90
CFDA# 17.258,17.259,17.278 T-1B Admin	$71,815.30	$103,970.40	$175,785.70
CFDA# 17.258 T-1B Adult	$13,473.90	$461,447.10	$474,921.00
CFDA# 17.278 T-1B Dislocated Worker	$87,309.90	$474,286.50	$561,596.40

Approved by: Karen A. Coleman 10/25/13
Karen A. Coleman
Deputy Commissioner for Workforce Development

New York State Department of Labor
Andrew M. Cuomo, *Governor*
Peter M. Rivera, *Commissioner*

October 11, 2013

Mr. Marcus J. Molinaro
County Executive
Dutchess County
Dutchess County Office Building
22 Market Street, 6th Floor
Poughkeepsie, New York 12601

Dear Mr. Molinaro:

This letter is to notify you that the New York State Department of Labor (NYSDOL) has approved the Local Workforce Investment Area's (LWIA's) requests for additional funds to support the provision of services under the Trade Adjustment Assistance Program (TAA) in accordance with New York State Workforce Development System Technical Advisory #04-6 (May 18, 2004).

Attached is a revised Notice of Obligational Authority to reflect approval of the additional funds. Also attached is a listing of individuals associated with the additional funding, and identification of changes and no changes to prior approvals.

As a reminder, the funds awarded to the LWIA under the TAA program may be expended only for costs identified in approved plans 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 must 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
Deputy Commissioner
for Workforce Development

Attachment(s)
cc: Ms. Heidi Seelbach-Budd
Ms. Susan Newhouse
Ms. Nancy Bell
Ms. Laraine Kautz
Mr. Alfonso Rubio-Aragon
Ms. Delores Caruso

Phone: (518) 457-4317
W. Averell Harriman State Office Campus
Building 12, Room 590, Albany, NY 12240

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

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

CFDA# 17.245

TAA GRANT	PRIOR LEVEL	CHANGE THIS NOA	NEW LEVEL
FY11			
Training	$ 62,999.42	$ 0.00	$ 62,999.42
Job Search	$ 106.70	$ 0.00	$ 106.70
Relocation	$ 0.00	$ 0.00	$ 0.00
FY12			
Training	$ 141,691.99	$ 2,736.26	$ 144,428.25

Approved By: Karen A Coleman

Karen A. Coleman

Deputy Commissioner for Workforce Development

Dated: 10/11/2013

New York State Department of Labor
Andrew M. Cuomo, *Governor*
Peter M. Rivera, *Commissioner*

October 31, 2013

Mr. Marcus J. Molinaro
County Executive
Dutchess County
Dutchess County Office Building
22 Market Street, 6th Floor
Poughkeepsie, New York 12601

Dear Mr. Molinaro:

Attached is a Notice of Obligational Authority (NOA) providing the Local Workforce Investment Area (LWIA) National Emergency Grant (NEG) funding to support On the Job Training (OJT) services. Please refer to the attached summary for a list of the individuals, their approved funding amounts and the timeframes of their OJTs.

As a reminder, the funds awarded to the LWIA under this grant may be expended only for the wage reimbursement, supportive services and administrative costs identified in the request for funds for the individual listed. Expenditures must be reported monthly to the New York State Department of Labor (NYSDOL) by the LWIA on the Accrued Expenditure Report (AER). In the event the OJT does not occur or the final costs are less than requested, the funds remaining unexpended will be deobligated and will not be available for the LWIA's use.

Any questions regarding the reporting of these funds should be directed to Sharie FitzGibbon at (518) 457-9060. Programmatic questions should be directed to OJT-NEG@labor.ny.gov.

Sincerely,

Karen A. Coleman

Karen A. Coleman
Deputy Commissioner
for Workforce Development

Attachment(s)

cc: Ms. Heidi Seelbach-Budd
Ms. Susan Newhouse
Ms. Nancy Bell
Ms. Laraine Kautz
Mr. Alfonso Rubio-Aragon
Ms. Delores Caruso

Phone: (518) 457-4317
W. Averell Harriman State Office Campus
Building 12, Room 590, Albany, NY 12240

NOTICE OF OBLIGATIONAL AUTHORITY LWIA# 60 OJT NEG Stimulus NOA #PY08-7

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

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

This NOA authorizes Program Year 2008 funding for the period (6/30/10 through 9/30/12).
This NOA authorizes Program Year 2012 funding for the period (6/29/12 through 6/30/14).

NYSDOL Contact: Nancy Bell TELEPHONE: (518) 457-0239

OJT NEG - PY12
CFDA#: 17.277

GRANT	PRIOR LEVEL	CHANGE THIS NOA	NEW LEVEL
Wages	$86,112.00	($29,628.00)	$56,484.00
Supp. Services	$0.00	$0.00	$0.00
Admin	$6,888.96	($2,370.24)	$4,518.72

Approved by: Karen A. Coleman 10/31/13

Karen A. Coleman
Deputy Commissioner
for Workforce Development

Family and Human Services Committee Roll Call

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

Present: 10
Absent: 2
Vacant: 0

Resolution: ✓
Motion: ___

Total : 10 (Yes) 0 (No)
Abstentions: 0

2013355 AUTHORIZING AMENDMENT OF FUNDING UNDER THE TRADE ADJUSTMENT ASSISTANCE ACT, THE WORKFORCE INVESTMENT ACT AND THE NATIONAL EMERGENCY GRANT TO SUPPORT ON THE JOB TRAINING

Date: December 3, 2013

Roll Call Sheets

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

Present: 24 **Resolution:** ✓ **Total :** 24 0

Absent: 1 **Motion:** ___ Yes No

Vacant: 0 **Abstentions:** 0

2013355 AUTHORIZING AMENDMENT OF FUNDING UNDER THE TRADE ADJUSTMENT ASSISTANCE ACT, THE WORKFORCE INVESTMENT ACT AND THE NATIONAL EMERGENCY GRANT TO SUPPORT ON THE JOB TRAINING

Date: December 5, 2013

RESOLUTION NO. 2013356

RE: AUTHORIZING THE FINANCE DEPARTMENT TO AMEND COMMUNITY DEVELOPMENT ACCOUNT FOR SECTION 108 LOAN REPAYMENTS

Legislators TRAUDT, BOLNER, MICCIO, HORTON and PERKINS offer the following and move its adoption:

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

WHEREAS, pursuant to the Program, the County makes loans known under the Program as Section 108 Loans, to qualified business owners for creation or expansion of their businesses, who repay the loans to the County, and

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

WHEREAS, this resolution represents an amendment to the budget to cover anticipated revenue over the next two years (2014 and 2015) to insure compliance with our HUD loan payment obligation, now, therefore, be it

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

APPROPRIATIONS		
Increase		
CD.8668.2705.4404	Rehab Loans & Grants	$51,160
REVENUES		
Increase		
CD.8668.21700.00	Community Dev. General	$51,160

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 12/16/2013

CA-237-13
ca/G-0179
11/12/13
Fiscal Impact: See attached statement

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

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

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

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 51,160

Total Current Year Revenue $ 51,160
and Source

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

Identify Line Items(s):
CD.8668.2705.4404/CD.8668.21700.00

Related Expenses: Amount $ 0
Nature/Reason:

Anticipated Savings to County: $0

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

Additional Comments/Explanation:

Prepared by: Patricia Longbard, Accounting Clerk, Department of Planning and Development

Dut.pdf

Environment Committee Roll Call

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

Present: 9 **Absent:** 3 **Vacant:** 0

Resolution: ✓ **Motion:** ___

Total : 9 Yes 0 No

Abstentions: 0

2013356 AUTHORIZING THE FINANCE DEPARTMENT TO AMEND COMMUNITY DEVELOPMENT ACCOUNT FOR SECTION 108 LOAN REPAYMENTS

Date: December 3, 2013

Roll Call Sheets

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

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

2013356 AUTHORIZING THE FINANCE DEPARTMENT TO AMEND COMMUNITY DEVELOPMENT ACCOUNT FOR SECTION 108 LOAN REPAYMENTS

Date: December 5, 2013

ENVIRONMENT
REVISED AND COMBINED WITH 2013352
AMENDED ON FLOOR 12/5/13

RESOLUTION NO. 2013357

RE: ADOPTION OF A DUTCHESS COUNTY GOVERNMENT POLICY STATEMENT REGARDING THE CONSTRUCTION OF ABOVE-GROUND TRANSMISSION LINES THROUGH THE COUNTY AND THE ADDITION OF A NEW CAPACITY ZONE BY THE FEDERAL ENERGY REGULATORY COMMISSION INCLUDING DUTCHESS COUNTY

Legislators TYNER, JETER-JACKSON, PERKINS, BLALOCK, MAC AVERY, FLESLAND, SERINO, AMPARO, BORCHERT, FORMAN, HORTON, HUTCHINGS, INCORONATO, MICCIO, ROLISON, ROMAN, TRAUDT, WEISS, WHITE and WILKINSON offer the following and move its adoption:

WHEREAS, the County of Dutchess has been made aware that the State of New York is considering a project that will upgrade or expand the transmission grid, including the potential construction of new, above-ground transmission lines through the towns of Milan, Clinton, Pleasant Valley and possibly others, and

WHEREAS, the state Public Service Commission is currently reviewing proposals to build transmission lines from upstate New York in an effort to provide energy downstate, and

WHEREAS, local communities and residents have expressed significant concerns as to the economic and environmental impact this project will have to Dutchess County, and

WHEREAS, the County of Dutchess has been made aware that the Federal Energy Regulatory Commission (FERC) has ordered the creation of a new capacity zone in New York State to include Dutchess County and the creation of such a zone will raise the cost of electric service for residents and businesses in Dutchess County, now, therefore be it

RESOLVED, that the affixed policy statement be the official policy of Dutchess County Government whereby it opposes the construction of new, above-ground transmission lines that would unfairly impact the Dutchess County Residents, with the hope that the Public Service Commission will consider all option and alternatives while ensuring that compensation is provided to communities and landowners impacted by this project should the Public Service Commission approve construction, and, be it further

RESOLVED, that Dutchess County Government also opposes the establishment of a new capacity zone raising electric rates for Dutchess County residents and businesses with the hope that alternatives to the new capacity zone formation ordered by FERC be considered in an effort to avoid or minimize the customer rate impacts of a new capacity zone, and be it further

RESOLVED, that a copy of this resolution and policy statement be provided to the following officials, United States Senators Charles Schumer and Kirsten Gillibrand, United States Representatives Chris Gibson and Sean Patrick Maloney, Members of the Federal Energy Regulatory Commission, Governor Andrew Cuomo, Members of the Public Service Commission, New York State Senators Terry Gipson and Greg Ball, State Assembly Representatives Didi Barrett, Kieran Lalor, Kevin Cahill, and Frank Skartados.

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 12/16/13

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

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

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

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Dutchess County Policy Statement
Alternatives to Transmission Congestion
(PSC Case 12-T-0502/13-E-0488)

Dutchess County Government must protect the interests of its residents in the state Public Service Commission (PSC) proceedings that will review proposals for the construction of transmission lines through the County. Thus, it *opposes* current proposals calling for the construction of new, above-ground transmission lines which will produce energy to areas outside of Dutchess County at an expense to Dutchess County residents.

Dutchess County's goals concerning the installation of new transmission lines being proposed through the County is that a solution or solutions to address downstate New York's power needs must result in *minimal local community impact, no financial burden on the residents of Dutchess County*, and *no lasting environmental effect*. At the very least, consideration must be given to bury these lines underground; compensation given to the County of Dutchess as well as impacted communities and residents; and a commitment that the project benefits the ratepayers of Dutchess County, including consideration of future rate assessments impacting area ratepayers.

Dutchess County Government proposes that the construction of any new energy project, including electric transmission lines, provides both economic and environmental benefits to parties that live, work, or own property in Dutchess. Electric transmission line construction must be weighed against other alternatives to provide electric supply such as conservation, demand side management, and the siting of new generation. Such alternative investigation must explore the long-term consequences of facility siting that may last for centuries.

Dutchess County's position concerning the installation of electric transmission, whether new or a rebuild of existing transmission, is that the resulting installations provide visual impacts that lead to the park like visual environment that Dutchess has worked hard to create. At the same time, Dutchess County landowners and residents directly impacted by new or rebuilt construction should be fairly compensated for the property impacts resulting from such construction. Transmission lines that use Dutchess as part of circuit routing should be constructed to provide direct economic benefits to the County and take into consideration Dutchess County input.

Dutchess County Government supports the rights of all residents to be heard in proceedings such as Article VII proceedings. Dutchess County will reach out to municipalities and residents in a concerted effort to support County's goals in Public Service Commission (PSC) proceedings that seek to preserve and improve the Dutchess County environment and economy. Our intent is to provide a focused voice and ensure this issue receives the attention it deserves so that our shared concerns are heard by the State of New York and its PSC with the intention that through an open and transparent process our goals will be achieved.

MJM/DCE
December 3, 2013

Environment Committee Roll Call

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

Present: 10 **Absent:** 2 0 **Vacant:** 0

Resolution: ✓ **Motion:** ___

Total : 10 (Yes) 0 (No)

Abstentions: 0

2013357 ADOPTION OF A DUTCHESS COUNTY GOVERNMENT POLICY STATEMENT REGARDING THE CONSTRUCTION OF ABOVE-GROUND TRANSMISSION LINES THROUGH THE COUNTY AND THE ADDITION OF A NEW CAPACITY ZONE BY THE FEDERAL ENERGY REGULATORY COMMISSION INCLUDING DUTCHESS COUNTY

Date: December 3, 2013

Roll Call Sheets

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

Present: 24 **Resolution:** ___ **Total :** 24 (Yes) 0 (No)

Absent: 1 **Motion:** ✓

Vacant: 0 **Abstentions:** 0

AF/DBorchert

See attached amendment

2013357
12-5-13

ADOPTION OF A DUTCHESS COUNTY GOVERNMENT POLICY STATEMENT REGARDING THE CONSTRUCTION OF ABOVE-GROUND TRANSMISSION LINES THROUGH THE COUNTY AND THE ADDITION OF A NEW CAPACITY ZONE BY THE FEDERAL ENERGY REGULATORY COMMISSION INCLUDING DUTCHESS COUNTY

WHEREAS, the County of Dutchess has been made aware that the State of New York is considering a project that will upgrade or expand the transmission grid, including the potential construction of new, above-ground transmission lines through the towns of Milan, Clinton, Pleasant Valley and possibly others; and

WHEREAS, the state Public Service Commission is currently reviewing proposals to build transmission lines from upstate New York in an effort to provide energy downstate; and

WHEREAS, local communities and residents have expressed significant concerns as to the economic and environmental impact this project will have to Dutchess County; and

WHEREAS, the County of Dutchess has been made aware that the Federal Energy Regulatory Commission (FERC) has ordered the creation of a new capacity zone in New York State to include Dutchess County and the creation of such a zone will raise the cost of electric service for residents and businesses in Dutchess County; therefore be it

RESOLVED, that the affixed policy statement be the official policy of Dutchess County Government whereby it opposes the construction of new, above-ground transmission lines that would unfairly impact Dutchess County residents, with the hope that the PSC will consider all options and alternatives while ensuring that compensation is provided to communities and landowners impacted by this project should the PSC approve construction; and be it further

Deleted: State

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RESOLVED, that Dutchess County Government also opposes the establishment of a new capacity zone raising electric rates for Dutchess County residents and businesses with the hope that alternatives to the new capacity zone formation ordered by FERC be considered in an effort to avoid or minimize the customer rate impacts of a new capacity zone; and be it further

RESOLVED, that a copy of this resolution and policy statement be provided to the following officials: United States Senators Charles Schumer and Kirsten Gillibrand; United States Representatives Chris Gibson and Sean Patrick Maloney; Members of the Federal Energy Regulatory Commission; Governor Andrew Cuomo; Members of the Public Service Commission; New York State Senators Terry Gipson and Greg Ball; State Assembly Representatives Didi Barrett, Kieran Lalor, Kevin Cahill, and Frank Skartados.

Roll Call Sheets

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

Present: 24 **Resolution:** ✓ **Total :** 24 0

Absent: 1 **Motion:** ___ Yes No

Vacant: 0 **Abstentions:** 0

2013357 ADOPTION OF A DUTCHESS COUNTY GOVERNMENT POLICY STATEMENT REGARDING THE CONSTRUCTION OF ABOVE-GROUND TRANSMISSION LINES THROUGH THE COUNTY AND THE ADDITION OF A NEW CAPACITY ZONE BY THE FEDERAL ENERGY REGULATORY COMMISSION INCLUDING DUTCHESS COUNTY

Date: December 5, 2013

Discussion on Resolution 2013357 resulted as follow:

Legislator Flesland, duly seconded by Legislator Borchert, offered the following amendment to the first Resolved:

RESOLVED, that the affixed policy statement be the official policy of Dutchess County Government whereby it opposes the construction of new, above-ground transmission lines that would unfairly impact the Dutchess County Residents, with the hope that the Public Service Commission will consider all option and alternatives while ensuring that compensation is provided to communities and landowners impacted by this project should the PSC approve construction, and, be it further

Roll call on the foregoing amendment resulted as follows:

Yes: 24

No: 0

Absent: 1 – Wilkinson

Motion adopted.

Roll call on the foregoing amendment resulted as follows:

Yes: 24

No: 0

Absent: 1 – Wilkinson

Resolution adopted.

Budget, Finance, & Personnel
TABLED ON FLOOR 12/5/13

RESOLUTION NO. 2013358

RE: LEGISLATURE OF THE COUNTY OF DUTCHESS, EXEMPTING FROM SALES AND COMPENSATING USE TAXES RESIDENTIAL SOLAR ENERGY SYSTEMS EQUIPMENT AND INSTALLATION SERVICES DESCRIBED IN SUBDIVISION (ee) OF SECTION 1115 OF THE NEW YORK TAX LAW AND COMMERCIAL SOLAR ENERGY SYSTEMS EQUIPMENT AND INSTALLATION SERVICES DESCRIBED IN SUBDIVISION (ii) OF SECTION 1115 OF THE NEW YORK TAX LAW, PURSUANT TO THE AUTHORITY OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK.

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

Be it enacted by the Legislature of the County of Dutchess, as follows:

SECTION 1. Section six of Resolution No. 598 of 1975, as amended, is amended by adding a new subdivision (i) to read as follows:

(i) Receipts from sales of and consideration given or contracted to be given for, or for the use of, residential solar energy systems equipment and installation services exempt from state sales and compensating use taxes pursuant to subdivision (ee) of section 1115 of the New York Tax Law shall also be exempt from sales and compensating use taxes imposed in this jurisdiction.

SECTION 2. Section six of Resolution No. 598 of 1975, as amended, is amended by adding a new subdivision (j) to read as follows:

(j) Receipts from sales of and consideration given or contracted to be given for, or for the use of, commercial solar energy systems equipment and installation services exempt from state sales and compensating use taxes pursuant to subdivision (ii) of section 1115 of the New York Tax Law shall also be exempt from sales and compensating use taxes imposed in this jurisdiction.

SECTION 3. This resolution shall take effect March 1, 2014, and shall apply to sales made, services rendered and uses occurring on and after that date in accordance with applicable transitional provisions in Sections 1106 and 1217 of the New York Tax Law.

CA-197-13
ca/G-1594-A
10/11/13
STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

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

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

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

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):
A.1331.11100 Sales & Use Tax

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:
According to information from The New York State Energy Research and Development Authority (NYSERDA) Solar equipment installation sales totaled approximately $5.7M in 2012. If this resolution is adopted, the impact to sales tax as a result of the exemption is projected at a loss of ($215,000) in 2014 and is currently included in the sales tax projection for the 2014 Tentative budget.

Prepared by: Jessica White, Budget Office

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Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*	✓	
District 6 - Town of Poughkeepsie	Flesland*	✓	
District 10 - City of Poughkeepsie	Jeter-Jackson*	✓	X (2)
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	absent	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson	✓	
District 7 - Town of Hyde Park	Perkins		✓
District 11 - Towns of Rhinebeck and Clinton	Tyner	✓	X (2)
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner	✓	
District 17 - Town and Village of Fishkill	Miccio (C)	✓	
District 22 - Town of Beekman	Hutchings (VC)	✓	
District 24 - Towns of Dover and Union Vale	Surman	✓	

Present: 11 **Absent:** 1 **Vacant:** 0

Resolution: ✓ **Motion:** ___

Total : 10 (Yes) 1 (No)

Abstentions: 6

2013358 LEGISLATURE OF THE COUNTY OF DUTCHESS, EXEMPTING FROM SALES AND COMPENSATING USE TAXES RESIDENTIAL SOLAR ENERGY SYSTEMS EQUIPMENT AND INSTALLATION SERVICES DESCRIBED IN SUBDIVISION (ee) OF SECTION 1115 OF THE NEW YORK TAX LAW AND COMMERCIAL SOLAR ENERGY SYSTEMS EQUIPMENT AND INSTALLATION SERVICES DESCRIBED IN SUBDIVISION (ii) OF SECTION 1115 OF THE NEW YORK TAX LAW, PURSUANT TO THE AUTHORITY OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK.

Date: December 3, 2013

Roll Call Sheets

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

Present: 24 **Resolution:** ~~X~~ ✓ **Total :** 23 1

Absent: 1 **Motion:** ✓ **Yes** **No**

Vacant: 0 D Borchert / AMMC Table **Abstentions:** 0

2013358 LEGISLATURE OF THE COUNTY OF DUTCHESS, EXEMPTING FROM SALES AND COMPENSATING USE TAXES RESIDENTIAL SOLAR ENERGY SYSTEMS EQUIPMENT AND INSTALLATION SERVICES DESCRIBED IN SUBDIVISION (ee) OF SECTION 1115 OF THE NEW YORK TAX LAW AND COMMERCIAL SOLAR ENERGY SYSTEMS EQUIPMENT AND INSTALLATION SERVICES DESCRIBED IN SUBDIVISION (ii) OF SECTION 1115 OF THE NEW YORK TAX LAW, PURSUANT TO THE AUTHORITY OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK.

Date: December 5, 2013

Discussion on Resolution 2013358 resulted as follows:

Legislator Borchert, duly seconded by Legislator MacAvery, moved to table the foregoing resolution, unanimously carried, with Legislator Tyner being the only no vote.

RESOLUTION NO. 2013359

RE: LEVY OF DELINQUENT VILLAGE TAXES

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

WHEREAS, pursuant to 1442(3) of the Real Property Tax Law, the account and certificate(s) of delinquent village taxes have been received by the Commissioner of Finance now therefore, be it

RESOLVED, that the account and certificate(s) of delinquent village taxes for the year 2013-2014 as reported to the Commissioner of Finance pursuant to 1442(3) of the Real Property Tax Law, be accepted and is hereby directed that the amount of such delinquent taxes as of December 11, 2013, together with seven (7%) per cent of the amount in addition thereto, be relevied on the real property on which the same is imposed. When collected, the same shall be considered due and owing to the Commissioner of Finance to reimburse the County for the amount advanced, and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to pay the village treasurer, the amount of the returned delinquent village taxes in accordance with the provisions of 1442(3) of the Real Property Tax Law.

CA-234-13
PB/CM/deb/ca
10/26/13
Fiscal Impact: None

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 12/16/2013

STATE OF NEW YORK)
ss:
COUNTY OF DUTCHESS)

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

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

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	absent	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		
District 7 - Town of Hyde Park	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 22 - Town of Beekman	Hutchings (VC)		
District 24 - Towns of Dover and Union Vale	Surman		

Present: 11 **Absent:** 1 **Vacant:** 0

Resolution: ✓ **Motion:** ___

Total : 11 Yes 0 No

Abstentions: 0

2013359 LEVY OF DELINQUENT VILLAGE TAXES

Date: December 3, 2013

Roll Call Sheets

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

Present: 24 **Resolution:** ✓ **Total :** 24 0

Absent: 1 **Motion:** ___ Yes No

Vacant: 0 **Abstentions:** 0

2013359 LEVY OF DELINQUENT VILLAGE TAXES

Date: December 5, 2013

Budget, Finance, & Personnel

RESOLUTION NO. 2013360

RE: LEVY OF DELINQUENT SCHOOL TAXES

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

WHEREAS, pursuant to 1330(2) of the Real Property Tax Law, the account and certificate(s) of delinquent school taxes have been received by the Commissioner of Finance now therefore, be it

RESOLVED, that the account and certificate(s) of delinquent school taxes for the year 2013-2014 as reported to the Commissioner of Finance pursuant to 1330(5) of the Real Property Tax Law, be accepted and is hereby directed that the amount of such delinquent taxes and the amount of delinquent taxes from a prior year which an owner elected to pay in installments as of December 11, 2013, together with seven (7%) per cent of the amount in addition thereto, be relevied on the real property on which the same is imposed. When collected, the same shall be considered due and owing to the Commissioner of Finance to reimburse the County for the amount advanced, and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to pay the officer charged by law with the custody of school district moneys, the amount of the returned delinquent school taxes in accordance with the provisions of 1330(4)(5) of the Real Property Tax Law.

CA-233-13
PB/CM/deb/ca
10/26/13
Fiscal Impact: None

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 12/16/2013

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

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

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

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 3 - Town of LaGrange	Borchert*		
District 6 - Town of Poughkeepsie	Flesland*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery*	absent	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Wilkinson		
District 7 - Town of Hyde Park	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 13 - Towns of LaGrange, Union Vale, and Wappinger	Bolner		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 22 - Town of Beekman	Hutchings (VC)		
District 24 - Towns of Dover and Union Vale	Surman		

Present: 11
Absent: 0
Vacant: 0

Resolution: ✓
Motion: ___

Total : 11 (Yes) 0 (No)
Abstentions: 0

2013360 LEVY OF DELINQUENT SCHOOL TAXES

Date: December 3, 2013

Roll Call Sheets

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

Present: 24 **Resolution:** ✓ **Total :** 24 0

Absent: 1 **Motion:** ___ Yes No

Vacant: 0 **Abstentions:** 0

2013360 LEVY OF DELINQUENT SCHOOL TAXES

Date: December 5, 2013

FAMILY AND HUMAN SERVICES
REVISED 12/3/13

RESOLUTION NO. 2013361

RE: AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF MENTAL HYGIENE (A.4320.42)

LEGISLATORS BOLNER, SERINO, HORTON, and PERKINS offer the following and moves its adoption:

WHEREAS, Mental Health of America (MHA) provided services for the year 2012 pursuant to the allowable amount in the state funding letter and these services have been claimed on the agency's Consolidated Fiscal Reports, and

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

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

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

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

APPROPRIATIONS
Increase

A.4320.42.4400.4423	Contract agency-MHA	$530,130

REVENUES
Increase

A.4320.42.34900.07	MH State Aid – MHA	$530,130

CA-247-13
ca/G-0167
11/27/13 revised 12/3/13
Fiscal Impact: See attached statement

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 12/6/2013

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

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

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

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 530,130

Total Current Year Revenue $ 530,130
and Source

NYS OMH

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

Identify Line Items(s):

Related Expenses: Amount $ 0
Nature/Reason:

Anticipated Savings to County: $0

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

Additional Comments/Explanation:

To allow for the full reimbursement of 2012's net deficit funding for Mental Health America, Inc (MHA) from 100% NY State Aid. Medicaid Revenue for 2012 was able to be deferred which allowed the claimable State Aid to be maximized. The additional amount that was able to be deferred is the amount that we are requesting. This amendment to the 2013 budget will allow for the receipt of the revenue from OMH and for the payment to the agency for these unencumbered funds.

Prepared by: Gerald A. Brisley, II, MBA, Acting Division Chief, Admin Operations

Dut.pdf

Family and Human Services Committee Roll Call

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

Present: 10 **Absent:** 2 **Vacant:** 0

Resolution: ✓ **Motion:** ___

Total : 10 **Yes** 0 **No**

Abstentions: 0

2013361 AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF MENTAL HYGIENE (A.4320.42)

Date: December 3, 2013

Roll Call Sheets

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

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

2013361 AMENDING THE 2013 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF MENTAL HYGIENE (A.4320.42)

Date: December 5, 2013

Resolution No. 2013362

Commendation: Honorable Valentino T. Sammarco

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

WHEREAS, the Honorable Valentino T. Sammarco has announced his intent to retire on December 31, 2013, as the Dutchess County Family Court Judge, a position that he has held for the past eleven years, and

WHEREAS, Valentino T. Sammarco graduated from F.D. Roosevelt High School in 1961 and is a 1965 graduate of the United States Military Academy at West Point, was commissioned a second lieutenant in the U.S. Army Signal Corps thereafter graduating from Airborne School and Ranger School where he proudly earned his Parachute Wings and Ranger Tab, and

WHEREAS, Valentino T. Sammarco was first stationed in Fort Bragg, North Carolina in an airborne unit, and from July 1967 to July 1968 he served in South Vietnam as a communication officer with the 1st Battalion 27th Infantry, of the 25th Infantry Division, and

WHEREAS, upon Valentino's return to the United States he continued his military career achieving the grade of captain and was honorably discharged in 1971, then went on to earn his Juris Doctor Degree from Albany Law School of Union University in 1974, and

WHEREAS, Valentino T. Sammarco served in the Office of the Dutchess County Public Defender as Senior Deputy Public Defender from 1977 to 1981, then maintained a private practice from 1977-2003, and

WHEREAS, Valentino T. Sammarco was elected Town Justice of the Town of Hyde Park Justice Court where he served from 1985 to 2003, and

WHEREAS, the Honorable Valentino T. Sammarco was appointed by Governor George Pataki in 2003 to serve as Dutchess County Family Court Judge, successfully ran, and was elected in 2003 where he has held the post since, and was appointed by Chief Administrative Judge Jonathan Lippman in 2006 to serve as Acting Justice, Supreme Court, and

WHEREAS, Valentino is a member of the State and County Bar Associations, the State and County Magistrates Associations, and a member of the Poughkeepsie Elks, Italian Center and American Legion Post 1466, now, therefore, be it

RESOLVED, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby commend and congratulate the Honorable Valentino T. Sammarco, for his years of dedication to the justice system of the County of Dutchess and his service to our Country, and does hereby extend to Honorable Valentino T. Sammarco, its best wishes in all of his future endeavors.

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

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

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

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Laid on Desks 12-5-13
GOVERNMENT SERVICES & ADMINISTRATION
NO FURTHER ACTION WAS TAKEN IN 2013

RESOLUTION NO. 2013363

RE: LOCAL LAW NO. ____ OF 2014, A LOCAL LAW OF THE COUNTY OF DUTCHESS AMENDING LOCAL LAW NO. 3 OF 1990, AS AMENDED, GRANTING PARTIAL TAX EXEMPTION OF REAL PROPERTY OWNED BY CERTAIN PERSONS WITH LIMITED INCOME OF 65 YEARS OF AGE OR OVER

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

RESOLVED, that this Legislature of the County of Dutchess adopt Local Law No. ____ of 2014, which has been submitted this day for consideration by said Legislature.

NO FURTHER ACTION WAS TAKEN IN 2013

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LOCAL LAW NO. _____ OF 2014

RE: LOCAL LAW NO. ____ OF 2014, A LOCAL LAW OF THE COUNTY OF DUTCHESS AMENDING LOCAL LAW NO. 3 OF 1990, AS AMENDED, GRANTING PARTIAL TAX EXEMPTION OF REAL PROPERTY OWNED BY CERTAIN PERSONS WITH LIMITED INCOME OF 65 YEARS OF AGE OR OVER

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

SECTION 1.

This Local Law is enacted pursuant to § 467 of Real Property Tax Law of the State of New York.

SECTION 2.

Section 1, subsection (b) of Local Law No. 3 of 1990, amended by Local Law No. 1 of 1991, Local Law No. 7 of 1992, Local Law No. 7, 1994, Local Law No. 3 of 1997, Local Law No. 9 of 2000 and Local Law No. 1 of 2005 is further amended to read as follows:

(b) The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption shall not exceed the amounts set forth in the following schedule:

Annual Income Ranges	Exemption Percentage
(1) $29,000 or less	50%
(2) More than $29,000 but less than $30,000	45%
(3) $30,000 or more but less than $31,000	40%
(4) $31,000 or more but less than $32,000	35%
(5) $32,000 or more but less than $32,900	30%
(6) $32,900 or more but less than $33,800	25%

(7)	$33,800 or more but less than $34,700	20%
(8)	$34,700 or more but less than $35,600	15%
(9)	$35,600 or more but less than $36,500	10%
(10)	$36,500 or more but less than $37,400	5%

SECTION 3.

All other provisions of Local Law No. 3 1990, as previously amended by Local Law No. 1 of 1991, Local Law No. 7 of 1992, Local Law No. 7 of 1994, and Local Law No. 3 of 1997, and Local Law No. 9 of 2000 and Local Law No. 1 of 2005, shall otherwise remain in full force and effect.

SECTION 4.

This Local Law shall become effective upon the filing in the office of the Secretary of State and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after March 1, 2014.

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:

SEE ATTACHED FISCAL IMPACT INFORMATION PROVIDED BY ERIC AXELSEN, FINANCE/REAL PROPERTY TAX DIVISION DIRECTOR

Prepared by: Valerie J. Sommerville, Budget Director

Out.pdf

MARCUS J. MOLINARO
COUNTY EXECUTIVE

PAMELA BARRACK
COMMISSIONER

ERIC AXELSEN
DIRECTOR

COUNTY OF DUTCHESS
DEPARTMENT OF FINANCE
REAL PROPERTY TAX SERVICES DIVISION

Memo

TO: Valerie J. Sommerville, Budget Director

FROM: Eric Axelsen, Finance/RPT Director

DATE: December 13, 2013

RE: Property Tax Exemptions

I am responding to your request for a fiscal impact for the property tax exemptions increased to the maximum allowed by law for seniors, veterans and the disabled as proposed by the Legislature.

There are several complexities and unknowns with these exemptions making it difficult to project the impact with any real degree of certainty. Most notably, it is impossible to predict how many property owners who currently are not eligible for an exemption would become eligible if exemption thresholds were increased. Also, we don't know how many property owners will turn 65 and become eligible for the senior exemption. There is interrelation between exemptions that complicates the issue even further. There are many scenarios between the current exemptions and under the maximum that could be considered. The attached information provides an estimated bare minimum fiscal impact if the exemptions were increased to the maximum allowed by law, with the actual impact likely to be more, possibly much more.

It's important to note some general information concerning the county's tax base, property tax levy, and property tax rate, as well as the overall impact of maximizing these exemptions. Increasing the number and/or magnitude of exemptions has no impact on the property tax levy. The levy is the total amount to be collected from property taxpayers. This figure is dependent on the county budget, not on the value of real estate.

However, an increase to exemptions will decrease the tax base. The tax base is the total full taxable value of the County's real estate. It is the full value of real estate less the full value of exemptions. At a given levy, increasing exemptions results in an increase in the tax rate in order to collect the same amount of tax levy dollars. The property tax rate is the amount per $1,000 of full value that property owners pay in property taxes. Taxes not collected due to an exemption are redistributed. The

redistribution of taxes cannot be made uniform due to the limitations placed on exemptions by Real Property Tax Law. Not all persons currently receiving these exemptions would see an increase in their exemption value if ceilings were increased. Increasing income ceilings will not help seniors already receiving a 50% exemption. Most likely those who receive lower exemption percentages now would still see an increase in taxes. Increasing the ceilings for veterans will not help those whose exemptions are already at 15% (or 25% for combat vets) of their home's assessment. These taxpayers would also see an increase in their taxes.

If all four exemptions were increased to the maximum, the property tax rate would minimally increase by 2 cents from the proposed rate of $3.65 per $1,000 of full value to $3.67 per $1,000 of full value. On average, a property owner with an assessed home value of $250,000 would see an increase of about $5 in property taxes. Again, this is the minimum impact for an average value home; most will pay more. The attached analysis shows the estimated minimum reduction in the tax base and the estimated tax dollars redistributed for each exemption.

The bottom line is every property taxpayer, with or without an exemption, would be impacted by the increase to the tax rate. Importantly, property owners who are already receiving the maximum exemption or who receive no exemption would actually see an increase in their taxes, and these are the people who need the exemption most.

Since 2008, the county's tax base has declined by $8.8 billion from $38.4 billion to $29.6 billion. Maximizing exemptions would effectively shrink the county's tax base even further.

Attachment

Senior Property Tax Exemption Scenarios					
	Ceiling for 50% Exemption	Sliding Scale Down to	Number of Exemptions	Reduction of Tax Base	Income Less Than This Gets an Exemption
Current Exemption	$24,000	20%	2,518	212,598,723	$29,700
Increased Exemption	$24,000	5%	2,759	217,486,194	$32,400
Maximum Exemption	$29,000	5%	2,998	257,174,785	$37,400

Reduction in Taxable Value from Current Status: (44,576,062)

Tax Dollars Redistributed: $162,703

This analysis represents a "floor" value. It is highly likely the number and magnitude of exemptions would be higher. These estimates are based on exemptions where the assessors have used the "Income Calculator" tool within RPS. There are approximately 300 Seniors exemptions where the assessors did not use the tool, so those exemptions would not have been updated. It is impossible to estimate an updated value of those exemptions.

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
~~City~~
~~Town~~
~~Village~~ of Dutchess

Local Law No. 1 of the year 2005

A local law Further Amending Local Law No. 3 of 1990, Granting
(Insert Title)
Partial Tax Exemption of Real Property Owned by Certain
Persons with Limited Income of 65 Years of Age or Older

Be it enacted by the Legislature of the
(Name of Legislative Body)

County
~~City~~
~~Town~~
~~Village~~ of Dutchess as follows:

Section 1. LEGISLATIVE AUTHORIZATION.

This local law is enacted pursuant to Section 467 of the Real Property Tax Law of the State of New York.

Section 2.

Section 1, subsection (b) of Local Law No. 3 of 1990, amended by Local Law No. 1 of 1991, Local Law No. 7 of 1992, Local Law 7, 1994, Local Law No. 3 of 1997, and Local Law No. 9 of 2000 is further amended to read as follows.

(b) The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption shall not exceed the amounts set forth in the following schedule:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Annual Income	Percentage Assessed Valuation Exempt from Taxation
$0 to $24,000	50%
more than $24,000 but less than $25,000	45%
$25,000 or more but less than $26,000	40%
$26,000 or more but less than $27,000	35%
$27,000 or more but less than $27,900	30%
$27,900 or more but less than $28,800	25%
$28,800 or more but less than $29,700	20%
$29,700 or more	0%

Section 3.

All provision of Local Law No. 3 of 1990, as previously amended by Local Law No. 1 of 1991, Local Law No. 7 of 1992, Local Law No. 7 of 1994, and Local Law No. 3 of 1997, and Local Law No. 9 of 2000, shall remain in full force and effect.

Section 4.

This local law shall take effect immediately upon filing with the Secretary of State and shall apply to assessment rolls prepared on the basis of taxable statue dates occurring on or after March 1, 2005.

Amended by Local Law Nos. 1 of 1991, No. 7 of 1992, and No. 7 of 1994
Amended by Local Law No. 3 of 1997
Further Amended by Local Law No. 9 of 2000
Further Amended By Local Law No. 1 of 2005

(Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
~~City~~
~~Town~~ of .....Dutchess.....
~~Village~~

Local Law No. .....3..... of the year 19 90.....

A local law ..Amending Local Law No. 5 of 1966, Being A Local Law Granting (Insert title)
Partial Tax Exemption Of Real Property Owned by Certain Persons With Limited Income Who Are Sixty-Five (65) Years of Age Or Over And Repealing Subsequent Amendments To Said Local Law No. 5 of 1966.

Be it enacted by the .....County Legislature..... of the
(Name of Legislative Body)

County
~~City~~
~~Town~~ of .Dutchess..... as follows:
~~Village~~

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF DUTCHESS AS FOLLOWS:

Section 1:

Section 2 of Local Law No. 5 of 1966 is amended to read as follows:

a) Real property owned by one or more persons, each of whom is sixty-five (65) years of age or over, or real property owned by husband and wife, one of whom is sixty-five (65) years of age or over, shall be exempt from County taxes to the extent of fifty (50) per centum of the assessed valuation to the extent provided in the schedule set forth in subdivision (b) hereof.

b) The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption shall not exceed the amounts set forth in the following schedule:

ANNUAL INCOME	PERCENTAGE ASSESSED VALUATION EXEMPT FROM TAXATION
$12,025 or less	50%
More than $12,025 but less than $12,625	45%
$12,625 or more but less than $13,225	40%
$13,225 or more but less than $13,825	35%
$13,825 or more but less than $14,425	30%
$14,425 or more but less than $15,025	25%
$15,025 or more but less than $15,625	20%
More than $15,625	0%

c) All other restrictions, definitions and requirements of

Section 2:

a) Local Law No. 4 of 1971 is hereby repealed
b) Local Law No. 7 of 1972 is hereby repealed
c) Local Law No. 6 of 1974 is hereby repealed
d) Local Law No. 7 of 1977 is hereby repealed
e) Local Law No. 6 of 1979 is hereby repealed
f) Local Law No. 6 of 1980 is hereby repealed
g) Local Law No. 1 of 1983 is hereby repealed
h) Local Law No. 13 of 1983 is hereby repealed
i) Local Law No. 2 of 1987 is hereby repealed

Section 3:

This Local Law shall take effect on compliance with all statutes and requirements of law applicable to its passage.

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
~~City~~
~~Town~~ of Dutchess
~~Village~~

Local Law No. 1 of the year 19 91

A local law Amending Local Law No. 3 of 1990 Granting Partial Tax Exemption Real Property (Insert Title) Owned by Certain Persons With Limited Income Who Sixty-Five (65) Years of Age or Over

Be it enacted by the County Legislature (Name of Legislative Body) of the

County
~~City~~
~~Town~~ of Dutchess as follows:
~~Village~~

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF DUTCHESS AS FOLLOWS:

SECTION 1:

Section 1, subdivision (b) of Local Law No. 3 of 1990 is amended to read as follows:

(b) The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption shall not exceed the amounts set forth in the following schedule:

ANNUAL INCOME			PERCENTAGE ASSESSED VALUATION EXEMPT FROM TAXATION
$15,000 or less			50%
More than $15,000	but less than	$15,600	45%
$15,600 or more	but less than	$16,200	40%
$16,200 or more	but less than	$16,800	35%
$16,800 or more	but less than	$17,400	30%
$17,400 or more	but less than	$18,000	25%
$18,000 or more	but less than	$18,600	20%
$18,600 or more			0%

SECTION 2:

All other provisions of Local Law No. 3 of 1990 shall remain in full force and effect.

SECTION 3:

This Local Law shall take effect immediately and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after January 1, 1991.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County / City / Town / Village of Dutchess

Local Law No. 7 of the year 19 92

A local law AMENDING LOCAL LAW NO. 3 OF 1990, BEING A LOCAL LAW GRANTING PARTIAL TAX EXEMPTION OF REAL PROPERTY OWNED BY CERTAIN PERSONS WITH LIMITED INCOMES WHO ARE SIXTY-FIVE (65) YEARS OF AGE OR OVER
(Insert Title)

Be it enacted by the County Legislature of the
(Name of Legislative Body)

County / ~~City~~ / ~~Town~~ / ~~Village~~ of Dutchess as follows:

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

SECTION 1: LEGISLATIVE AUTHORIZATION

This local Law is enacted pursuant to Section 467 of the Real Property Tax Law of the State of New York.

SECTION 2:

Section 1, subdivision (b) of Local Law No. 3 of 1990, amended by Local Law No. 1 of 1991, is further amended to read as follows:

(b) The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of marking application for exemption shall not exceed the amounts set forth in the following schedule:

ANNUAL INCOME	PERCENTAGE ASSESSED VALUATION EXEMPT FROM TAXATION
$16,500 or less	50%
More than $16,500 but less than $17,100	45%
$17,100 or more but less than $17,700	40%
$17,700 or more but less than $18,300	35%
$18,300 or more but less than $18,900	30%
$18,900 or more but less than $19,500	25%
$19,500 or more but less than $20,100	20%
$20,100 or more	0%

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~
~~City~~
~~Town~~ **of** Dutchess
~~Village~~

Local Law No. 7 **of the year 19** 94

A local law Further Amending Local Law No. 3 of 1990, Granting Partial Tax Exemption **(Insert Title)** of Real Property Owned by Certain Persons with Limited Incomes Who Are Sixty-Five (65) Years of Age or Older.

Be it enacted by the County Legislature **(Name of Legislative Body)** **of the**

~~County~~
~~City~~
~~Town~~ **of** Dutchess
~~Village~~ **as follows:**

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

Section 1: LEGISLATIVE AUTHORIZATION

This local law is enacted pursuant to Section 467 of the Real Property Tax Law of the State of New York.

Section 2:

Section 1, subdivision (b) of Local Law No. 3 of 1990, amended by Local Law No. 1 of 1991 and Local Law No. 7 of 1992, is further amended to read as follows:

(b) The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of marking application for exemption shall not exceed the amounts set forth in the following schedule:

ANNUAL INCOME	PERCENTAGE ASSESSED VALUATION EXEMPT FOR TAXATION
$17,500 or less	50%
More than $17,500 but less than $18,500	45%
$18,500 or more but less than $19,500	40%
$19,500 or more but less than $20,500	35%
$20,500 or more but less than $21,400	30%
$21,400 or more but less than $22,300	25%
$22,300 or more but less than $23,200	20%
$23,200 or more	0%

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Section 3:

All other provisions of Local Law No. 3 of 1990, as previously amended by Local Law No. 1 of 1991 and Local Law No. 7 of 1992, shall remain in full force and effect.

Section 4:

This local law shall take effect immediately and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after January 1, 1995.

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County / ~~City~~ / ~~Town~~ / ~~Village~~ of DUTCHESS

Local Law No. 3 **of the year 19**97

A local law FURTHER AMENDING LOCAL LAW NO. 3 OF 1990, GRANTING PARTIAL TAX EXEMPTION OF REAL PROPERTY OWNED BY CERTAIN PERSONS WITH LIMITED INCOME WHO ARE SIXTY-FIVE (65) YEARS OF AGE OR OVER.

(Insert Title)

Be it enacted by the COUNTY LEGISLATURE **of the**

(Name of Legislative Body)

County / ~~City~~ / ~~Town~~ / ~~Village~~ of DUTCHESS **as follows:**

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF DUTCHESS AS FOLLOWS:

SECTION 1: LEGISLATIVE AUTHORIZATION.

This local law is enacted pursuant to Section 467 of the Real Property Tax Law of the State of New York.

SECTION 2:

Section 1, subdivision (b) of Local Law No. 3 of 1990, amended by Local Law No. 1 of 1991, Local Law No. 7 of 1992 and Local Law No. 7 of 1994, is further amended to read as follows:

(b) The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption shall not exceed the amounts set forth in the following schedule:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

ANNUAL INCOME	PRECENTAGE ASSESSED VALUATION EXEMPT FROM TAXATION
$18,500 or less	50%
More than $18,500 but less than $19,500	45%
$19,500 or more but less than $20,500	40%
$20,500 or more but less than $21,500	35%
$21,500 or more but less than $22,400	30%
$22,400 or more but less than $23,300	25%
$23,300 or more but less than $24,200	20%
$24,200 or more	0%

SECTION 3:

All other provisions of Local Law No. 3 of 1990, as previously amended by Local Law No. 1 of 1991, Local Law NO. 7 of 1992, and Local Law No. 7 of 1994, shall remain in full force and effect.

SECTION 4:

This Local Law shall take effect March 1, 1997 and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after March 1, 1997.

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
~~City~~
~~Town~~
~~Village~~ of Dutchess

Local Law No. 9 **of the year 20**00

A local law further amending Local Law No. 3 of 1990, granting partial tax *(Insert Title)*
exemption of real property owned by certain persons with limited
income who are sixty-five (65) years of age or over.

Be it enacted by the County Legislature **of the**
(Name of Legislative Body)

County
~~City~~
~~Town~~
~~Village~~ of Dutchess **as follows:**

SECTION 1. LEGISLATIVE AUTHORIZATION.

This local law is enacted pursuant to Section 467 of the Real Property Tax Law of the State of New York.

SECTION 2.

Section 1, subdivision (b) of Local Law No. 3 of 1990, amended by Local Law No. 1 of 1991, Local Law No. 7 of 1992, Local Law No. 7 of 1994, and Local Law No. 3 of 1997, is further amended to read as follows:

(b) The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption shall not exceed the amounts set forth in the following schedule:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

ANNUAL INCOME		PERCENTAGE ASSESSED VALUATION EXEMPT FROM TAXATION
$0 to $20,500		50%
more than $20,500	but less than $21,500	45%
$21,500 or more	but less than $22,500	40%
$22,500 or more	but less than $23,500	35%
$23,500 or more	but less than $24,400	30%
$24,400 or more	but less than $25,300	25%
$25,300 or more	but less than $26,200	20%
$26,200 or more		0%

SECTION 3.

All provisions of Local Law No. 3 of 1990, as previously amended by Local Law No. 1 of 1991, Local Law No. 7 of 1992, Local Law No. 7 of 1994, and Local Law No. 3 of 1997, shall remain in full force and effect.

SECTION 4.

This local law shall take effect immediately upon filing with the Secretary of State and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after March 1, 2001.

The foregoing local law Resolution No. 2013363 was laid on desks on December 5, 2014. No further action was taken in 2013.

Laid on Desks 12-5-13
GOVERNMENT SERVICES & ADMINISTRATION
NO FURTHER ACTION WAS TAKEN IN 2013

RESOLUTION NO. 2013364

RE: LOCAL LAW NO. ____ OF 2014, A LOCAL LAW OF THE COUNTY OF DUTCHESS AMENDING LOCAL LAW NO. 6 OF 2012, PROVIDING AN EXEMPTION FROM TAXATION BY THE COUNTY OF DUTCHESS TO PERSONS WITH DISABILITIES AND LIMITED INCOMES

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

RESOLVED, that this Legislature of the County of Dutchess adopt Local Law No. ____ of 2014, which has been submitted this day for consideration by said Legislature.

NO FURTHER ACTION WAS TAKEN IN 2013

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LOCAL LAW NO. _____ OF 2014

RE: LOCAL LAW NO. ____ OF 2014, A LOCAL LAW OF THE COUNTY OF DUTCHESS AMENDING LOCAL LAW NO. 6 OF 2012, PROVIDING AN EXEMPTION FROM TAXATION BY THE COUNTY OF DUTCHESS TO PERSONS WITH DISABILITIES AND LIMITED INCOMES

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

SECTION 1.

This Local Law is enacted pursuant to § 459-c of Real Property Tax Law of the State of New York.

SECTION 2.

Section 3, "Exemption" Sections A and B (1) of Local Law No. 6 of 2012 are amended to read as follows:

A. Real property situate within the bounds of Dutchess County, New York owned by husband, wife or both, or by siblings at least one of whom has a disability, or real property owned by one or more persons, some whom qualify under Real Property Tax Law § 459-c and the others of whom qualify under Real Property Tax Law § 467, and whose income, as hereafter defined is limited by reason of such disability shall be exempt from taxation for real estate taxes to be levied by the County for the year 2015 and thereafter by the percentage of exemption hereinafter specified for the annual income ranges listed below to the extent of 50 percent of the assessed valuation thereof. Such exemption shall be based upon and be computed after all other partial exemptions allowed by law have been subtracted from the total amount assessed:

Annual Income Ranges		Exemption Percentage
(1)	$29,000 or less	50%
(2)	More than $29,000 but less than $30,000	45%
(3)	$30,000 or more but less than $31,000	40%
(4)	$31,000 or more but less than $32,000	35%
(5)	$32,000 or more but less than $32,900	30%
(6)	$32,900 or more but less than $33,800	25%
(7)	$33,800 or more but less than $34,700	20%
(8)	$34,700 or more but less than $35,600	15%
(9)	$35,600 or more but less than $36,500	10%
(10)	$36,500 or more but less than $37,400	5%

B. If the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of $37,400. Where title is vested in either the husband or the wife, their combined income may not exceed such sum, except where the husband or wife, or ex-husband or ex-wife, is absent from the property due to divorce, legal separation or abandonment, then only the income of the spouse or ex-spouse residing on the property shall be considered and may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset, which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from

self-employment, but shall not include a return of capital, gifts or inheritances or monies earned through employment in the federal foster grandparent program. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income;

SECTION 3.

All other provisions of Local Law No. 6 of 2012 shall otherwise remain in full force and effect.

SECTION 4.

This Local Law shall become effective upon the filing in the office of the Secretary of State and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after March 1, 2014.

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:

SEE ATTACHED FISCAL IMPACT INFORMATION PROVIDED BY ERIC AXELSEN, FINANCE/REAL PROPERTY TAX DIVISION DIRECTOR

Prepared by: Valerie J. Sommerville, Budget Director

Dut.pdf

MARCUS J. MOLINARO
COUNTY EXECUTIVE

PAMELA BARRACK
COMMISSIONER

ERIC AXELSEN
DIRECTOR

COUNTY OF DUTCHESS

DEPARTMENT OF FINANCE
REAL PROPERTY TAX SERVICES DIVISION

Memo

TO: Valerie J. Sommerville, Budget Director

FROM: Eric Axelsen, Finance/RPT Director

DATE: December 13, 2013

RE: Property Tax Exemptions

I am responding to your request for a fiscal impact for the property tax exemptions increased to the maximum allowed by law for seniors, veterans and the disabled as proposed by the Legislature.

There are several complexities and unknowns with these exemptions making it difficult to project the impact with any real degree of certainty. Most notably, it is impossible to predict how many property owners who currently are not eligible for an exemption would become eligible if exemption thresholds were increased. Also, we don't know how many property owners will turn 65 and become eligible for the senior exemption. There is interrelation between exemptions that complicates the issue even further. There are many scenarios between the current exemptions and under the maximum that could be considered. The attached information provides an estimated bare minimum fiscal impact if the exemptions were increased to the maximum allowed by law, with the actual impact likely to be more, possibly much more.

It's important to note some general information concerning the county's tax base, property tax levy, and property tax rate, as well as the overall impact of maximizing these exemptions. Increasing the number and/or magnitude of exemptions has no impact on the property tax levy. The levy is the total amount to be collected from property taxpayers. This figure is dependent on the county budget, not on the value of real estate.

However, an increase to exemptions will decrease the tax base. The tax base is the total full taxable value of the County's real estate. It is the full value of real estate less the full value of exemptions. At a given levy, increasing exemptions results in an increase in the tax rate in order to collect the same amount of tax levy dollars. The property tax rate is the amount per $1,000 of full value that property owners pay in property taxes. Taxes not collected due to an exemption are redistributed. The

redistribution of taxes cannot be made uniform due to the limitations placed on exemptions by Real Property Tax Law. Not all persons currently receiving these exemptions would see an increase in their exemption value if ceilings were increased. Increasing income ceilings will not help seniors already receiving a 50% exemption. Most likely those who receive lower exemption percentages now would still see an increase in taxes. Increasing the ceilings for veterans will not help those whose exemptions are already at 15% (or 25% for combat vets) of their home's assessment. These taxpayers would also see an increase in their taxes.

If all four exemptions were increased to the maximum, the property tax rate would minimally increase by 2 cents from the proposed rate of $3.65 per $1,000 of full value to $3.67 per $1,000 of full value. On average, a property owner with an assessed home value of $250,000 would see an increase of about $5 in property taxes. Again, this is the minimum impact for an average value home; most will pay more. The attached analysis shows the estimated minimum reduction in the tax base and the estimated tax dollars redistributed for each exemption.

The bottom line is every property taxpayer, with or without an exemption, would be impacted by the increase to the tax rate. Importantly, property owners who are already receiving the maximum exemption or who receive no exemption would actually see an increase in their taxes, and these are the people who need the exemption most.

Since 2008, the county's tax base has declined by $8.8 billion from $38.4 billion to $29.6 billion. Maximizing exemptions would effectively shrink the county's tax base even further.

Attachment

Limited Income Disability Property Tax Exemption Scenarios					
	Ceiling for 50% Exemption	Sliding Scale Down to	Number of Exemptions	Reduction of Tax Base	Income Less Than This Gets an Exemption
Current Exemption	$24,000	5%	167	13,101,813	$29,700
Maximum Exemption	$29,000	5%	175	14,998,407	$37,400

Reduction in Taxable Value from Current Status: (1,896,594)

Tax Dollars Redistributed: $6,923

This analysis represents a "floor" value. It is highly likely the number and magnitude of exemptions would be higher. These estimates are based on exemptions where the assessors have used the "Income Calculator" tool within RPS. There are approximately 30 LTD Income exemptions where the assessors did not use the tool, so those exemptions would not have been updated. It is impossible to estimate an updated value of those exemptions.

Summary of both exemptions:

Reduction in Taxable Value from Current Status: (46,472,656)

Tax Dollars Redistributed: $169,625

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

- ■ **County**
- ☐ **City** of DUTCHESS
- ☐ **Town**
- ☐ **Village**

Local Law No. 6 **of the year 20** 12

A local law OF THE COUNTY OF DUTCHESS PROVIDING AN EXEMPTION FROM TAXATION
(Insert Title)
BY THE COUNTY TO PERSONS WITH DISABILITIES AND LIMITED INCOMES

Be it enacted by the COUNTY LEGISLATURE **of the**
(Name of Legislative Body)

- ■ **County**
- ☐ **City** of DUTCHESS **as follows:**
- ☐ **Town**
- ☐ **Village**

SECTION 1. PURPOSE.

This Local Law is enacted pursuant to the provisions of Section 459-c of the Real Property Tax Law of the State of New York to grant a partial exemption from County taxation to certain resident property owners of the County of Dutchess (the "County") with disabilities who have limited incomes.

SECTION 2. DEFINITIONS.

For purposes of this Local Law:

A. "Sibling" shall mean a brother or a sister, whether related through half blood, whole blood or adoption.

B. A "person with a disability" is one who has a physical or mental impairment, not due to current use of alcohol or illegal drugs, which substantially limits such person's ability to engage in one or more major life activities, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working, and who (i) is certified to receive Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) benefits under the Federal Social Security Act, or (ii) is certified to receive Railroad Retirement Disability benefits under the Federal Railroad Retirement Act, or (iii) has received a certificate from the State Commission for the Blind and Visually Handicapped stating that such person is legally blind, or (iv) is certified to receive a United States

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Postal Service disability pension or (v) is certified to receive a United States Department of Veterans Affairs disabled person pursuant to 38 U.S.C. §1521.

An award letter from the Social Security Administration or the Railroad Retirement Board or a certificate from the State Commission for the Blind and Visually Handicapped or an award letter from the United States Postal Service, or an award letter from United States Department of Veterans Affairs shall be submitted as proof of disability.

C. "Income tax year" shall mean the 12-month period for which the owner or owners filed a federal personal income tax return, or if no such return is filed, the calendar year.

SECTION 3. EXEMPTION.

A. Real property situate within the bounds of Dutchess County, New York, owned by husband, wife or both, or by siblings at least one of whom has a disability, or real property owned by one or more persons, some of whom qualify under Real Property Tax Law § 459-c and the others of whom qualify under Real property Tax Law § 467, and whose income, as hereafter defined, is limited by reason of such disability, shall be exempt from taxation for real estate taxes to be levied by the County for the year 2014 and thereafter by the percentage of exemption hereinafter specified for the annual income ranges listed below to the extent of 50 percent of the assessed valuation thereof. Such exemption shall be based upon and be computed after all other partial exemptions allowed by law have been subtracted from the total amount assessed:

	Annual Income Ranges	Exemption Percentage
(1)	$24,000 or less	50%
(2)	More than $24,000 but less than $25,000	45%
(3)	$25,000 or more but less than $26,000	40%
(4)	$26,000 or more but less than $27,000	35%
(5)	$27,000 or more but less than $27,900	30%
(6)	$27,900 or more but less than $28,800	25%
(7)	$28,800 or more but less than $29,700	20%
(8)	$29,700 or more but less than $30,600	15%
(9)	$30,600 or more but less than $31,500	10%
(10)	$31,500 or more but less than $32,400	5%

B. No exemption shall be granted:

1. If the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of $32,400. Where title is vested in either the husband or the wife, their combined income may not exceed such sum, except where the husband or wife, or ex-husband or ex-wife, is absent from the property due to divorce, legal separation or abandonment, then only the income of the spouse or ex-spouse residing on the property shall be considered and may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset, which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts or inheritances or monies earned through employment in the federal foster grandparent program. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income;

2. Unless the property is used exclusively for residential purposes, provided, however, that in the event that any portion of such property is not so used exclusively for residential purposes but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section;

3. Unless the real property is the legal residence of and is occupied in whole or in part by the disabled person, except where the disabled person is absent from the residence while receiving health-related care as an inpatient of a residential health care facility, as defined in section 2801 of the Public Health Law, and provided that any income accruing to that person shall be considered income for the purposes of this section only to the extent that it exceeds the amount paid by such person or spouse, or sibling of such person for care in the facility.

C. No parcel may receive an exemption for the same municipal tax purpose pursuant to both this Local Law and "A Local Law of the County of Dutchess granting a Partial Exemption from Taxation to Certain Persons with Limited Income Sixty-five Years of Age or Older, as amended," pursuant to Real Property Tax Law § 467.

D. Notwithstanding any other provision of law to the contrary, the provisions of this Local Law shall apply to real property held in trust solely for the benefit of a person or persons who would otherwise be eligible for a real property tax exemption, pursuant to this Local Law, were such person or persons the owner or owners of such real property.

SECTION 4. APPLICATION FOR EXEMPTION.

A. Application for such exemption must be made annually by the owner or all of the owners of the property on forms to by the New York State Department of Taxation and Finance, Office of Real Property Tax Services. Such applications shall furnish the information, and the forms are to be executed in the manner required or prescribed in such forms and shall be filed in the applicable assessor's office on or before taxable status date, provided, however, proof of a permanent disability need be submitted only in the year exemption pursuant to this section is first sought or the disability is first determined to be permanent.

B. At least sixty (60) days prior to the appropriate taxable status date the assessor shall mail to each person who was granted exemption pursuant to this section on the latest completed assessment roll an application form and a notice that such application must be filed on or before the taxable status date and be approved in order for the exemption to be granted. Failure to mail any such application form or notices or the failure of such person to receive any of the same shall not prevent the levy, collection and enforcement of the payment of the taxes on property owned by such person.

SECTION 5. SEPARABILITY.

Should any section, paragraph, sentence, clause or phrase of this Local Law be declared unconstitutional or unjust for any reason by a court of competent jurisdiction, the remainder of this Local Law shall not be affected thereby.

SECTION 6. EFFECTIVE DATE.

This Local Law shall take effect upon filing in the Secretary of State's Office and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after March 1, 2013.

The foregoing local law Resolution No. 2013364 was laid on desks on December 5, 2014. No further action was taken in 2013.

Laid on Desks 12-5-13
GOVERNMENT SERVICES & ADMINISTRATION
NO FURTHER ACTION WAS TAKEN IN 2013

RESOLUTION NO. 2013365

RE: LOCAL LAW NO. ____ OF 2014, A LOCAL LAW OF THE COUNTY OF DUTCHESS, AMENDING LOCAL LAW NO. 4 OF 1985, AS AMENDED, TO PROVIDE FOR AN INCREASE OF THE MAXIMUM EXEMPTION ALLOWABLE FOR VETERAN'S REAL PROPERTY TAX EXEMPTION

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

RESOLVED, that this Legislature of the County of Dutchess adopt Local Law No. ____ of 2014, which has been submitted this day for consideration by said Legislature.

NO FURTHER ACTION WAS TAKEN IN 2013

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LOCAL LAW NO. _____ OF 2014

RE: LOCAL LAW NO. ____ OF 2014, A LOCAL LAW OF THE COUNTY OF DUTCHESS, AMENDING LOCAL LAW NO. 4 OF 1985, AS AMENDED, TO PROVIDE FOR AN INCREASE OF THE MAXIMUM EXEMPTION ALLOWABLE FOR VETERAN'S REAL PROPERTY TAX EXEMPTION

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

SECTION 1.

This Local Law is enacted pursuant to § 458-a of Real Property Tax Law of the State of New York.

SECTION 2.

Local Law No. 4 of 1985, as amended by Local Law No. 2 of 1997 and Local Law No. 2 of 2005 is further amended to authorize an increase in the maximum exemption allowable for war time Veterans, combat Veterans and disabled Veterans as defined by Real Property Tax Law § 458-a(2) to $54,000.00, $90,000.00 and $180,000.00, respectively.

SECTION 3.

All other provisions of Local Law No. 4 of 1985, as amended by Local Law No. 2 of 1997 and Local Law No. 2 of 2005, shall otherwise remain in full force and effect.

SECTION 4.

This Local Law shall become effective upon the filing in the office of the Secretary of State and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after March 1, 2014.

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:

SEE ATTACHED FISCAL IMPACT INFORMATION PROVIDED BY ERIC AXELSEN, FINANCE/REAL PROPERTY TAX DIVISION DIRECTOR

Prepared by: Valerie J. Sommerville, Budget Director

Dut.pdf

MARCUS J. MOLINARO
COUNTY EXECUTIVE

PAMELA BARRACK
COMMISSIONER

ERIC AXELSEN
DIRECTOR

COUNTY OF DUTCHESS

DEPARTMENT OF FINANCE
REAL PROPERTY TAX SERVICES DIVISION

Memo

TO: Valerie J. Sommerville, Budget Director

FROM: Eric Axelsen, Finance/RPT Director

DATE: December 13, 2013

RE: Property Tax Exemptions

I am responding to your request for a fiscal impact for the property tax exemptions increased to the maximum allowed by law for seniors, veterans and the disabled as proposed by the Legislature.

There are several complexities and unknowns with these exemptions making it difficult to project the impact with any real degree of certainty. Most notably, it is impossible to predict how many property owners who currently are not eligible for an exemption would become eligible if exemption thresholds were increased. Also, we don't know how many property owners will turn 65 and become eligible for the senior exemption. There is interrelation between exemptions that complicates the issue even further. There are many scenarios between the current exemptions and under the maximum that could be considered. The attached information provides an estimated bare minimum fiscal impact if the exemptions were increased to the maximum allowed by law, with the actual impact likely to be more, possibly much more.

It's important to note some general information concerning the county's tax base, property tax levy, and property tax rate, as well as the overall impact of maximizing these exemptions. Increasing the number and/or magnitude of exemptions has no impact on the property tax levy. The levy is the total amount to be collected from property taxpayers. This figure is dependent on the county budget, not on the value of real estate.

However, an increase to exemptions will decrease the tax base. The tax base is the total full taxable value of the County's real estate. It is the full value of real estate less the full value of exemptions. At a given levy, increasing exemptions results in an increase in the tax rate in order to collect the same amount of tax levy dollars. The property tax rate is the amount per $1,000 of full value that property owners pay in property taxes. Taxes not collected due to an exemption are redistributed. The

redistribution of taxes cannot be made uniform due to the limitations placed on exemptions by Real Property Tax Law. Not all persons currently receiving these exemptions would see an increase in their exemption value if ceilings were increased. Increasing income ceilings will not help seniors already receiving a 50% exemption. Most likely those who receive lower exemption percentages now would still see an increase in taxes. Increasing the ceilings for veterans will not help those whose exemptions are already at 15% (or 25% for combat vets) of their home's assessment. These taxpayers would also see an increase in their taxes.

If all four exemptions were increased to the maximum, the property tax rate would minimally increase by 2 cents from the proposed rate of $3.65 per $1,000 of full value to $3.67 per $1,000 of full value. On average, a property owner with an assessed home value of $250,000 would see an increase of about $5 in property taxes. Again, this is the minimum impact for an average value home; most will pay more. The attached analysis shows the estimated minimum reduction in the tax base and the estimated tax dollars redistributed for each exemption.

The bottom line is every property taxpayer, with or without an exemption, would be impacted by the increase to the tax rate. Importantly, property owners who are already receiving the maximum exemption or who receive no exemption would actually see an increase in their taxes, and these are the people who need the exemption most.

Since 2008, the county's tax base has declined by $8.8 billion from $38.4 billion to $29.6 billion. Maximizing exemptions would effectively shrink the county's tax base even further.

Attachment

Amended by Local Law No. 2 of 1997
Further Amended by Local Law No. 2 of 2005

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
~~City~~
~~Town~~
~~Village~~ of Dutchess

Local Law No. 4 of the year 1985

A local law REPEALING LOCAL LAW NO. 3 OF 1984, A LOCAL LAW IN RELATION TO ALTERNATIVE VETERANS EXEMPTION FROM REAL PROPERTY TAXATION
(Insert title)

Be it enacted by the Dutchess County Legislature of the
(Name of Legislative Body)

County
~~City~~
~~Town~~
~~Village~~ of Dutchess as follows:

Section 1. The purpose of this local law is to repeal Local Law No. 3 of 1984 which provides that no exemption for real property taxes shall be granted pursuant to section 458-a of the Real Property Tax Law of the State of New York, so that subsequent to the passage of this local law the maximum exemption shall be granted to all eligible property owners for purposes of real property taxes levied for the County of Dutchess.

Section 2. Local Law No. 3 of 1984, be and the same is hereby repealed in its entirety.

Section 3. This Local Law shall take effect immediately upon its filing with the Secretary of State.

(If additional space is needed, please attach sheets of the same size as this and number each)

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
~~City~~
~~Town~~
~~Village~~ **of** DUTCHESS

Local Law No. 2 **of the year 19**97

A local law AMENDING LOCAL LAW NO. 4 OF 1985 TO PROVIDE FOR AN INCREASE OF THE MAXIMUM EXEMPTION ALLOWABLE FOR VETERAN'S REAL PROPERTY TAX EXEMPTION UNDER SECTION 485-A OF THE REAL PROPERTY TAX LAW.

Be it enacted by the COUNTY LEGISLATURE (Name of Legislative Body) **of the**

County
~~City~~
~~Town~~
~~Village~~ **of** DUTCHESS **as follows:**

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

SECTION 1. LEGISLATIVE INTENT.

Notwithstanding any of the statutory maximums set forth in Subsections 2(a), (b) and (c) of Section 458-a of the Real Property Tax Law, Local Law No. 4 of 1985 is amended to increase the maximum exemptions allowable for Veterans' Real Property Tax Exemptions under Section 458-a of the Real Property Tax Law to be $15,000, $10,000 and $50,000 for War Veterans, Combat Zone Veterans, and Veterans with a Service-Related Disability respectively.

SECTION 2. 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.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

DOS-239 (Rev. 7/91)

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
~~City~~
~~Town~~
~~Village~~ of Dutchess

Local Law No. 2 of the year 20 05

A local law Amending Local Law No. 4 of 1985 as Amended to Provide for an Increase of the Maximum Exemption Allowable for Veteran's Real Property Tax Exemption Code § 458-A of the Real Property Tax Law

(Insert Title)

Be it enacted by the Legislature of the

(Name of Legislative Body)

County
~~City~~
~~Town~~
~~Village~~ of Dutchess as follows:

Section 1: The purpose of this law is to provide the maximum alternative exemption on real property assessments permitted under the Real Property Tax Law § 458-a to those eligible Veterans for purposes of real property taxes levied for the County of Dutchess.

Section 2:

Local Law No. 4 of 1985, as amended, be and the same is hereby amended.

Section 3:

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

(If additional space is needed, attach pages the same size as this sheet, and number each.)

The foregoing local law Resolution No. 2013365 was laid on desks on December 5, 2014. No further action was taken in 2013.

Laid on Desks 12-5-13
GOVERNMENT SERVICES & ADMINISTRATION
NO FURTHER ACTION WAS TAKEN IN 2013

RESOLUTION NO. 2013366

RE: LOCAL LAW NO. ____ OF 2014, A LOCAL LAW OF THE COUNTY OF DUTCHESS, AMENDING LOCAL LAW NO. 3 OF 2007, AS AMENDED, TO PROVIDE FOR PARTIAL REAL PROPERTY TAX EXEMPTION FOR COLD WAR VETERANS

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

RESOLVED, that this Legislature of the County of Dutchess adopt Local Law No. ____ of 2014, which has been submitted this day for consideration by said Legislature

NO FURTHER ACTION WAS TAKEN IN 2013

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of March 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of March 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LOCAL LAW NO. _____ OF 2014

RE: LOCAL LAW NO. ____ OF 2014, A LOCAL LAW OF THE COUNTY OF DUTCHESS, AMENDING LOCAL LAW NO. 3 OF 2007, AS AMENDED, TO PROVIDE FOR PARTIAL REAL PROPERTY TAX EXEMPTION FOR COLD WAR VETERANS

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

SECTION 1.

This Local Law is enacted pursuant to § 458-b of Real Property Tax Law of the State of New York.

SECTION 2.

Section 2, subsection 2, paragraphs (a) and (b) amended to read as follows:

(a) Qualifying residential real property shall be exempt from taxation to the extent of fifteen percent of the assessed value of such property; provided however, that such exemption shall not exceed thirty-six thousand dollars or the product of thirty-six thousand dollars multiplied by the latest state equalization rate of the assessing unit.

(b) In addition to the exemption provided by the above paragraph (a), where the Cold War Veteran received a compensation rating from the United States Veterans Affairs or from the United States Department of Defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by fifty percent of the Cold War Veteran disability rating;

provided, however, that such exemption shall not exceed one hundred twenty thousand dollars, or the product of one hundred twenty thousand dollars multiplied by the latest state equalization rate for the assessing unit.

SECTION 3.

All other provisions of Local Law No. 3 of 2007, as previously amended by Local Law No. 3 of 2008, shall otherwise remain in full force and effect.

SECTION 4.

This Local Law shall become effective upon the filing in the office of the Secretary of State and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after March 1, 2014.

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:

SEE ATTACHED FISCAL IMPACT INFORMATION PROVIDED BY ERIC AXELSEN, FINANCE/REAL PROPERTY TAX DIVISION DIRECTOR

Prepared by: Valerie J. Sommerville, Budget Director

Dut.pdf

MARCUS J. MOLINARO
COUNTY EXECUTIVE

PAMELA BARRACK
COMMISSIONER

ERIC AXELSEN
DIRECTOR

COUNTY OF DUTCHESS

DEPARTMENT OF FINANCE
REAL PROPERTY TAX SERVICES DIVISION

Memo

TO: Valerie J. Sommerville, Budget Director

FROM: Eric Axelsen, Finance/RPT Director

DATE: December 13, 2013

RE: Property Tax Exemptions

I am responding to your request for a fiscal impact for the property tax exemptions increased to the maximum allowed by law for seniors, veterans and the disabled as proposed by the Legislature.

There are several complexities and unknowns with these exemptions making it difficult to project the impact with any real degree of certainty. Most notably, it is impossible to predict how many property owners who currently are not eligible for an exemption would become eligible if exemption thresholds were increased. Also, we don't know how many property owners will turn 65 and become eligible for the senior exemption. There is interrelation between exemptions that complicates the issue even further. There are many scenarios between the current exemptions and under the maximum that could be considered. The attached information provides an estimated bare minimum fiscal impact if the exemptions were increased to the maximum allowed by law, with the actual impact likely to be more, possibly much more.

It's important to note some general information concerning the county's tax base, property tax levy, and property tax rate, as well as the overall impact of maximizing these exemptions. Increasing the number and/or magnitude of exemptions has no impact on the property tax levy. The levy is the total amount to be collected from property taxpayers. This figure is dependent on the county budget, not on the value of real estate.

However, an increase to exemptions will decrease the tax base. The tax base is the total full taxable value of the County's real estate. It is the full value of real estate less the full value of exemptions. At a given levy, increasing exemptions results in an increase in the tax rate in order to collect the same amount of tax levy dollars. The property tax rate is the amount per $1,000 of full value that property owners pay in property taxes. Taxes not collected due to an exemption are redistributed. The

redistribution of taxes cannot be made uniform due to the limitations placed on exemptions by Real Property Tax Law. Not all persons currently receiving these exemptions would see an increase in their exemption value if ceilings were increased. Increasing income ceilings will not help seniors already receiving a 50% exemption. Most likely those who receive lower exemption percentages now would still see an increase in taxes. Increasing the ceilings for veterans will not help those whose exemptions are already at 15% (or 25% for combat vets) of their home's assessment. These taxpayers would also see an increase in their taxes.

If all four exemptions were increased to the maximum, the property tax rate would minimally increase by 2 cents from the proposed rate of $3.65 per $1,000 of full value to $3.67 per $1,000 of full value. On average, a property owner with an assessed home value of $250,000 would see an increase of about $5 in property taxes. Again, this is the minimum impact for an average value home; most will pay more. The attached analysis shows the estimated minimum reduction in the tax base and the estimated tax dollars redistributed for each exemption.

The bottom line is every property taxpayer, with or without an exemption, would be impacted by the increase to the tax rate. Importantly, property owners who are already receiving the maximum exemption or who receive no exemption would actually see an increase in their taxes, and these are the people who need the exemption most.

Since 2008, the county's tax base has declined by $8.8 billion from $38.4 billion to $29.6 billion. Maximizing exemptions would effectively shrink the county's tax base even further.

Attachment

Effect of Increasing Alternative and Cold War Vets to Maximum Ceilings

RPTL §458-A & RPTL §458-B

			Current Exempt Value	Highest Limits Exempt Value	$ change	% Change
A	Wartime (15%)	5,585	134,530,444	187,700,605	53,170,161	39.5%
B	Combat (25%)	4,308	169,245,747	232,251,838	63,006,091	37.2%
C	Total Exemptions	9,893	303,776,191	419,952,443	116,176,252	38.2%
D	With Disability	1,010	41,521,560	48,579,367	7,057,807	17.0%
E	**Total §458-A**		**345,297,751**	**468,531,810**	**123,234,059**	**35.7%**
				Tax Dollars Redistributed	**$449,804**	
F	Cold War	705	7,903,601	**21,193,824**	13,290,223	168.2%
G	With Disability	35	878,083	1,040,968	162,885	18.6%
H	**Total §458-B**		**8,781,684**	**22,234,792**	**13,453,108**	**153.2%**
				Tax Dollars Redistributed	**$49,104**	
I	**Total 458-A + 458-B**	**10,598**	**354,079,435**	**490,766,602**	**136,687,167**	**38.6%**
				Total Tax Dollars Redistributed	$498,908	

Summary: There are 9,893 Alternative Veterans Exemptions.
1,010 of these Vets have an additional exemption due to a disability rating.

There are 705 Cold War Veterans exemptions.
35 of these Vets have an additional exemption due to a disability rating.

Increasing both the Alternative and Cold War Vets exemptions to their maximum would increase their values by 39.4% and **decrease the tax base by $139, 551,804.**

Based on the 2013 assessment roll values.
Does not include counts for Vets in Cooperative Apartments.

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
~~City~~
~~Town~~
~~Village~~ of Dutchess

Local Law No. 3 of the year 2007

A local law to Provide for a Partial Real Property Tax Exemption
(Insert Title)
for Cold War Veterans

Be it enacted by the County Legislature (Name of Legislative Body) of the

County
~~City~~
~~Town~~
~~Village~~ of Dutchess as follows:

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

SECTION 1. LEGISLATIVE AUTHORIZATION.

This local law is authorized by the real property tax law section 458-b.

SECTION 2. PARTIAL EXEMPTION FOR COLD WAR VETERANS.

1. As used in this local law:

(a) "Cold War veteran" means a person, male or female, who served on active duty for a period of more than three hundred sixty-five days in the United States armed forces, during the time period from September second, nineteen hundred forty-five to December twenty-sixth, nineteen hundred ninety-one, was discharged or released therefrom under honorable conditions and has been awarded the Cold War recognition certificate as authorized under Public Law 105-85, the 1998 National Defense Authorization Act.

(b) "Armed forces" means the United States army, navy, marine corps, air force, and coast guard.

(c) "Active duty" means full-time duty in the United States armed forces, other than active duty for training.

(d) "Service connected" means, with respect to disability or death, that such disability was incurred or aggravated, or that the death resulted from a disability incurred or aggravated, in line of duty on active military, naval or air service.

(e) "Qualified owner" means a Cold War veteran, the spouse of a Cold War veteran, or the unremarried surviving spouse of a deceased Cold War veteran. Where property is owned by more than one qualified owner, the exemption to which each is entitled may be combined. Where a veteran is also the unremarried surviving spouse of a veteran, such person may also receive any exemption to which the deceased spouse was entitled.

(f) "Qualified residential real property" means property owned by a qualified owner which is used exclusively for residential purposes; provided, however, that in the event that any portion of such property is not used exclusively for residential purposes, but is used for other purposes, such portion shall be subject to taxation and only the remaining portion used exclusively for residential purposes shall be subject to the exemption provided by this local law. Such property shall be the primary residence of the Cold War veteran or the unremarried surviving spouse of a Cold War veteran; unless the Cold War veteran or unremarried surviving spouse is absent from the property due to medical reasons or institutionalization for up to five years.

(g) "Latest state equalization rate" means the latest final equalization rate established by the state board of real property services.

2. (a) Qualifying residential real property shall be exempt from taxation to the extent of fifteen percent of the assessed value of such property; provided however, that such exemption shall not exceed twelve thousand dollars or the product of twelve thousand dollars multiplied by the latest state equalization rate of the assessing unit.

(b) In addition to the exemption provided by the above paragraph (a), where the Cold War veteran received a compensation rating from the United States veterans affairs or from the United States department of defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by fifty percent of the Cold War veteran disability rating; provided, however, that such exemption shall not exceed forty thousand dollars, or the product of forty thousand dollars multiplied by the latest state equalization rate for the assessing unit.

(c) Limitations.

(i) The exemption from taxation provided by this subdivision shall be applicable to county taxes.

(ii) If a Cold War veteran receives the exemption under real property tax law section four hundred fifty-eight or four hundred fifty-eight-a, the Cold War veteran shall not be eligible to receive the exemption under this local law.

(iii) The exemption provided by the above paragraph (a) shall be granted for a period of ten years. The commencement of such ten year period shall be governed pursuant to this subparagraph. Where a qualified owner owns qualifying residential real property on the effective date of this local law, such ten year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring on or after the effective date of this local law. Where a qualified owner does not own qualifying residential real property on the effective date of this local law, such ten year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring at least sixty days after the date of purchase of qualifying residential real property; provided, however, that should the veteran apply for and be granted an exemption on the assessment roll prepared pursuant to a taxable status date occurring within sixty days after the date of purchase of residential real property, such ten year period shall be measured from the first assessment roll in which the exemption occurs. If, before the expiration of such ten year period, such exempt property is sold and replaced with other residential real property, such exemption may be granted pursuant to this subdivision for the unexpired portion of the ten year exemption period.

3. Application for exemption shall be made by the owner, or all of the owners, of the property on a form prescribed by the state board of real property services. The owner or owners shall file the completed form in the assessor's office on or before the first appropriate taxable status date. The owner or owners of the property shall be required to refile each year. Applicants shall refile on or before the appropriate taxable status date. Any applicant convicted of willfully making any false statement in the application for such exemption shall be subject to the penalties prescribed in the penal law.

SECTION 3. EFFECTIVE DATE.

This local law shall take effect January 3, 2008 and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after such date.

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

- ☒ **County**
- ☐ **City** **of** DUTCHESS
- ☐ **Town**
- ☐ **Village**

Local Law No. 3 **of the year 20** 08

A local law AMENDING LOCAL LAW NO. 3 OF 2007, A LOCAL LAW TO PROVIDE FOR
(Insert Title)
A PARTIAL REAL PROPERTY TAX EXEMPTION FOR COLD WAR VETERANS

Be it enacted by the LEGISLATURE **of the**
(Name of Legislative Body)

- ☒ **County**
- ☐ **City** **of** DUTCHESS **as follows:**
- ☐ **Town**
- ☐ **Village**

SECTION 1. LEGISLATIVE AUTHORIZATION.

This local law is authorized by the real property tax law section 458-b.

SECTION 2. PARTIAL EXEMPTION FOR COLD WAR VETERANS.

Section 2, subsection 1, paragraphs (a) and (f), and subsection 3 of Local Law No. 3 of 2007 are amended to read as follows:

(a) "Cold War veteran" means a person, male or female, who served on active duty in the United States armed forces, during the time period from September second, nineteen hundred forty-five to December twenty-sixth, nineteen hundred ninety-one, and was discharged or released therefrom under honorable conditions.

(f) "Qualified residential real property" means property owned by a qualified owner which is used exclusively for residential purposes; provided, however, that in the event that any portion of such property is not used exclusively for residential purposes, but is used for other purposes, such portion shall be subject to taxation and only the remaining portion used exclusively for residential purposes shall be subject to the exemption provided by this local law. Such property shall be the primary residence of the Cold War veteran or the unremarried surviving spouse of a Cold War veteran, unless the Cold War veteran or unremarried surviving spouse is absent from the property due to medical reasons or institutionalization.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

3. Application for exemption shall be made by the owner, or all of the owners, of the property on a form prescribed by the state board of real property services. The owner or owners shall file the completed form in the assessor's office on or before the first appropriate taxable status date. The exemption shall continue in full force and effect for all appropriate subsequent tax years and the owner or owners of the property shall not be required to refile each year. Applicants shall be required to refile on or before the appropriate taxable status date if the percentage of disability percentage increases or decreases or may refile if other changes have occurred which affect qualification for an increased or decreased amount of exemption. Any applicant convicted of willfully making any false statement in the application for such exemption shall be subject to the penalties prescribed in the penal law.

SECTION 3. EFFECTIVE DATE.

This local law shall take effect immediately upon filing with the Secretary of State.

The foregoing local law Resolution No. 2013366 was laid on desks on December 5, 2014. No further action was taken in 2013.

On motion by Legislator Bolner, 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.

Greg Bentley expressed his gratitude for restoring the position of Director of Engineering.

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

There being no further business, the Chairman adjourned the meeting at 12:32 a.m.