Attendance Sheets

District	Last Name	Present	Absent	Present/Late
District 14 - Town of Wappinger	Amparo		✓	✓
District 4 - Town of Hyde Park	Black	✓		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		✓	
District 3 - Town of LaGrange	Borchert	✓		
District 8 - City and Town of Poughkeepsie	Brendli	✓		
District 6 - Town of Poughkeepsie	Edwards	✓		
District 22 - Towns of Beekman and Union Vale	Garito	✓		
District 21 - Town of East Fishkill	Horton	✓		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston	✓		
District 15 - Town of Wappinger	Incoronato	✓		
District 10 - City of Poughkeepsie	Jeter-Jackson	✓		
District 9 - City of Poughkeepsie	Johnson	✓		
District 1 - Town of Poughkeepsie	Llaverias	✓		
District 12 - Town of East Fishkill	Metzger	✓		
District 17 - Town and Village of Fishkill	Miccio	✓		
District 20 - Town of Red Hook/Tivoli	Munn	✓		
District 18 - City of Beacon and Town of Fishkill	Page	✓		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓		
District 5 - Town of Poughkeepsie	Roman	✓		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	✓		
District 24 - Towns of Dover and Union Vale	Surman	✓		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes	✓		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt	✓		
District 11 - Towns of Rhinebeck and Clinton	Tyner	✓		
District 16 - Town of Fishkill and City of Beacon	Zernike	✓		
Present: ____	**Total:**	23	2	
Absent: ____				
Vacant: ____				

Date: 7/09/18

Regular Meeting

of the

Dutchess County Legislature

Monday, July 9, 2018

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

Roll Call by the Clerk of the Legislature

PRESENT:	23	Black, Borchert, Brendli, Edwards, Garito, Horton, Houston, Incoronato, Jeter-Jackson, Johnson, Llaverias, Metzger, Miccio, Munn, Page, Pulver, Roman, Sagliano, Surman, Thomes, Truitt, Tyner, Zernike
ABSENT:	1	Bolner
PRESENT, LATE:	1	Amparo

Quorum Present.

Pledge of Allegiance to the Flag; invocation given by Carol Witman of the Church of Jesus Christ of Latter-day Saints in Poughkeepsie, followed by a moment of silent meditation.

Proclamations, Commendations and Presentations:

Commendation: Eagle Scout Nick Robinson

Public Hearings:

Public Hearing to Consider Recommendations of the Dutchess County Agricultural and Farmland Protection Board for Inclusion within Various Certified Agricultural Districts

The Clerk read the Notice of Public Hearing.

Chairman declared the public hearing open.

Dennis Remsberger and Juliette Landi, Town of LaGrange, stated their concerns with being denied inclusion in the Agricultural District and requested inclusion for their honey bee population.

Constantine Kazolias, 47 Noxon Street, Poughkeepsie, spoke in favor of honey bees.

No one else wishing to speak, the Chairman declared the public hearing closed.

Public Hearing on Agricultural Conservation Easement on Property Known as the Brookby Farm in the Town of Dover

The Clerk read the Notice of Public Hearing.

Chairman declared the public hearing open.

No one wishing to speak, the Chairman declared the public hearing closed.

Public Hearing on Tentative Budget of Dutchess Community College

Claudia Fedonkea, part-time teacher at Dutchess Community College, spoke in support of Dutchess Community College.

Mark Condon, Biology Professor and Dutchess United Educators, spoke in support of Dutchess Community College.

Diane Halsey, math professor at Dutchess Community College, spoke regarding the new methods the college has to engage and retain students.

Layla Cohen Tyner, Staatsburg, spoke regarding the positive impact that Dutchess Community College had on her life.

Karen Smythe, spoke in favor of providing the additional funding to Dutchess Community College.

Tom LeGrand, Dutchess Community College Trustee, spoke in support of the economic contribution of Dutchess Community College and to the social benefits of Dutchess Community College.

Miguel, Dutchess Community College Alumni, questioned if Dutchess Community College would be affordable and accessible to students in the future.

Wazier Jefferson, Chief Diversity Officer at Dutchess Community College, spoke regarding providing equality on the campus and added that support of the budget provided students with a hand up.

Constantine Kazolias, 47 Noxon Street, Poughkeepsie, spoke in opposition to reducing the county's contribution to Dutchess Community College.

Michael Dupree, Vice Chair of Dutchess Community College Board of Trustees, thanked the Legislature for taking this issue seriously.

No one else wishing to speak, the Chairman declared the public hearing closed.

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

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

Chair Pulver entertained a motion to approve the June 2018 minutes.

The June 2018 minutes were adopted.

Reports of standing committees, special committees, and liaisons to other committees and boards

None

COMMUNICATIONS RECEIVED FOR THE JULY 2018 BOARD MEETING

Received from Village of Tivoli:

Resolution No. 28 "Resolution Declaring Intent to Serve as Lead Agency for the Wastewater System Improvements and DCWWA Wastewater System Transfer Project"

Resolution No. 29 "Resolution Modifying EAF and CAF for the Water System Improvements and DCWWA Water System Transfer Project"

Revised EAF Part 1

Revised CAF

Received from Town of Lagrange, Local Law No. __of 2018, entitled, A Local Law of the Town of Lagrange, Dutchess County, New York, Amending the Zoning Map of Chapter 240, Section 240-22, of the Town Code to Change the Designation of Lagrange Tax Parcel, 6559-01-422608, Located at 1723 Route 82, from a Residential Low Density "RLD" Zoning District to Gateway Hamlet "GH" Zoning District.

Received from Budget Director, July Contingency and Capital Reserve Account Status.

Received from Town of Beekman, Appointment of Faye Garito as County Legislator for District 22.

Received from Tioga County Legislature, Requesting New York State Legislature to Support Acts to Amend the Executive Law in Relation to the Cost of Maintenance and Operations of Veterans' Service Agencies.

COMMUNICATIONS

RECEIVED
JUN 25 2018
By 1:30pm

June 21, 2018

Dutchess County Legislature
22 Market Street #6
Poughkeepsie, NY 12601

Re: Village of Tivoli, Dutchess County, New York
Village of Tivoli Wastewater System Project – Lead Agency Resolution

Ladies and Gentlemen:

Under the State Environmental Quality Review Act regulations, the Village of Tivoli Board of Trustees has adopted a resolution indicating that it is appropriate that it serve as Lead Agency for the above project described therein. Therefore, please take notice that the Village of Tivoli intends to designate itself as Lead Agency for the review of the aforesaid project. If you have any objections, please submit them in writing to the contact person: Robin Bruno, Village Clerk.

Kindly complete the enclosed form and return it to the Village of Tivoli within thirty (30) days. If you do not respond within thirty (30) days, it will be assumed that you have no objections.

From the information submitted to the Village of Tivoli, this action appears to be a Type I action in accordance with Section 617.12(2) of the New York State SEQR regulations. You will be further advised if there is any change in classification on this project.

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (SEQR) of the Environmental Law.

A copy of the resolution, EAF Part 1, and CAF are enclosed.

Yours truly,

Robin L. Bruno
Village Clerk

Village of Tivoli
Founded 1795

Joel R. Griffith
Mayor

Emily M. Majer
Deputy Mayor

Susan G. Ezrati
Trustee

Jeanann M. Schneider
Trustee

Christopher L. Murphy
Trustee

Robin L. Bruno
Village Clerk

Bonnie L. Day
Treasurer

Kristen Cleaveland
Deputy Village Clerk

Historic Watts de Peyster Hall
1 Tivoli Commons
86 Broadway
PO Box 397
Tivoli, New York 12583-0397

Phone: 845-757-2021
Fax: 845-757-5416
www.tivoliny.org

VILLAGE OF TIVOLI
RESOLUTION NO. 28
DATED JUNE 20, 2018

RESOLUTION DECLARING INTENT TO SERVE AS LEAD AGENCY FOR THE WASTEWATER SYSTEM IMPROVEMENTS AND DCWWA WASTEWATER SYSTEM TRANSFER PROJECT

WHEREAS, the Village of Tivoli has undertaken a study of its wastewater system condition, need for improvements and the feasibility of transfer of the system to the Dutchess County Water and Wastewater Authority, and has received and reviewed the Wastewater System Evaluation dated February 2017 prepared by T&B Engineering, P.C. (the "Facility Study"); and

WHEREAS, the Board of Trustees of the Village of Tivoli has indicated its intent to transfer ownership, and responsibility for management and operation of its wastewater system to the DCWWA, subject to completion of a transfer agreement and review under SEQRA; and

WHEREAS, the Board of Trustees of the Village of Tivoli has received and there is on file with the Village Clerk a Part I Environmental Assessment Form (EAF) and a Coastal Assessment Form (CAF) with respect to the proposed transfer of the wastewater system to DCWWA ("Wastewater System Transfer") and the initial capital projects to be undertaken ("Wastewater Improvement Project"); and

WHEREAS, a Full Environmental Assessment Form ("EAF") and a Coastal Assessment Form ("CAF") have been prepared in connection with the Project; and

WHEREAS, the Board of Trustees of the Village of Tivoli has performed a preliminary review of the EAF and CAF; and

WHEREAS, in accordance with the New York State Environmental Quality Review Act ("SEQRA"), said Board is required to determine the classification of a proposed action; and

NOW THEREFORE BE IT RESOLVED, by the Board of Trustees of the Village of Tivoli (by the favorable vote of not less than a majority of all of the members of the Board) as follows:

1. The Board of Trustees of the Village of Tivoli hereby determines that the proposed action is a Type I action under SEQRA;

2. The Board of Trustees declares its intent to assume lead agency status in connection with a coordinated SEQRA review of this project and hereby instructs the Village Clerk of the Village of Tivoli to circulate notice of its intent to all interested or involved agencies identified in the EAF, together with copies of the EAF and CAF.

3. The Village Clerk is further authorized and directed to refer a copy of this resolution with the EAF and CAF to the Planning Board of the Village of Tivoli for their recommendation on consistency of the proposed action with the Village's Local Waterfront Revitalization Program.

EXTRACT OF MINUTES

A regular meeting of the Village Board of the Village of Tivoli, Dutchess County, New York was convened in public session at the Village Hall, 86 Broadway, Tivoli, New York 12583 on June 20, 2018 at 7:00 p.m., local time.

The meeting was called to order by Mayor Griffith, and, upon roll being called, the following members were:

PRESENT:

Joel Griffith	Mayor
Emily Majer	Deputy Mayor
Susan Ezrati	Trustee
~~Christopher Murphy~~	~~Trustee~~
~~Jeanann Schneider~~	~~Trustee~~

ABSENT: C. Murphy; J. Schneider

The following persons were ALSO PRESENT:

The following resolution was offered by Deputy Mayor Majer, seconded by Trustee Ezrati, to wit;

RESOLUTION NO. 28
DATED JUNE 20, 2018

RESOLUTION DECLARING INTENT TO SERVE AS LEAD AGENCY FOR THE WASTEWATER SYSTEM IMPROVEMENTS AND DCWWA WASTEWATER SYSTEM TRANSFER PROJECT

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Joel Griffith	Voting ✓
Emily Majer	Voting ✓
Susan Ezrati	Voting ✓
~~Christopher Murphy~~	~~Voting~~
~~Jeanann Schneider~~	~~Voting~~

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Village of Tivoli, Dutchess County, New York (hereinafter called the "Village ") and the custodian of the records of the Village, including the minutes of the proceedings of the Village Board of Trustees, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Village Board held on the 20th day of June, 2018 and entitled:

RESOLUTION NO. 28
DATED JUNE 20, 2018

RESOLUTION DECLARING INTENT TO SERVE AS LEAD AGENCY FOR THE WASTEWATER SYSTEM IMPROVEMENTS AND DCWWA WASTEWATER SYSTEM TRANSFER PROJECT

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Village. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Village and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this 20th day of June, 2018.

-SEAL-

Robin L Bruno

Robin Bruno
Village Clerk

VILLAGE OF TIVOLI
86 Broadway
Tivoli, NY 12583
Office: (845) 757-2021
Fax: (845) 757-5416

Project Name: **Village of Tivoli, Dutchess County, NY**

RE: **Village of Tivoli Wastewater System Project Lead Agency Resolution No. __ adopted by the Board of Trustees of the Village of Tivoli on June 20, 2018**

Proposed Lead Agency: **Village of Tivoli**

Name of Applicant: **Village of Tivoli**

RESPONSE TO REQUEST THAT THE ABOVE NAMED AGENCY SERVE AS LEAD AGENCY REGARDING THE ABOVE ACTION

On behalf of _____ (involved agency), I acknowledge receipt of the lead agency notice in this matter.

The above named involved agency hereby: **(please check one)**

( ) **CONSENTS** that the above named agency serve as lead agency in this application and requests that the undersigned continue to be notified of SEQRA determinations, proceedings and hearings in this matter.

( ) **DOES NOT CONSENT** to the above named agency serving as lead agency in this application and wishes that _____ serve as lead agency. To contest lead agency designation, the undersigned intends to follow the procedures outlined in 6 NYCRR 617.6(e).

_____ **Date**

_____ **Signature**

_____ **Agency Name (signature)**

_____ **Agency Name (printed)**

Please return to:

Village of Tivoli
86 Broadway
Tivoli, NY 12583
Attn: Robin Bruno, Village Clerk

sewer 6/20/18

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Tivoli Wastewater System Project		
Project Location (describe, and attach a general location map): 17 Broadway, Tivoli, Dutchess County, NY 12583		
Brief Description of Proposed Action (include purpose or need): The project consists of various improvements to the Village wastewater system necessary to meet current Department of Environmental Conservation standards for wastewater treatment within the Village and the transfer of the Village wastewater system to the Dutchess County Water and Wastewater Authority. The action will include design, permitting, financing, and constructing improvements including collection system improvements, pump station improvements, treatment plant upgrades, control system improvements, and health and safety improvements. The action would include transfer of wastewater system components and real property to the Dutchess County Water and Wastewater Authority including the creation of a zone of assessment within the County Water District and related permitting, financing, and system operations and maintenance.		
Name of Applicant/Sponsor: Joel Griffith, Village of Tivoli Mayor	Telephone: 845-757-3371 E-Mail: mayor@tivoliny.org	
Address: 86 Broadway		
City/PO: Tivoli	State: NY	Zip Code: 12583
Project Contact (if not same as sponsor; give name and title/role):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	**If Yes: Identify Agency and Approval(s) Required**	**Application Date (Actual or projected)**
a. City Council, Town Board, or Village Board of Trustees ☑Yes☐No	Village of Tivoli Board of Trustees	May 2018
b. City, Town or Village Planning Board or Commission ☐Yes☑No		
c. City Council, Town or Village Zoning Board of Appeals ☐Yes☑No		
d. Other local agencies ☐Yes☑No		
e. County agencies ☑Yes☐No	Dutchess County: Water/Wastewater Authority, Health Dept., Planning Dept. and Legislature	July 2018
f. Regional agencies ☐Yes☑No		
g. State agencies ☑Yes☐No	NYS Environmental Facilities Corporation NYSDEC - SPDES Wastewater	July 2018 July 2018
h. Federal agencies ☐Yes☑No		

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☑Yes☐No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☑Yes☐No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes☑No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑Yes☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐Yes☑No

If Yes, identify the plan(s): Greenway Community, Local Waterfront Revitalization Plan, National Register Historic District

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☑Yes☐No

If Yes, identify the plan(s):

Town of Red Hook, Villages of Red Hook and Tivoli Open Space Plan

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
Wastewater system is located principally in the R15, R1A and GB zoning districts

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☑ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Red Hook Central School District

b. What police or other public protection forces serve the project site?
Dutchess County Sheriff

c. Which fire protection and emergency medical services serve the project site?
Tivoli Fire Department

d. What parks serve the project site?
Tivoli Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Wastewater system improvements and transfer of system to Dutchess Co Water and Wastewater Authority

b. a. Total acreage of the site of the proposed action? 0.94 acres
b. Total acreage to be physically disturbed? 0 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.94 acres

Parcel 522750 - 0.43 ac
Parcel 525740 - 0.3 ac
Parcel 372050 - 0.21 ac

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? ☐ Yes ☑ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐Yes ☑No
If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐Yes ☑No
If Yes,
i. Total number of structures _____
ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length
iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes ☑No
If Yes,
i. Purpose of the impoundment: _____
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify:
_____
iii. If other than water, identify the type of impounded/contained liquids and their source.
_____
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
_____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐Yes ☑No
If Yes:
i. What is the purpose of the excavation or dredging? _____
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.
_____
_____
iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes ☐No
If yes, describe. _____
_____
v. What is the total area to be dredged or excavated? _____ acres
vi. What is the maximum area to be worked at any one time? _____ acres
vii. What would be the maximum depth of excavation or dredging? _____ feet
viii. Will the excavation require blasting? ☐Yes ☐No
ix. Summarize site reclamation goals and plan: _____
_____
_____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐Yes ☑No
If Yes:
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____
_____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

_____

_____

_____

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐Yes☐No
If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes☐No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐Yes☑No
If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐Yes☐No
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐Yes☐No
- Is the project site in the existing district? ☐Yes☐No
- Is expansion of the district needed? ☐Yes☐No
- Do existing lines serve the project site? ☐Yes☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes☐No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐Yes☐No
If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐Yes☑No
If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐Yes☐No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐Yes☐No
- Is the project site in the existing district? ☐Yes☐No
- Is expansion of the district needed? ☐Yes☐No

- Do existing sewer lines serve the project site? ☐Yes ☐No
- Will line extension within an existing district be necessary to serve the project? ☐Yes ☐No

  If Yes:
  - Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☑Yes ☐No

If Yes:
- Applicant/sponsor for new district: Dutchess County Water and Wastewater Authority
- Date application submitted or anticipated: July 2019
- What is the receiving water for the wastewater discharge? Existing system transfer only - no expansion, no change in outfall

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans): _____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☐Yes ☑No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐Yes ☐No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐Yes ☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐Yes ☑No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes ☑No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes ☐No

ii. In addition to emissions as calculated in the application, the project will generate:
- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

_____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☑No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend ☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☑No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

_____

iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 7 am to 10 pm
- Saturday: NA
- Sunday: NA
- Holidays: NA

ii. During Operations:

- Monday - Friday: 24/7
- Saturday: 24/7
- Sunday: 24/7
- Holidays: 24/7

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☑ No

If yes:

i. Provide details including sources, time of day and duration:

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☑ No

Describe:

n.. Will the proposed action have outdoor lighting? ☐ Yes ☑ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No

Describe:

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☑ No

If Yes:

i. Product(s) to be stored

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities:

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☑ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction:
- Operation:

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction:
- Operation:

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☑ Commercial ☑ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site. **Not Applicable - action is for transfer of existing system only**

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐Yes ☑No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☑Yes ☐No

If Yes,

i. Identify Facilities:

Village recreation park and Provost Park

e. Does the project site contain an existing dam? ☐Yes ☑No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐Yes ☑No

If Yes:

i. Has the facility been formally closed? ☐Yes ☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐Yes ☑No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐Yes ☑ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐Yes ☐No

☐ Yes – Spills Incidents database Provide DEC ID number(s): _____

☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐Yes ☐No

If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? >6.7 feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☑ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

Hudson and Vergennes (Plant)	100 %
Kingsbury and Rhinebeck (Pump St)	100 %
	%

d. What is the average depth to the water table on the project site? Average: 1-3 feet

e. Drainage status of project site soils:
- ☐ Well Drained: ____ % of site
- ☑ Moderately Well Drained: 100 % of site (Treatment Plant)
- ☑ Poorly Drained 100 % of site (Pump Station)

f. Approximate proportion of proposed action site with slopes:
- ☑ 0-10%: 100 % of site (Both sites)
- ☐ 10-15%: ____ % of site
- ☐ 15% or greater: ____ % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☑ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☑ Yes ☐ No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:
- Streams: Name Stonykill Classification A(T)
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☑ No
If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☑ Yes ☐ No

j. Is the project site in the 100 year Floodplain? ☑ Yes ☐ No

k. Is the project site in the 500 year Floodplain? ☑ Yes ☐ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☑ No
If Yes:
i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site:
Eastern Gray Squirrel
White Tail Deer

n. Does the project site contain a designated significant natural community? ☐Yes ☑No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation): _____
ii. Source(s) of description or evaluation: _____
iii. Extent of community/habitat:
- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐Yes ☑No

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐Yes ☑No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐Yes ☑No
If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐Yes ☑No
If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? ☐Yes ☑No
i. If Yes: acreage(s) on project site? _____
ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐Yes ☑No
If Yes:
i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐Yes ☑No
If Yes:
i. CEA name: _____
ii. Basis for designation: _____
iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? ☑ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☑ Historic Building or District

ii. Name: Hudson River Historic District and Watts de Peyster Hall

iii. Brief description of attributes on which listing is based:

Historic country estates and associated designed and natural environments.

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☑ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☑ Yes ☐ No

If Yes:

i. Identify resource: Estates District SASS and various designated Scenic Roads

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): Scenic Areas of Statewide Significance and Designated Scenic Roads

iii. Distance between project and resource: 0 to 5 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

Please see attached description of impact and visual renderings.

G. Verification

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

Applicant/Sponsor Name Village of Tivoli Date 6/20/18

Signature [signature] Title Mayor

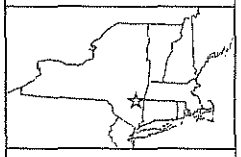
PRINT FORM

Sewer System System

LEGEND

- Pump station
- Treatment plant
- Sewer Manhole
- 8 in Sewer Main
- 4 in Sewer Force Main
- Village of Tivoli

LOCUS MAP



N

0 375 750
Feet
1:9,000

NOTES

Tivoli Village
Dutchess County, New York

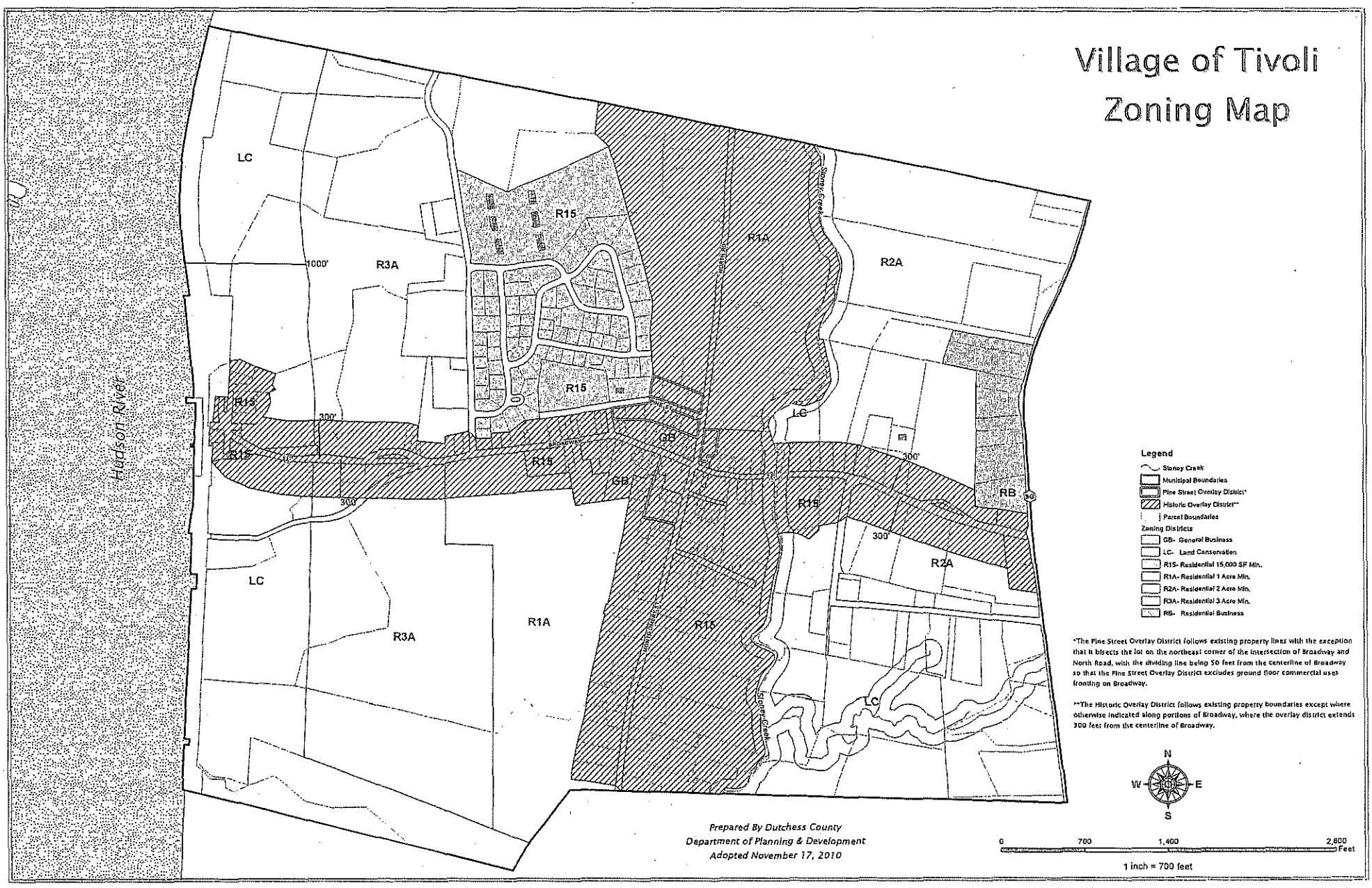
January 2016

TB Engineering, P.C.

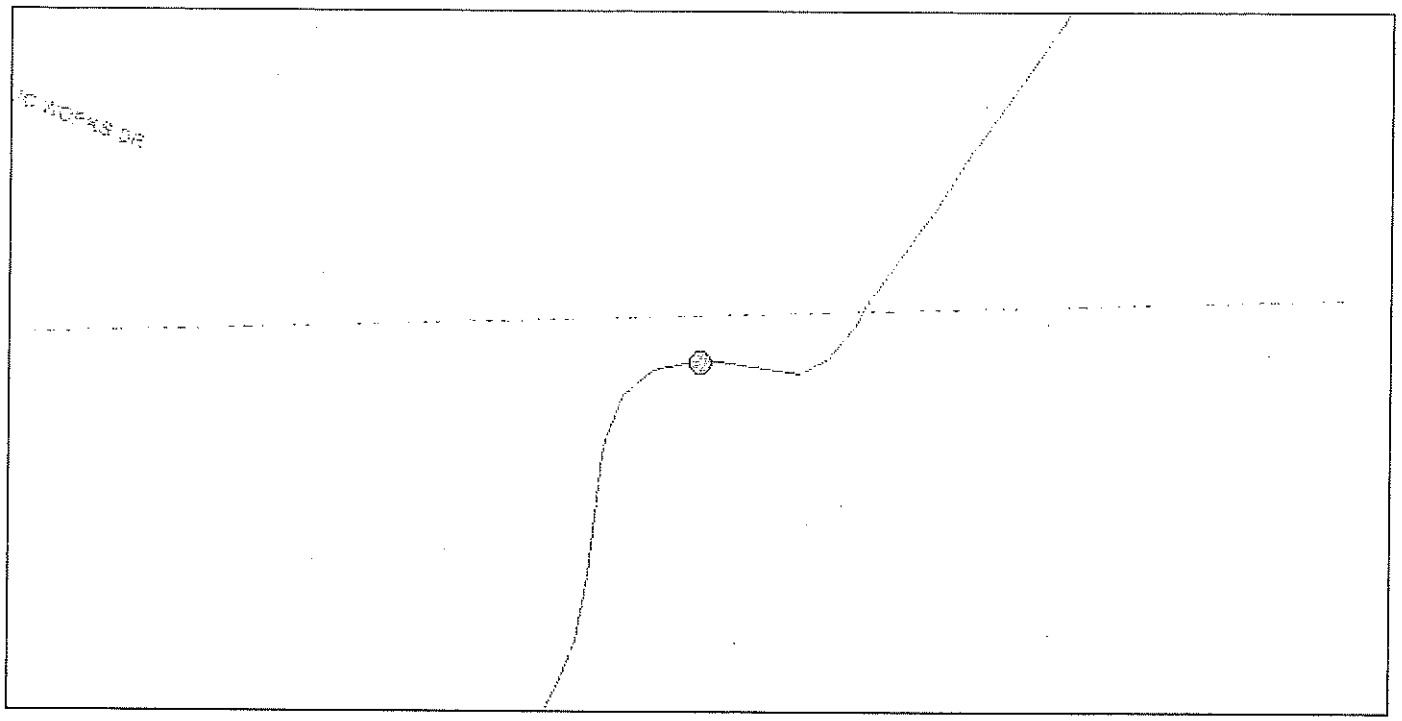
V:\Projects\D\D0280\Tivoli_Sewer.mxd

D-0280

Village of Tivoli
Zoning Map



Environmental Resource Mapper



The coordinates of the point you clicked on are:

UTM 18	**Easting:**	590365.444	**Northing:**	4656003.492
Longitude/Latitude	**Longitude:**	-73.908	**Latitude:**	42.051

The approximate address of the point you clicked on is:
2-98 Public Works Dr, Tivoli, New York, 12583

County: Dutchess
Town: Red Hook
Village: Tivoli
USGS Quad: SAUGERTIES

DEC Region

Region 3:
(Lower Hudson Valley) Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster and Westchester counties. For more information visit http://www.dec.ny.gov/about/607.html.

Waterbody Classifications for Rivers/Streams

Regulation: 862-521.2
Standard: A(T)
Classification: A

Natural Communities in the Vicinity

Natural Community Name: Freshwater intertidal mudflats
Location: Tivoli Bays North Bay
Ecological System: Tidal Wetlands (Estuary)

Natural Community Name: Freshwater tidal marsh
Location: Tivoli Bays North Bay
Ecological System: Tidal Wetlands (Estuary)

Rare Plants and Rare Animals

This location is in the vicinity of Rare Animals

This location is in the vicinity of Anadromous Fish Concentration Area

National Wetands Inventory

Attribute: undefined
Type: undefined
Acres: undefined

For more information about the National Wetands Inventory wetlands visit http://www.fws.gov/wetlands/

If your project or action is within or near an area with a rare animal, a permit may be required if the species is listed as endangered or threatened and the department determines the action may be harmful to the species or its habitat.

If your project or action is within or near an area with rare plants and/or significant natural communities, the environmental impacts may need to be addressed.

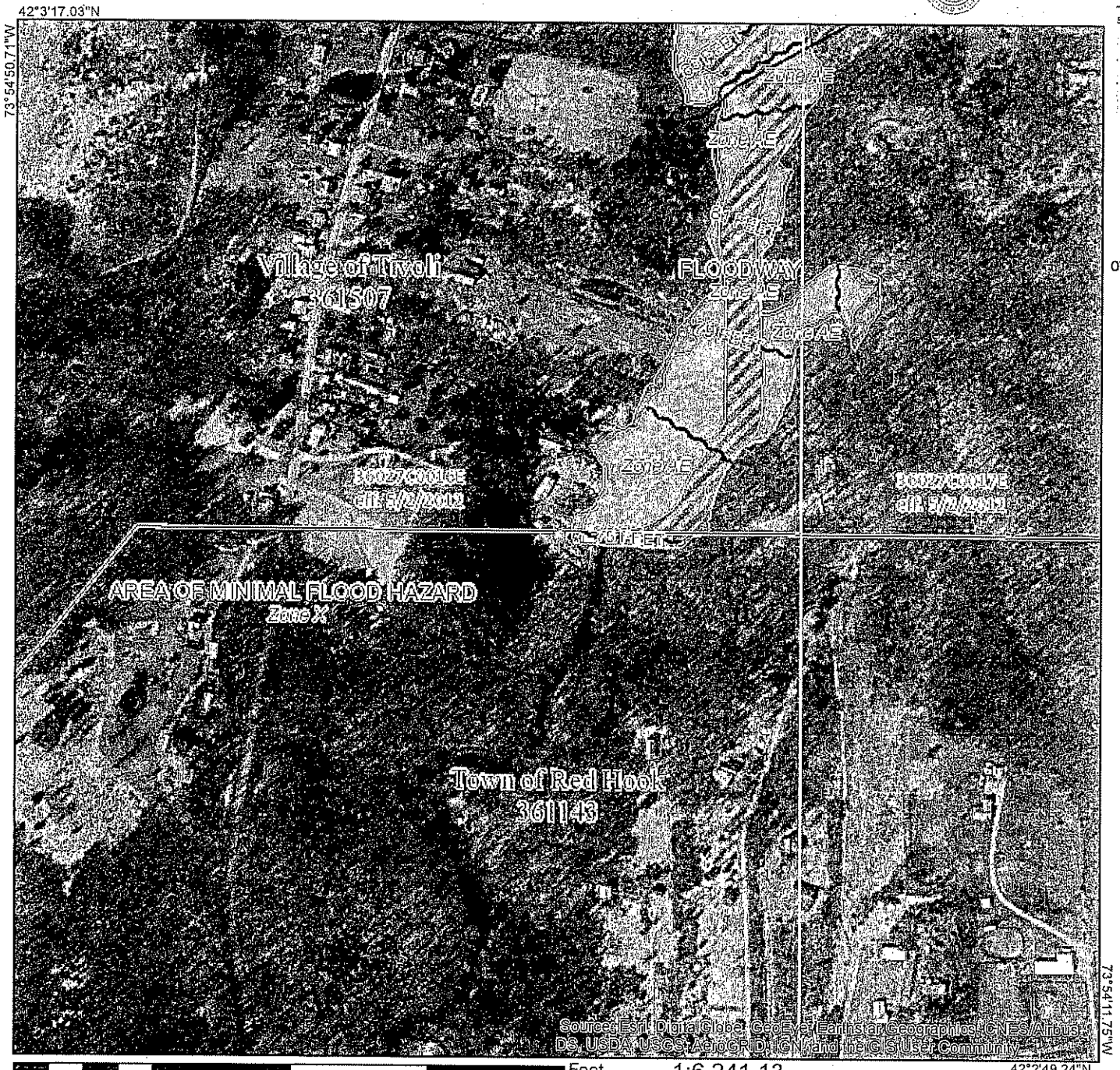
The presence of a unique geological feature or landform near a project, unto itself, does not trigger a requirement for a NYS DEC permit. Readers are advised, however, that there is the chance that a unique feature may also show in another data layer (ie. a wetland) and thus be subject to permit jurisdiction.

Please refer to the "Need a Permit?" tab for permit information or other authorizations regarding these natural resources.

Disclaimer: If you are considering a project or action in, or near, a wetland or a stream, a NYS DEC permit may be required. The Environmental Resources Mapper does not show all natural resources which are regulated by NYS DEC, and for which permits from NYS DEC are required. For example, Regulated Tidal Wetlands, and Wild, Scenic, and Recreational Rivers, are currently not included on the maps.

National Flood Hazard Layer FIRMette

FEMA



Feet

0 250 500 1,000 1,500 2,000

1:6,241.13

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth
- Regulatory Floodway *Zone AE, AO, AH, VE, AR*

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS

- NO SCREEN Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- B 20.2 Cross Sections with 1% Annual Chance
- 17.5 Water Surface Elevation
- 6 Coastal Transect
- 513 Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

N

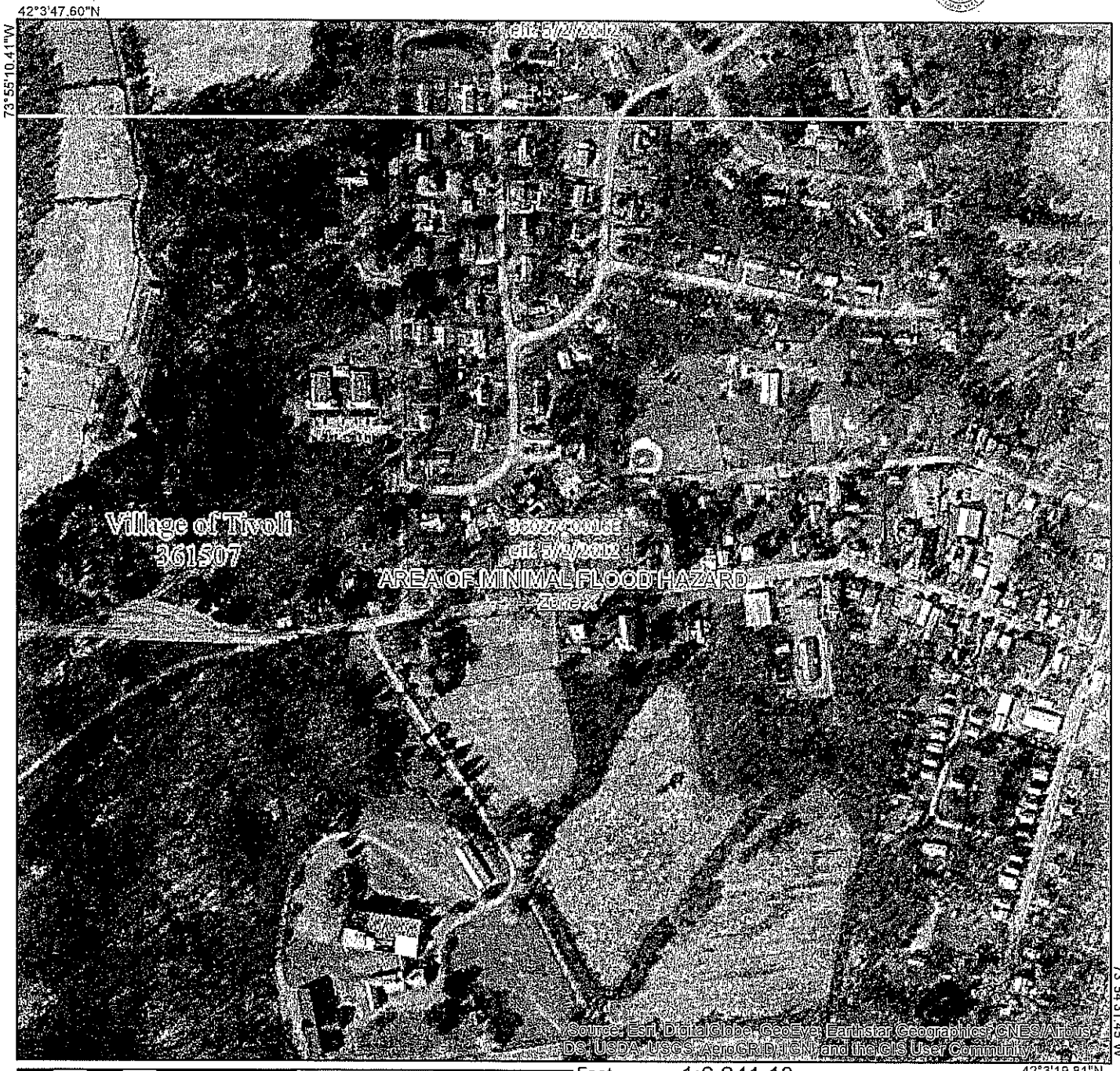
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The base map shown complies with FEMA's base map accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/18/2018 at 6:04:18 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: base map imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

National Flood Hazard Layer FIRMette

FEMA



0 250 500 1,000 1,500 2,000 Feet

1:6,241.13

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth
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- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
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- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

N

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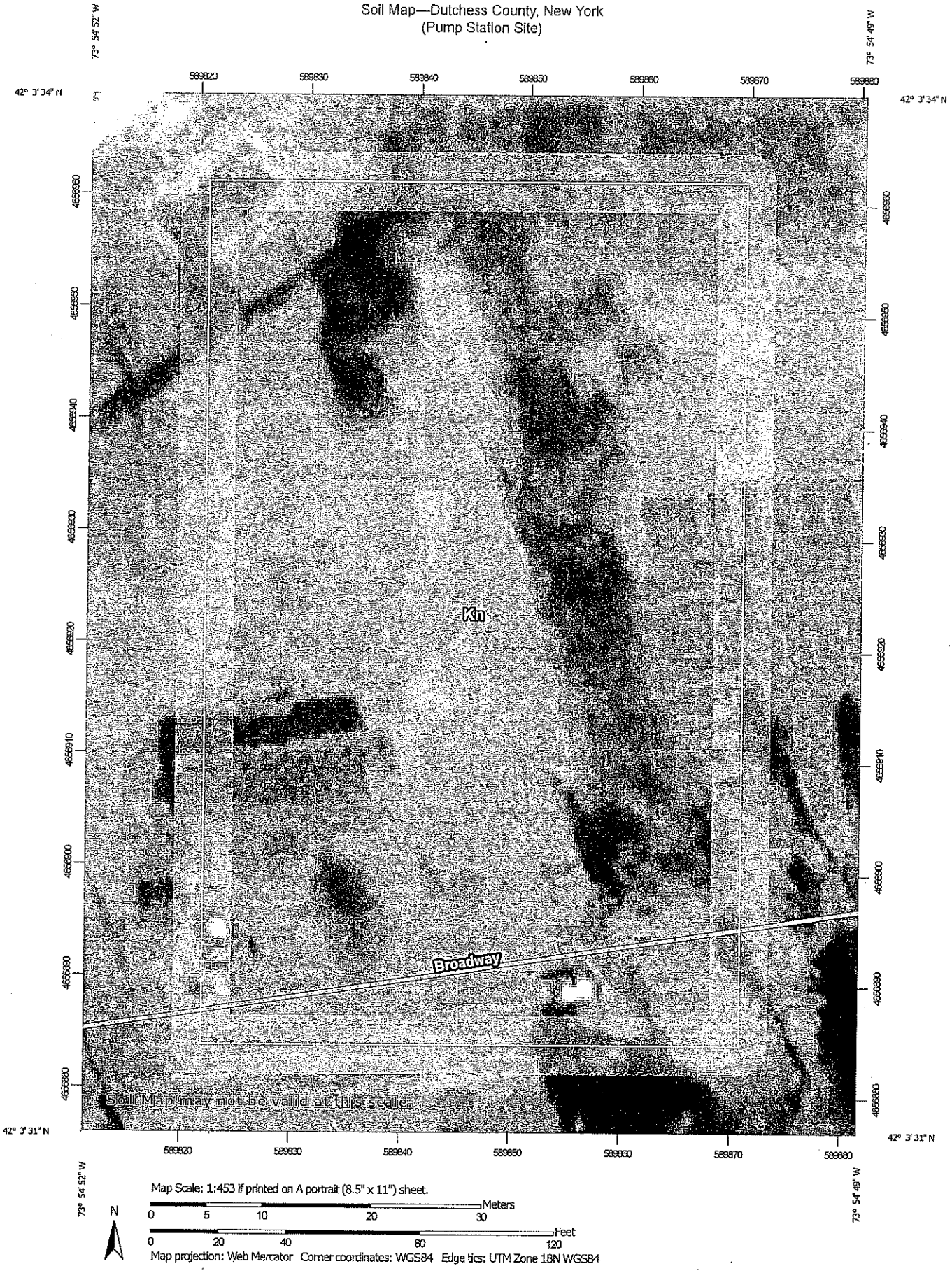
This map image is void if the one or more of the following map elements do not appear: base map imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Soil Map—Dutchess County, New York
(Pump Station Site)



Map Scale: 1:453 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 5 10 20 30

Feet: 0 20 40 80 120

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Map Unit Polygons

Soil Map Unit Lines

Soil Map Unit Points

Special Point Features

Blowout

Borrow Pit

Clay Spot

Closed Depression

Gravel Pit

Gravelly Spot

Landfill

Lava Flow

Marsh or swamp

Mine or Quarry

Miscellaneous Water

Perennial Water

Rock Outcrop

Saline Spot

Sandy Spot

Severely Eroded Spot

Sinkhole

Slide or Slip

Sodic Spot

Spoil Area

Stony Spot

Very Stony Spot

Wet Spot

Other

Special Line Features

Water Features

Streams and Canals

Transportation

Rails

Interstate Highways

US Routes

Major Roads

Local Roads

Background

Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Dutchess County, New York
Survey Area Data: Version 14, Oct 8, 2017

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

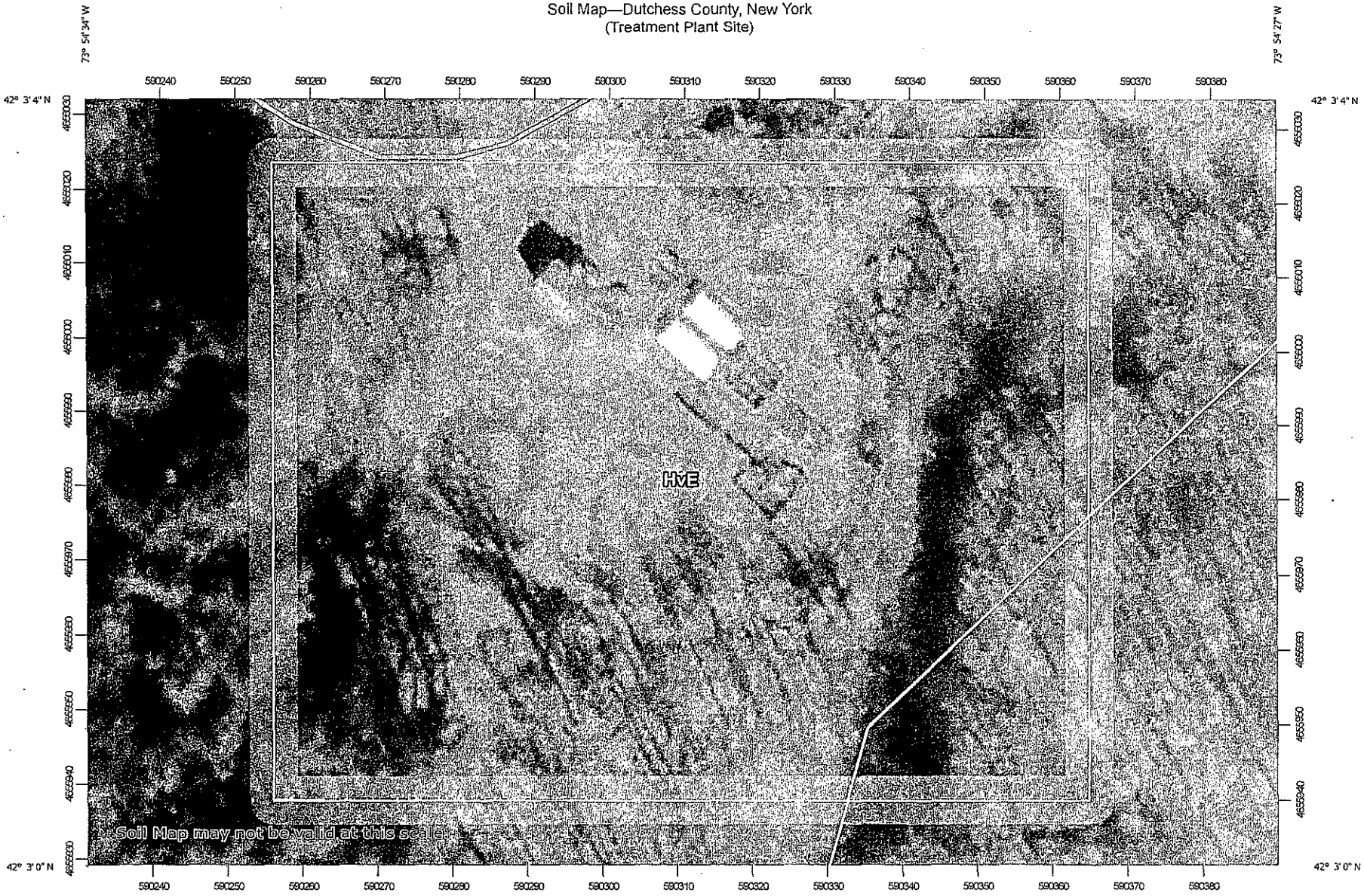
Date(s) aerial images were photographed: Jul 30, 2012—Feb 26, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Kn	Kingsbury and Rhinebeck soils	0.9	100.0%
Totals for Area of Interest		**0.9**	**100.0%**

Soil Map—Dutchess County, New York
(Treatment Plant Site)



Map Scale: 1:725 if printed on A landscape (11" x 8.5") sheet.

N

Meters: 0 10 20 40 60

Feet: 0 35 70 140 210

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Map Unit Polygons

Soil Map Unit Lines

Soil Map Unit Points

Special Point Features

Blowout

Borrow Pit

Clay Spot

Closed Depression

Gravel Pit

Gravelly Spot

Landfill

Lava Flow

Marsh or swamp

Mine or Quarry

Miscellaneous Water

Perennial Water

Rock Outcrop

Saline Spot

Sandy Spot

Severely Eroded Spot

Sinkhole

Slide or Slip

Sodic Spot

Spoil Area

Stony Spot

Very Stony Spot

Wet Spot

Other

Special Line Features

Water Features

Streams and Canals

Transportation

Rails

Interstate Highways

US Routes

Major Roads

Local Roads

Background

Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

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Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 30, 2012—Feb 26, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
HvE	Hudson and Vergennes soils, steep	2.3	100.0%
Totals for Area of Interest		2.3	100.0%

sewer 6/20/18

NEW YORK STATE DEPARTMENT OF STATE
COASTAL MANAGEMENT PROGRAM

Coastal Assessment Form

A. INSTRUCTIONS (Please print or type all answers)

1. State agencies shall complete this CAF for proposed actions which are subject to Part 600 of Title 19 of the NYCRR. This assessment is intended to supplement other information used by a state agency in making a determination of significance pursuant to the State Environmental Quality Review Act (see 6 NYCRR, Part 617). If it is determined that a proposed action will not have a significant effect on the environment, this assessment is intended to assist a state agency in complying with the certification requirements of 19 NYCRR Section 600.4.

2. If any question in Section C on this form is answered "yes", then the proposed action may affect the achievement of the coastal policies contained in Article 42 of the Executive Law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to either (a) making a certificate of consistency pursuant to 19 NYCRR Part 600 or, (b) making the findings required under SEQR, 6 NYCRR, Section 617.11, if the action is one for which an environmental impact statement is being prepared. If an action cannot be certified as consistent with the coastal policies, it shall not be undertaken.

3. Before answering the questions in Section C, the preparer of this form should review the coastal policies contained in 19 NYCRR Section 600.5. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the coastal area.

B. DESCRIPTION OF PROPOSED ACTION

1. Type of state agency action (check appropriate response):

   (a) Directly undertaken (e.g. capital construction, planning activity, agency regulation, land transaction) X
   (b) Financial assistance (e.g. grant, loan, subsidy) X
   (c) Permit, license, certification X

2. Describe nature and extent of action: The project consists of various improvements to the Village wastewater system necessary to meet current Department of Environmental Conservation standards for wastewater treatment within the Village and the transfer of the Village wastewater system to the Dutchess County Water and Wastewater Authority. The action will include design, permitting, financing, and constructing improvements including collection system improvements, pump station improvements, treatment plant upgrades, control system improvements, and health and safety improvements. The action would include transfer of wastewater system components and real property to the Dutchess County Water and Wastewater Authority including the creation of a zone of assessment within the County Water District and related permitting, financing, and system operations and maintenance.

3. Location of action:

   Dutchess County Village of Tivoli Village-wide Improvements

County City, Town or Village Street or Site Description

4. If an application for the proposed action has been filed with the state agency, the following information shall be provided:

   (a) Name of applicant: Village of Tivoli

   (b) Mailing address: 86 Broadway/PO Box 397, Tivoli NY 12583

   (c) Telephone Number: (845) 757-3371

   (d) State agency application number: N/A

5. Will the action be directly undertaken, require funding, or approval by a federal agency?

   Yes ____ No _X_ If yes, which federal agency?

C. COASTAL ASSESSMENT (Check either "YES" or "NO" for each of the following questions)

1. Will the proposed action be located in, or contiguous to, or have a significant effect upon any of the resource areas identified on the coastal area map:

	YES	NO
(a) Significant fish or wildlife habitats?		✓
(b) Scenic areas of statewide significance?	✓[1]	
(c) Important agricultural lands?		✓

2. Will the proposed action have a significant effect upon:

(a) Commercial or recreational use of fish and wildlife resources?		✓
(b) Scenic quality of the coastal environment?		✓[1]
(c) Development of future, or existing water dependent uses?		✓
(d) Operation of the State's major ports?		✓
(e) Land or water uses within the State's small harbors?		✓
(f) Existing or potential public recreation opportunities?		
(g) Structures, sites or districts of historic, archeological or cultural significance to the State or nation?		✓

3. Will the proposed action involve or result in any of the following:

(a) Physical alteration of two (2) acres or more of land along the shoreline, land under water or coastal waters?		✓
(b) Physical alteration of five (5) acres or more of land located elsewhere in the coastal area?		✓
(c) Expansion of existing public services or infrastructure in undeveloped or low density areas of the coastal area?		✓
(d) Energy facility not subject to Article VII or VIII of the Public Service Law?		✓
(e) Mining, excavation, filling or dredging in coastal waters?		✓
(f) Reduction of existing or potential public access to or along the shore?		✓
(g) Sale or change in use of state-owned lands located on the shoreline		

or under water?.....	_____	✓
(h) Development within a designated flood or erosion hazard area?.....	_____	✓
(i) Development on a beach, dune, barrier island or other natural feature that provides protection against flooding or erosion?.....	_____	✓
4. Will the proposed action be located in or have a significant effect upon an area included in an approved Local Waterfront Revitalization Program?	✓[2]	___

D. SUBMISSION REQUIREMENTS

If any question in Section C is answered "Yes", AND either of the following two conditions is met:

Section B.1(a) or B.1(b) is checked; or
Section B.1(c) is checked AND B.5 is answered "Yes",

THEN one copy of the Completed Coastal Assessment Form shall be submitted to:

New York State Department of State
Division of Coastal Resources
41 State Street, 8th Floor
Albany, New York 12231

If assistance of further information is needed to complete this form, please call the Department of State at (518) 474-6000.

D. REMARKS OR ADDITIONAL INFORMATION:

[1] The project site is located within the Estates District Scenic Area of Statewide Significance and the Hudson River National Historic Landmark District. The project consists of improvements to the existing municipal wastewater system necessary for public health and safety of the residents. No significant effect on the SASS or the National Historic Landmark District will occur as a result of the action.

[2] The proposed project will have a beneficial effect on public health and safety within the LWRP area.

Preparer's Name: Joel Griffith

Title: Mayor

Joel Griffith 6/20/18

Agency: Village of Tivoli

Telephone Number (845) 757-2021

Date: June 20, 2018

COMMUNICATIONS

RECEIVED
JUN 25 2018
BY 1:30pm

June 22, 2018

Dutchess County Legislature
22 Market Street #6
Poughkeepsie, NY 12601

Re: Village of Tivoli, Dutchess County, New York
Village of Tivoli Water System Project

Ladies and Gentlemen:

Enclosed please find copies of the following documents in connection with the above matter:

1. Resolution No. 29 entitled "RESOLUTION MODIFYING EAF AND CAF FOR THE WATER SYSTEM IMPROVEMENTS AND DCWWA WATER SYSTEM TRANSFER PROJECT" adopted 6.20.18;

2. Revised EAF Part 1; and

3. Revised CAF.

If you have any questions, please call our office at (845) 757-2021.

Thank you.

Sincerely,

Robin L. Bruno

Robin L. Bruno
Village Clerk

Village of Tivoli
Founded 1795

Joel R. Griffith
Mayor

Emily M. Majer
Deputy Mayor

Susan G. Ezrati
Trustee

Jeanann M. Schneider
Trustee

Christopher L. Murphy
Trustee

Robin L. Bruno
Village Clerk

Bonnie L. Day
Treasurer

Kristen Cleaveland
Deputy Village Clerk

Historic Watts de Peyster Hall
1 Tivoli Commons
86 Broadway
PO Box 397
Tivoli, New York 12583-0397

Phone: 845-757-2021
Fax: 845-757-5416
www.tivoliny.org

VILLAGE OF TIVOLI
RESOLUTION NO. 29
DATED JUNE 20, 2018

RESOLUTION MODIFYING EAF AND CAF FOR THE WATER SYSTEM IMPROVEMENTS AND DCWWA WATER SYSTEM TRANSFER PROJECT

WHEREAS, the Village of Tivoli has undertaken a study of its water system condition, need for improvements and the feasibility of transfer of the system to the Dutchess County Water and Wastewater Authority, and has received and reviewed the Water Facility Evaluation dated February 2017 prepared by T&B Engineering, P.C. (the "Facility Study"); and

WHEREAS, the Board of Trustees of the Village of Tivoli has indicated its intent to transfer ownership, and responsibility for management and operation of its water system to the DCWWA, subject to completion of a transfer agreement and review under SEQRA; and

WHEREAS, the Board of Trustees of the Village of Tivoli has received and there is on file with the Village Clerk a Part I Environmental Assessment Form (EAF) and a Coastal Assessment Form (CAF) with respect to the proposed transfer of the water system to DCWWA ("Water System Transfer") and the initial capital projects to be undertaken including a water tower replacement ("Water Improvement Project"); and

WHEREAS, after its preliminary review of the EAF and CAF, the Board of Trustees of the Village of Tivoli determined to act as lead agency, declared the action to be a "Type I" action for purposes of the New York State Environmental Quality Review Act ("SEQRA"), and circulated notice to interested and involved agencies, none of which objected to the Village's designation as lead agency; and

WHEREAS, the Board of Trustees referred the matter to the Planning Board of the Village of Tivoli for their recommendation on consistency of the proposed action with the Village's Local Waterfront Revitalization Program; and

WHEREAS, the Planning Board reviewed the matter at their June 11, 2018 meeting and provided comments to the Board of Trustees regarding consistency; and

WHEREAS, upon further review of the proposed project and the comments of the Planning Board and others, the Board has determined to modify the EAF and CAF in the revised forms on file with the Village Clerk;

NOW THEREFORE BE IT RESOLVED, by the Board of Trustees of the Village of Tivoli (by the favorable vote of not less than a majority of all of the members of the Board) as follows:

1. The Board of Trustees hereby approves execution of the revised EAF Part I and the revised CAF in the form on file with the Village Clerk.

2. The Board of Trustees hereby instructs the Village Clerk of the Village of Tivoli to provide a copy of the revised EAF and revised CAF to all interested or involved agencies identified therein, together with a copy of this resolution, for their information.

3. The Village Clerk is further authorized and directed to refer a copy of the this resolution with the revised EAF and revised CAF to the Planning Board of the Village of Tivoli for their recommendation on consistency of the revised proposed action with the Village's Local Waterfront Revitalization Program pursuant to Chapter 225 of the Village Code.

EXTRACT OF MINUTES

A regular meeting of the Village Board of the Village of Tivoli, Dutchess County, New York was convened in public session at the Village Hall, 86 Broadway, Tivoli, New York 12583 on June 20, 2018 at 7:00 p.m., local time.

The meeting was called to order by Mayor Griffith, and, upon roll being called, the following members were:

PRESENT:

Joel Griffith	Mayor
Emily Majer	Deputy Mayor
Susan Ezrati	Trustee
~~Christopher Murphy~~	~~Trustee~~
~~Jeanann Schneider~~	~~Trustee~~

ABSENT:
C. Murphy
J. Schneider

The following persons were ALSO PRESENT:

The following resolution was offered by Trustee Ezrati, seconded by Deputy Mayor Majer, to wit;

RESOLUTION NO. 29
DATED JUNE 20, 2018

RESOLUTION MODIFYING EAF AND CAF FOR THE WATER SYSTEM IMPROVEMENTS AND DCWWA WATER SYSTEM TRANSFER PROJECT

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Joel Griffith	Voting ✓
Emily Majer	Voting ✓
Susan Ezrati	Voting ✓
~~Christopher Murphy~~	~~Voting~~
~~Jeanann Schneider~~	~~Voting~~

The foregoing resolution was thereupon declared duly adopted.

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Village of Tivoli, Dutchess County, New York (hereinafter called the "Village ") and the custodian of the records of the Village, including the minutes of the proceedings of the Village Board of Trustees, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Village Board held on the 20th day of June, 2018 and entitled:

RESOLUTION NO. 29
DATED JUNE 20, 2018

RESOLUTION MODIFYING EAF AND CAF FOR THE WATER SYSTEM IMPROVEMENTS AND DCWWA WATER SYSTEM TRANSFER PROJECT

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Village. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Village and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this 21st day of June, 2018.

-SEAL-

Robin L Bruno

Robin Bruno
Village Clerk

Water 6/20/18

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Tivoli Water System Project		
Project Location (describe, and attach a general location map): 17 Broadway, Tivoli, Dutchess County, NY 12583		
Brief Description of Proposed Action (include purpose or need): The project consists of various improvements to the Village water supply system necessary to meet current Department of Health standards and improve fire flows within the Village and the transfer of the Village water system to the Dutchess County Water and Wastewater Authority. The action will include design, permitting, financing, and constructing improvements including water main replacement, water treatment upgrades, control system improvements, health and safety improvements and the construction of a new water storage tank (WST) to replace the existing tank. At Pine Street a multileg tank is being considered, and at the McKnight well field a multi-leg tank or ground tank are being considered. At the McKnight site, an existing access road will be extended to provide vehicle access to the new WST site and water distribution lines will be extended to the site to connect the new WST to the distribution system. The action would include transfer of water system components and real property to the Dutchess County Water and Wastewater Authority including the creation of a zone of assessment within the County Water District and related permitting, financing, and system operations and maintenance.		
Name of Applicant/Sponsor: Joel Griffith, Village of Tivoli Mayor	Telephone: 845-757-3371 E-Mail: mayor@tivoliny.org	
Address: 86 Broadway		
City/PO: Tivoli	State: NY	Zip Code: 12583
Project Contact (if not same as sponsor; give name and title/role):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	**If Yes: Identify Agency and Approval(s) Required**	**Application Date (Actual or projected)**
a. City Council, Town Board, or Village Board of Trustees ☑Yes☐No	Village of Tivoli Board of Trustees	May 2018
b. City, Town or Village Planning Board or Commission ☑Yes☐No	Village of Tivoli Planning Board (unless Village Board adopts Monroe Findings)	
c. City Council, Town or Village Zoning Board of Appeals ☑Yes☐No	Village of Tivoli Zoning Board of Appeals (unless Village Board adopts Monroe Findings)	
d. Other local agencies ☐Yes☑No		
e. County agencies ☑Yes☐No	Dutchess County: Water/Wastewater Authority, Health Dept., Planning Dept. and Legislature	July 2018
f. Regional agencies ☐Yes☑No		
g. State agencies ☑Yes☐No	NYS Environmental Facilities Corporation NYSOPRHP - SHPO; NYSDEC - Water Withdrawl	June 2018 July 2018
h. Federal agencies ☐Yes☑No		

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☑Yes☐No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☑Yes☐No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes☑No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑Yes☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐Yes☑No

If Yes, identify the plan(s): Greenway Community, Local Waterfront Revitalization Plan, National Register Historic District

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☑Yes☐No

If Yes, identify the plan(s):

Town of Red Hook, Villages of Red Hook and Tivoli Open Space Plan

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
Pine Street site - Residential (R15); Potts West wellfield and McKnight wellfield site - Residential (R2A); Potts East wellfield - Residential (RD3)

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☑ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Red Hook Central School District

b. What police or other public protection forces serve the project site?
Dutchess County Sheriff

c. Which fire protection and emergency medical services serve the project site?
Tivoli Fire Department

d. What parks serve the project site?
Tivoli Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Municipal water storage and water system improvements

b. a. Total acreage of the site of the proposed action? 11.83 acres
b. Total acreage to be physically disturbed? 0.54 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 11.83 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? ☐ Yes ☑ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐ Yes ☑ No
If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☑ Yes ☐ No
If Yes,
i. Total number of structures 1
ii. Dimensions (in feet) of largest proposed structure: 200 height; 85 width; and 85 length
iii. Approximate extent of building space to be heated or cooled: 625 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☑ No
If Yes,
i. Purpose of the impoundment: _____
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____
iii. If other than water, identify the type of impounded/contained liquids and their source. _____
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐ Yes ☑ No
If Yes:
i. What is the purpose of the excavation or dredging? _____
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____
iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No
If yes, describe. _____
v. What is the total area to be dredged or excavated? _____ acres
vi. What is the maximum area to be worked at any one time? _____ acres
vii. What would be the maximum depth of excavation or dredging? _____ feet
viii. Will the excavation require blasting? ☐ Yes ☐ No
ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☑ No
If Yes:
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

_____

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐Yes☐No
If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes☐No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐Yes☑No
If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐Yes☐No
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐Yes☐No
- Is the project site in the existing district? ☐Yes☐No
- Is expansion of the district needed? ☐Yes☐No
- Do existing lines serve the project site? ☐Yes☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes☐No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐Yes☐No
If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐Yes☑No
If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐Yes☐No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐Yes☐No
- Is the project site in the existing district? ☐Yes☐No
- Is expansion of the district needed? ☐Yes☐No

- Do existing sewer lines serve the project site? ☐Yes☐No
- Will line extension within an existing district be necessary to serve the project? ☐Yes☐No

  If Yes:
  - Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes☐No

If Yes:
- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

_____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☐Yes☑No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

_____

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐Yes☐No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐Yes☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐Yes☑No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

_____

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

_____

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

_____

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes☑No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes☐No

ii. In addition to emissions as calculated in the application, the project will generate:
- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

_____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☑No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐Morning ☐Evening ☐Weekend ☐Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☑No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

_____

iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 7 am to 10 pm
- Saturday: NA
- Sunday: NA
- Holidays: NA

ii. During Operations:

- Monday - Friday: 24/7
- Saturday: 24/7
- Sunday: 24/7
- Holidays: 24/7

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☑ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:

Heavy equipment for excavation and construction of structure will produce noise from 7am-7pm for the duration of the construction phase of the project.

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☑ No

Describe: _____

n.. Will the proposed action have outdoor lighting? ☑ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

Security and maintenance lighting only.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☑ No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☑ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☑ Commercial ☑ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☑ Other (specify): Water supply

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	0.11	+0.11
• Forested	0.20	0.20	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.79	0.68	-0.11
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐Yes ☑No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☑Yes ☐No

If Yes,

i. Identify Facilities:

Village recreation park and Provost Park

e. Does the project site contain an existing dam? ☐Yes ☑No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

_____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐Yes ☑No

If Yes:

i. Has the facility been formally closed? ☐Yes ☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

_____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐Yes ☑No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐Yes ☑ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐Yes ☐No

☐ Yes – Spills Incidents database Provide DEC ID number(s): _____

☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐Yes ☐No

If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

_____

v. Is the project site subject to an institutional control limiting property uses? ☐Yes☐No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐Yes☐No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? >6.7 feet

b. Are there bedrock outcroppings on the project site? ☐Yes☑No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site:

Hudson and Vergennes (McKnight)	100 %
Kingsbury and Rhinebeck (Pine St)	99.1 %
	%

d. What is the average depth to the water table on the project site? Average: 1-3 feet

e. Drainage status of project site soils:
- ☐ Well Drained: ____% of site
- ☑ Moderately Well Drained: 100 % of site (McKnight)
- ☑ Poorly Drained 100 % of site (Park)

f. Approximate proportion of proposed action site with slopes:
- ☑ 0-10%: 100 % of site (Both sites)
- ☐ 10-15%: ____% of site
- ☐ 15% or greater: ____% of site

g. Are there any unique geologic features on the project site? ☐Yes☑No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐Yes☑No

ii. Do any wetlands or other waterbodies adjoin the project site? ☐Yes☑No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐Yes☐No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:
- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐Yes☐No
If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐Yes☑No

j. Is the project site in the 100 year Floodplain? ☐Yes☑No

k. Is the project site in the 500 year Floodplain? ☐Yes☑No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐Yes☑No
If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site:
Eastern Gray Squirrel
White Tail Deer

n. Does the project site contain a designated significant natural community? ☐Yes ☑No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation):
ii. Source(s) of description or evaluation:
iii. Extent of community/habitat:
- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐Yes ☑No

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐Yes ☑No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐Yes ☑No
If yes, give a brief description of how the proposed action may affect that use:

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐Yes ☑No
If Yes, provide county plus district name/number:

b. Are agricultural lands consisting of highly productive soils present? ☑Yes ☐No
i. If Yes: acreage(s) on project site? 0.99 at McKnight Site
ii. Source(s) of soil rating(s): 2018 New York Agricultural Land Classification - Dutchess - January 1, 2018

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐Yes ☑No
If Yes:
i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent:

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐Yes ☑No
If Yes:
i. CEA name:
ii. Basis for designation:
iii. Designating agency and date:

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? ☑ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☑ Historic Building or District

ii. Name: Hudson River Historic District and Watts de Peyster Hall

iii. Brief description of attributes on which listing is based:

Historic country estates and associated designed and natural environments.

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☑ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☑ Yes ☐ No

If Yes:

i. Identify resource: Estates District SASS and various designated Scenic Roads

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): Scenic Areas of Statewide Significance and Designated Scenic Roads

iii. Distance between project and resource: 0 to 5 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

Please see attached description of impact and visual renderings.

G. Verification

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

Applicant/Sponsor Name Village of Tivoli Date 6/20/18

Signature Paul R Griffith Title Mayor

PRINT FORM

Water 6/20/18

NEW YORK STATE DEPARTMENT OF STATE
COASTAL MANAGEMENT PROGRAM

Coastal Assessment Form

A. INSTRUCTIONS (Please print or type all answers)

1. State agencies shall complete this CAF for proposed actions which are subject to Part 600 of Title 19 of the NYCRR. This assessment is intended to supplement other information used by a state agency in making a determination of significance pursuant to the State Environmental Quality Review Act (see 6 NYCRR, Part 617). If it is determined that a proposed action will not have a significant effect on the environment, this assessment is intended to assist a state agency in complying with the certification requirements of 19 NYCRR Section 600.4.

2. If any question in Section C on this form is answered "yes", then the proposed action may affect the achievement of the coastal policies contained in Article 42 of the Executive Law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to either (a) making a certificate of consistency pursuant to 19 NYCRR Part 600 or, (b) making the findings required under SEQR, 6 NYCRR, Section 617.11, if the action is one for which an environmental impact statement is being prepared. If an action cannot be certified as consistent with the coastal policies, it shall not be undertaken.

3. Before answering the questions in Section C, the preparer of this form should review the coastal policies contained in 19 NYCRR Section 600.5. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the coastal area.

B. DESCRIPTION OF PROPOSED ACTION

1. Type of state agency action (check appropriate response):

   (a) Directly undertaken (e.g. capital construction, planning activity, agency regulation, land transaction) X
   (b) Financial assistance (e.g. grant, loan, subsidy) X
   (c) Permit, license, certification X

2. Describe nature and extent of action: The project consists of various improvements to the Village water supply system necessary to meet current Department of Health standards and improve fire flows within the Village and the transfer of the Village water system to the Dutchess County Water and Wastewater Authority. The action will include design, permitting, financing, and constructing improvements including water main replacement, water treatment upgrades, control system improvements, health and safety improvements and the construction of a new water storage tank (WST) to replace the existing tank. At Pine Street a multileg tank is being considered, and at the McKnight well field a multi-leg tank or ground tank are being considered. At the McKnight site, an existing access road will be extended to provide vehicle access to the new WST site and water distribution lines will be extended to the site to connect the new WST to the distribution system. The action would include transfer of water system components and real property to the Dutchess County Water and Wastewater Authority including the creation of a zone of assessment within the County Water District and related permitting, financing, and

system operations and maintenance.

3. Location of action:

Dutchess County	Village of Tivoli	Village-wide Improvements
County	City, Town or Village	Street or Site Description

4. If an application for the proposed action has been filed with the state agency, the following information shall be provided:

   (a) Name of applicant: Village of Tivoli

   (b) Mailing address: 86 Broadway/PO Box 397, Tivoli NY 12583

   (c) Telephone Number: (845) 757-3371

   (d) State agency application number: N/A

5. Will the action be directly undertaken, require funding, or approval by a federal agency?

   Yes ____ No _X_ If yes, which federal agency?

C. COASTAL ASSESSMENT (Check either "YES" or "NO" for each of the following questions)

1. Will the proposed action be located in, or contiguous to, or have a significant effect upon any of the resource areas identified on the coastal area map:

	YES	NO
(a) Significant fish or wildlife habitats?		✓
(b) Scenic areas of statewide significance?	✓[1]	
(c) Important agricultural lands?		✓

2. Will the proposed action have a significant effect upon:

(a) Commercial or recreational use of fish and wildlife resources?		✓
(b) Scenic quality of the coastal environment?		✓[1]
(c) Development of future, or existing water dependent uses?		✓
(d) Operation of the State's major ports?		✓
(e) Land or water uses within the State's small harbors?		✓
(f) Existing or potential public recreation opportunities?		
(g) Structures, sites or districts of historic, archeological or cultural significance to the State or nation?		✓

3. Will the proposed action involve or result in any of the following:

(a) Physical alteration of two (2) acres or more of land along the shoreline, land under water or coastal waters?		✓
(b) Physical alteration of five (5) acres or more of land located elsewhere in the coastal area?		✓
(c) Expansion of existing public services or infrastructure in undeveloped or low density areas of the coastal area?		✓

(d) Energy facility not subject to Article VII or VIII of the Public Service Law?		✓
(e) Mining, excavation, filling or dredging in coastal waters?		✓
(f) Reduction of existing or potential public access to or along the shore?		✓
(g) Sale or change in use of state-owned lands located on the shoreline or under water?		✓
(h) Development within a designated flood or erosion hazard area?		✓
(i) Development on a beach, dune, barrier island or other natural feature that provides protection against flooding or erosion?		✓
4. Will the proposed action be located in or have a significant effect upon an area included in an approved Local Waterfront Revitalization Program?	✓[2]	

D. SUBMISSION REQUIREMENTS

If any question in Section C is answered "Yes", AND either of the following two conditions is met:

Section B.1(a) or B.1(b) is checked; or
Section B.1(c) is checked AND B.5 is answered "Yes",

THEN one copy of the Completed Coastal Assessment Form shall be submitted to:

New York State Department of State
Division of Coastal Resources
41 State Street, 8th Floor
Albany, New York 12231

If assistance of further information is needed to complete this form, please call the Department of State at (518) 474-6000.

D. REMARKS OR ADDITIONAL INFORMATION:

[1] The project site is located within the Estates District Scenic Area of Statewide Significance and the Hudson River National Historic Landmark District. The proposed project has been designed to minimize impacts to scenic and cultural resources to the maximum extend practicable. The project consists of improvements to the municipal water system necessary for public health and safety of the residents including removal of the existing elevated water storage tower and replacement of the structure at the same or a new location. No significant effect on the SASS or the National Historic Landmark District will occur as a result of the action.

[2] The proposed project will have a beneficial effect on public health and safety within the LWRP area.

Preparer's Name: Joel Griffith

Title: Mayor

Agency: Village of Tivoli

Telephone Number (845) 757-2021

6/20/18

TOWN OF LAGRANGE

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

June 15, 2018

Clerk
Dutchess County Legislature
22 Market Street
Poughkeepsie, NY 12601

Re: Town of LaGrange Proposed Local Law- 1723 Route 82 RLD to GH

To Whom It May Concern:

On behalf of the Town Board, I forward a copy of a proposed Local Law, for review and comment.

Please provide your comments to the Town Board by the time of the scheduled public hearing of **July 25, 2018.**

Sincerely,

Christine O'Reilly-Rao
Town Clerk

RECEIVED
JUN 18 2018
By 12:00

COR/eo
Enclosure

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 July 25, 2018 at 7:00, p.m., on Local Law No. __ of the Year 2018, on a proposed Local Law of the Town of LaGrange, Dutchess County, New York, amending the zoning map to change the designation of LaGrange Tax Parcel No. 6559-01-422608, located at 1723 Route 82, from a RLD zoning district to GH zoning district.

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 between 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
June 13, 2018

Christine O'Reilly-Rao

CHRISTINE O'REILLY-RAO
TOWN CLERK

RESOLUTION

Councilman Jessup, seconded by Councilman Baright, introduced the following proposed local law, to be known as Local Law No. __ of 2018, entitled, A LOCAL LAW OF THE TOWN OF LAGRANGE, DUTCHESS COUNTY, NEW YORK, AMENDING THE ZONING MAP OF CHAPTER 240, SECTION 240-22, OF THE TOWN CODE TO CHANGE THE DESIGNATION OF LAGRANGE TAX PARCEL 6559-01-422608, LOCATED AT 1723 ROUTE 82, FROM A RESIDENTIAL LOW DENSITY "RLD" ZONING DISTRICT TO GATEWAY HAMLET "GH" ZONING DISTRICT.

BE IT ENACTED by the Town Board of the Town of LaGrange that the Town Code is amended to read as follows:

Section 1. The zoning map of Chapter 240, Section 240-22, of the Town Code is amended to change the district designation of LaGrange Tax Parcel 6559-01-422608 from an RLD zoning district to GH zoning district.

Section 2. If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

Section 3. The Town Board makes the following findings under Section 240-101(A) of the Town Code:

(1) The proposed change is not contrary to the Town's Comprehensive Plan.

The parcel is already devoted to commercial use as non-conforming use. The parcel is adjacent to the existing GH district. The re-zoning is consistent with neighborhood character.

(2) The change of zone is compatible with existing land use patterns. The parcel is already devoted to commercial use as non-conforming use. The parcel is adjacent to the existing GH district. The re-zoning is consistent with neighborhood character.

(3) The change of zone does not create an isolated district. The parcel is adjacent to existing GH district.

(4) The change of zone will not increase or overtax public facilities, given the fact that the use of the property is already a non-conforming use.

(5) The existing GH boundaries are not illogically drawn. The subject parcel is adjacent to the existing GH district.

(6) Changing conditions do not make the re-zoning essential, other than to convert a non-conforming use to a conforming use.

(7) The proposed change will not adversely influence neighborhood living conditions given the exiting non-conforming use.

(8) The proposed re-zoning will not create an excessive increase in traffic congestion along NYS Route 82.

(9) The proposed change will not create a drainage problem or adversely impact subsurface resources. The applicant commits to prohibit future use of federal, state or local wetlands to the rear of the parcel, and to commit to public sewer when available.

(10) The proposed change of zone will not reduce light and air to adjacent areas. The site is currently a non-conforming use.

(11) The proposed change will not adversely affect property values in adjacent areas which are located along NYS Route 82.

(12) The proposed change will not deter improvement or development of adjacent property under existing regulations.

(13) The proposed change will not grant a special privilege to the lot owner in contrast to the public welfare. It will convert a non-conforming use to a conforming use.

(14) The property is used as a non-conforming use. Conversion of a non-conforming use to a conforming use is a substantial reason for the zoning change.

(15) The proposed change of zone is not out of scale with the needs of the neighborhood or the Town.

Section 4. This legislative act is conditioned that, prior to adoption, the property owner provide to the Town a covenant suitable to the Town Attorney which runs with the land and binds future owners as follows: (a) there shall be no development within federal, state or local wetlands situated on the parcel at 1723 Route 82, and (b) upon the availability of public wastewater collection and treatment, the owner shall commit to placement of the parcel at 1723 Route 82 within a sewer improvement district, the extension of a sewer improvement district, or a sewer improvement area. In the event that the parcel is made an out-of-district contract user of public wastewater collection and

treatment, the owner shall pay the prevailing charge of the Town for reservation of capacity.

Section 5. This local law shall take effect immediately upon filing with this state's Secretary of State.

Supervisor Bell 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 law. Councilman Jessup offered the following resolution which was seconded by Councilman Baright, who moved its adoption:

WHEREAS, on June 13, 2018, Councilman Jessup has introduced this local law for the Town of LaGrange, to be known as "Town of LaGrange Local Law No. __ of the Year 2018, a local law of the Town of LaGrange, Dutchess County, New York amending the Zoning Map of Chapter 240, Section 240-22, of the Town Code to change the designation of LaGrange tax parcel 6559-01-422608, located on at 1723 Route 82 from a Residential Low Density "RLD" zoning district to Gateway Hamlet "GH" 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 of interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, 120 Stringham Road, LaGrangeville, New York, on July 25, 2018 at 7:00p.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 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 July 25, 2018 at 7:00, p.m., on Local Law No. __ of the Year 2018, on a proposed Local Law of the Town of LaGrange, Dutchess County, New York, amending the zoning map to change the designation of LaGrange Tax Parcel No. 6559-01-422608, located at 1723 Route 82, from a RLD zoning district to GH zoning district.

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 between 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
June 13, 2018

CHRISTINE O'REILLY-RAO
TOWN CLERK

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

Supervisor Bell	AYE
Councilman Luna	AYE
Councilman Jessup	AYE
Councilwoman Wagner	AYE
Councilman Baright	AYE

DATED: LaGrangeville, New York
June 23, 2018

CHRISTINE O'REILLY-RAO
TOWN CLERK

U:\DOCS\00070\01079\LL\23U203703.DOC

TOWN OF LAGRANGE PLANNING BOARD
SEQRA NEGATIVE DECLARATION AND
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE
FOR
A LOCAL LAW OF THE TOWN OF LAGRANGE, DUTCHESS COUNTY, NEW YORK, AMENDING THE ZONING MAP OF CHAPTER 240, SECTION 240-22, OF THE TOWN CODE TO CHANGE THE DESIGNATION OF LAGRANGE TAX PARCEL 6559-01-422608, LOCATED AT 1723 ROUTE 82, FROM A RESIDENTIAL LOW DENSITY "RLD" ZONING DISTRICT TO GATEWAY HAMLET "GH" ZONING DISTRICT AND PLANNING BOARD SITE PLAN APPROVAL FOR MODIFICATIONS OF SITE DEVELOPMENT.

WHEREAS, the Town of LaGrange Town Board proposes to adopt Local Law No. ___ of 2018, a Local Law of the Town of LaGrange, Dutchess County, New York amending various provisions of Chapter 240, "Zoning", of the Town Code in the manner described above; and

WHEREAS, the owner has applied to the Planning Board for project development plan approval to the site development at 1723 Route 82.

WHEREAS, this determination of non-significance, i.e. negative declaration, is prepared in accordance with Article 8 of the Environmental Conservation Law: the NY State Environmental Quality Review Act ("SEQRA") and its implementing regulations set forth in 6 NYCRR Part 617 ("Regulations"); and

WHEREAS, the Planning Board has been designated as lead agency; and

WHEREAS, the name and address of the lead agency is: Town of LaGrange Planning Board, 120 Stringham Road, LaGrangeville, New York 12540 and the Responsible Officer is Stacy Olyha, Town of LaGrange Planning Board Chairman, with a telephone number at (845) 452-1830; and

WHEREAS, the Town of LaGrange Planning Board, as lead agency, has classified this Action as an unlisted action pursuant to the SEQRA Regulations; and

WHEREAS, the Town of LaGrange Planning Board has reviewed an Environmental Assessment Form submitted by the owner of 1723 Route 82; and

WHEREAS, the Planning Board has prepared and adopted an EAF, Part 2; and

WHEREAS, the applicant has committed to encumber environmentally sensitive portions of the site with a no-build, no-disturb easement; and

WHEREAS, the Planning Board, as lead agency for the environmental review of the Action, has reviewed the Action and all relevant supporting information and

documentation, has identified the relevant areas of environmental concern, has compared the reasonably expected results of the Action with the criteria set forth in 6 NYCRR § 617.7 and has determined that there will be no significant adverse environmental impacts associated with the Action; and

WHEREAS, this negative declaration is supported and substantiated by the following conclusions of the Lead Agency:

The proposed zoning amendment to change the zoning map for the subject property from "RLD" to "GH" is not inconsistent with the existing Comprehensive Plan of the Town of LaGrange, given the existing site development of the parcel along a state highway and the existing uses and development within this portion of the community. The subject property is located in close proximity to the GH zoning district. The amendment serves to implement growth and development policies established by the Town Board, none of which have any actual physical impact on the environment given the current non-conforming development and use of the site. Consequently, the proposed zoning change does not rise to the level of creating any adverse physical impacts in those areas of the Town for which they are intended to be implemented. In the policy judgment of the Town Board, the proposed zoning amendment will create positive and beneficial impacts to those areas of town for which they are intended. The regulations will offset existing unfavorable impacts caused by limitations upon non-conforming uses. The applicant before the Planning Board has committed to the giving and recording of a no-build easement protecting sensitive environmental areas on this site.

The proposed amendment to LaGrange's local zoning law will not propose any actions or land uses that may be different from, or in sharp contrast to current surrounding land use patterns. It will not cause the permanent population of the Town to grow by more than 5%. It is not inconsistent with the current local land use plan. It is not inconsistent with any County plans, or other regional land use plans. It will not cause a change in density of development that is not supported by existing infrastructure or is distant from existing infrastructure. It is not in an area characterized by low density development that will require new or expanded public infrastructure; and

WHEREAS, the proposed site plan provides for modest changes to the existing commercial use and site development at 1723 Route 82; and

WHEREAS, the impacts are mitigated by the owner's commitment to provide a no-build encumbrance protecting environmentally sensitive portions of the site.

NOW, THEREFORE, BE IT RESOLVED, that the Town of LaGrange Planning Board makes the following findings based upon the conclusions identified above:

1. The Action will not result in a substantial adverse change in existing air quality, ground or surface water quality, traffic or noise levels, a substantial increase in solid waste production; or a substantial increase in potential for erosion, flooding, leaching or drainage problems;

2. The Action will not result in the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movements of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial impacts on a threatened or endangered species of animal or plant or the habitat of such a species or other significant adverse impacts to natural resources;

3. The Action will not create a material conflict with the community's current plans or goals as officially approved or adopted;

4. The Action will not result in the impairment of the character or quality of important historical, archeological, architectural or aesthetic resources of the existing community or neighborhood character;

5. The Action will not create a hazard to human health;

6. The Action will not cause a substantial change in the use or intensity of use of land, including agricultural, open space or recreational resources or in its capacity to support existing uses;

7. The Action will not result in the creation of a material demand for other actions that would result in one of the above consequences; and

8. The Action does not involve changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; and

BE IT FURTHER RESOLVED, that the Town of LaGrange Planning Board, acting as lead agency, has examined the impacts which may be reasonably anticipated to

result from the Action, and has determined that it will not have any significant adverse impact on the environment and that therefore a Draft Environmental Impact Statement need not be prepared; and

BE IT FURTHER RESOLVED, that the Town of LaGrange Planning Board hereby issues this Negative Declaration and notice thereof pursuant to the requirements of SEQRA and its implementing Regulations; and

BE IT FURTHER RESOLVED, that the Planning Board hereby authorizes the filing of this Negative Declaration and notice thereof pursuant to the requirements of SEQRA and 6 NYCRR § 617.12 of its implementing Regulations.

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

	YEA	NAY
Stacy Olyha, Chairman	✓	
Robert Straub	✓	
Mary Morrison	✓	
Marc Komorsky	✓	
Dennis Rosenfeld	✓	
Christian Rohrbach	absent	
Frank Sforza	✓	
Randy Aldrich, Alt.	✓	

Dated: LaGrangeville, New York
May 17, 2018

WANDA LIVIGNI
Administrator of Planning & Public Works

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MARCUS J. MOLINARO
COUNTY EXECUTIVE

JESSICA A. WHITE
BUDGET DIRECTOR

COUNTY OF DUTCHESS
BUDGET OFFICE

Memo

To: Donna Bolner, Chairman, Budget, Finance & Personnel Committee
Will Truitt, Vice Chairman, Budget, Finance & Personnel Committee

From: Jessica White, Budget Director JW/RL

Subject: **Contingency and Capital Reserve Account Status**

Date: July 3, 2018

As of July 3, 2018, the **General Contingency-A1990.4007** reflects a balance of **$1,354,840.**

Contingency – Adopted		**$1,500,000**
Approved Resolutions		
2018067	Authorizing the Department of Behavioral and Community Health to establish a competitive grant program for the establishment of prescription drop off boxes and amending the 2018 Adopted County Budget as it pertains to the General Contingency Fund (A.1990.4007)	(5,760)
2018122	Amending the 2018 Adopted County Budget as it pertains to the Dutchess County Sheriff	(54,000)
2018136	Amending the Adopted County Budget as it pertains to the Dutchess County Clerk	(85,400)
Contingency Balance after adopted amendments:		**$1,354,840**

There are no proposed changes to the Contingency per the Legislature's Agenda for the July 9, 2018 Legislative Meeting.

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

As of July 3, 2018, the **Capital Reserve** account reflects an available balance of **$147,923.**

There are no proposed changes to the Capital Reserve per the Legislature's agenda for the July 9, 2018 Board Meeting.

Capital Reserve Balance	**$147,923**
**Includes interest earned*	

JW:gp
encl.
c: Marcus J. Molinaro, County Executive
A.Gregg Pulver, Chairman of the Legislature
Kenneth Roman, Majority Leader
Hannah Black, Minority Leader
Carolyn Morris, Clerk of the Legislature
Heidi Seelbach, Commissioner of Finance

Dutchess County

Contingency Memo

Through Date: 7/3/2018

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	($145,160.00)	$1,354,840.00	$0.00	$0.00	$0.00	$1,354,840.00	0%	$0.00
4007 - General Contingency	$1,500,000.00	($145,160.00)	$1,354,840.00	$0.00	$0.00	$0.00	$1,354,840.00	0%	$0.00
Expenditure Grand Totals:	$1,500,000.00	($145,160.00)	$1,354,840.00	$0.00	$0.00	$0.00	$1,354,840.00	0%	$0.00
Grand Totals:	($1,500,000.00)	$145,160.00	($1,354,840.00)	$0.00	$0.00	$0.00	($1,354,840.00)		$0.00

TOWN OF
BEEKMAN
New York

4 Main Street
Poughquag, NY 12570
www.townofbeekman.com
(845) 724-5300

RECEIVED
JUN 13 2018
10:45

June 7, 2018

Dutchess County Legislature
22 Market Street, 6th Floor
Poughkeepsie, New York 12601

ATT: Carolyn Morris

The Town Boards of Beekman and Union Vale, in special Town Board joint session on May 29, 2018, appointed Faye Garito as County Legislator for District 22.

Mary B Covucci

Mary B. Covucci
Town of Beekman Supervisor

TOWN BOARDS OF THE TOWNS OF BEEKMAN AND UNION VALE
SPECIAL TOWN BOARD JOINT SESSION OF COUNTY LEGISLATIVE DISTRICT 22 – MAY 29, 2018

The Special Town Board Joint Session of County Legislative District 22 was called to order at 7:08PM with Supervisor Mary Covucci presiding. The Meeting was held in the meeting room at the Beekman Town Hall.

THOSE PRESENT:

TOWN OF BEEKMAN:	SUPERVISOR MARY COVUCCI
	COUNCILMAN ROBERT SWARTZ
	COUNCILWOMAN SHARON WOHRMAN
	COUNCILMAN EZIO BATTAGLINI
	TOWN CLERK RACHAEL RANCOURT
ABSENT:	COUNCILMAN WERNER STIEGLER
TOWN OF UNION VALE:	SUPERVISOR BETSY MAAS
	COUNCILMAN JOHN WELSH
	COUNCILMAN STEVE FRAZIER
	COUNCILMAN DAVE MCMORRIS
	COUNCILWOMAN CORINNA KELLEY
	TOWN CLERK ANDREA CASEY

Supervisor Mary Covucci began the Meeting with the Pledge of Allegiance and a Moment of Silence in Honor of our Troops who have served and those currently serving. Supervisor Covucci made one administrative announcement regarding the location of fire exits.

Supervisor Covucci began the Joint Session Meeting by stating that the purpose of this meeting is to fill the open Legislature seat of Marc Coviello, who recently took the position of Dutchess County Veterans Services Director. The Town Boards of Beekman and Union Vale have advertised this position and held interviews and are present this evening to appoint a candidate.

Each Town Board member present and both Town Clerks introduced themselves.

Supervisor Covucci made a motion to accept the posted Agenda for this evening, seconded by Supervisor Maas ROLL CALL VOTE: Supervisor Maas – Aye, Councilman Welsh – Aye, Councilman Frazier – Aye, Councilman McMorris – Aye, Councilwoman Kelley – Aye, Councilman Swartz – Aye, Councilman Stiegler – Absent Councilman Battaglini – Aye, Councilwoman Wohrman – Aye, Supervisor Covucci – Aye.

Supervisor Maas explained the voting procedure for this evening and read from the Dutchess County Charter on how the votes are weighted. The Town of Union Vale applied this formula into an excel spreadsheet which will be used this evening as roll call vote occurs.

Supervisor Covucci made the motion to nominate Tara Langworthy to the County Legislature position for District 22 in the Town of Beekman and Union Vale, seconded by Councilman Swartz. ROLL CALL VOTE: Supervisor Maas – Nay, Councilwoman Kelley – Yes, Councilman Frazier – Nay, Councilman McMorris – Yes, Councilman Welsh – Nay, Councilman Stiegler – Absent, Councilman Battaglini – Nay, Councilman Swartz – Nay, Councilwoman Wohrman – Nay, Supervisor Covucci – Nay.

TOWN BOARDS OF THE TOWNS OF BEEKMAN AND UNION VALE
SPECIAL TOWN BOARD JOINT SESSION OF COUNTY LEGISLATIVE DISTRICT 22 – MAY 29, 2018

Supervisor Covucci made the motion to nominate Faye Garito to the County Legislature position for District 22 in the Town of Beekman and Union Vale, seconded by Councilwoman Wohrman. ROLL CALL VOTE: Supervisor Maas – Aye, Councilwoman Kelley – Nay, Councilman Frazier – Aye, Councilman McMorris – Nay, Councilman Welsh – Aye, Councilman Stiegler – Absent, Councilman Battaglini – Aye, Councilman Swartz – Aye, Councilwoman Wohrman – Aye, Supervisor Covucci – Aye.

Supervisor Maas announced Faye Garito as the winning candidate.

ADJOURN
At 7:21PM, with no further business to conduct, Supervisor Covucci made the motion to adjourn the meeting seconded by Supervisor Mass, All in Favor.

RESPECTFULLY SUBMITTED,

RACHAEL RANCOURT
TOWN CLERK

Morris, Carolyn

From:	nysclerkboard-request@nysac.us on behalf of Dougherty, Maureen <DoughertyM@co.tioga.ny.us>
Sent:	Wednesday, June 13, 2018 8:26 AM
To:	nysclerkboard@nysac.us
Subject:	Resolution re Operation of Veterans' Service Agencies
Attachments:	18_135 ADOPTED 6-12-2018.pdf

Please find a resolution adopted by the Tioga County Legislature at their regular meeting held last evening. Thanks.

Maureen L. Dougherty
Legislative Clerk
Ronald E. Dougherty County Office Building
56 Main Street, Room 105
Owego, NY 13827
607-687-8240
Fax: 607-687-8232
doughertym@co.tioga.ny.us
www.tiogacountyny.com

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE TIOGA COUNTY LEGISLATURE

ADOPTED 6/12/2018

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 135-18 REQUESTING NEW YORK STATE LEGISLATURE TO SUPPORT ACTS TO AMEND THE EXECUTIVE LAW IN RELATION TO THE COST OF MAINTENANCE AND OPERATION OF VETERANS' SERVICE AGENCIES

WHEREAS: Legislation has been introduced in the New York State Senate (S.8210) and the New York State Assembly (A.10714) increasing the State share of the Tioga County Veterans' Service Agency maintenance and operating costs to $20,000 per annum; and

WHEREAS: Pursuant to New York State Executive Law Section 359 (1) counties are entitled to $10,000 per annum in state revenue, of which Tioga County Veterans' Service Agency is currently receiving $8,529 per annum; and

WHEREAS: New York State Statute mandates that every county must have a Veteran Service Agency and that such agency is not permitted to charge veterans directly for such services unlike private attorneys who are permitted to charge veterans a percentage of their claim award; and

WHEREAS: The Tioga County Legislature supports and recognizes the services rendered by veterans to our country and is desirous of the New York State Legislature amending Executive Law Section 359 (1); therefore be it

RESOLVED: That the Tioga County Legislature requests the New York State Legislature to adopt Senate Bill (S.8210) and Assembly Bill (A.10714) to amend Executive Law Section 359 (1) increasing the State share of the Tioga County Veterans' Service Agency operation and maintenance to $20,000 per annum; and be it further

RESOLVED: That the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to Governor Andrew Cuomo, Senator Fred Akshar, Assemblyman Christopher Friend, the New York State Association of Counties and all others deemed necessary and proper.

STATE OF NEW YORK)

ss.:

COUNTY OF TIOGA)

This is to certify that I, the undersigned, Clerk of the Tioga County Legislature, have compared the foregoing copy of the resolution with the original resolution now on file in the office, and which was passed by the Legislature of said County on the twelfth day of June, 2018, a majority of all the members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the County Legislature this twelfth day of June, 2018.

Maureen F. Dougherty

Clerk of the Tioga County Legislature

Family & Human Services

RESOLUTION NO. 2018171

RE: REAPPOINTMENTS TO THE CITIZENS ADVISORY COMMITTEE ON DOMESTIC VIOLENCE

Legislators THOMES, SAGLIANO, ROMAN, HORTON, JETER-JACKSON, TRUITT, BOLNER and METZGER offer the following and move its adoption:

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

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

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

REAPPOINTMENTS

Kaitlin Rodriques
Peter Alan Phipps
Christine Manning
Leah Feldman
Elaine Andersen
Jason Mark
Marjorie Smith
Lisa Rubenstein
Janice Weinstein
Catherine Lane
Susan Haight
Kristine Whelan

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 7/12/2018

; now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby affirm the aforesaid reappointments to the Citizens Advisory Committee on Domestic Violence each such member to serve a term to expire on June 30, 2019.

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 9th day of July 2018, 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 9th day of July 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Family and Human Services Committee Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*		
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 1 - Town of Poughkeepsie	Llaverias	absent	
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	Zernike	absent	
District 17 - Town and Village of Fishkill	Miccio		
District 21 - Town of East Fishkill	Horton		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes (C)		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston (VC)	absent	

Present: 8 **Resolution:** ✓ **Total :** 8 (Yes) 0 (No)

Absent: 4 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018171 REAPPOINTMENTS TO THE CITIZENS ADVISORY COMMITTEE ON DOMESTIC VIOLENCE

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 (W) **Resolution:** ✓ **Total :** 24 0

Absent: 1 **Motion:** ____ Yes No

Vacant: 0 **Abstentions:** 0

2018171 REAPPOINTMENTS TO THE CITIZENS ADVISORY COMMITTEE ON DOMESTIC VIOLENCE

July 9, 2018

Public Works & Capital Projects

RESOLUTION NO. 2018172

RE: AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY AND PERMANENT EASEMENT FROM FACELY D. GARCIA AND EDERMIS GARCIA IN CONNECTION WITH A PROJECT FOR THE IMPROVEMENT OF A SECTION OF BEEKMAN ROAD (CR 9), IN THE TOWNS OF EAST FISHKILL AND BEEKMAN (PIN 8755.38)

Legislators METZGER, PULVER, SAGLIANO, HORTON, and BOLNER offer the following and move its adoption:

WHEREAS, the Department of Public Works has proposed a project for the improvement of a section of Beekman Road (CR 9) located in the Towns of East Fishkill and Beekman, which project includes the acquisition of a certain portions of real property, and

WHEREAS, this Legislature by Resolution No. 2014271 approved and adopted the Full Environmental Assessment Form and Notice of Determination which stated that Beekman Road Improvement Project was a Type I Action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR (SEQR) and would 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 and a portion of real property presently owned by Facely D. Garcia and Edermis Garcia, and

WHEREAS, the acquisition in fee is described as 1619.85 +/- square feet as shown on Map No. 20, Parcel No. 21, and the permanent easement is described as 498.80 +/- square feet as shown on Map No. 20, Parcel No. 2, both portions identified as parcel number 132800-6558-03-043327-0000, and

WHEREAS, a copy of the proposed Advance Payment Agreement to Purchase Real Property (Fee Acquisition and Permanent Easement) ("the Agreement") for the necessary real property is attached hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the subject parcel and permanent easement, be purchased for the sum of $3,600 plus up to $1,000 for related expenses, if any, 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 Advance Payment Agreement to Purchase Real Property (Fee Acquisition and Permanent Easement) in substantially the same form as annexed hereto and all other necessary documents in connection with these acquisitions, and be it further

RESOLVED, that on the submission by the property owners of a deed and Permanent Easement to the aforementioned land, which shall include the terms and conditions of the Advance Payment 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 owners in the sum of $3,600 plus payment of up to $1,000 to necessary parties for related expenses for a Fee Acquisition and Permanent Easement, and be it further

RESOLVED, that the terms and conditions of the aforementioned Advance Payment Agreement to Purchase Real Property (Fee Acquisition and Permanent Easement) be carried out by the Dutchess County Department of Public Works.

CA-126-18
AMS/sc/R-0934-W
6/13/18
Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/12/2018

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 9th day of July 2018, 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 9th day of July 2018.

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 $ 4,600

Total Current Year Revenue and Source $ 4,370

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

Identify Line Items(s):
H0384.5110.300(8)(9) Roads ISTEA

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): $160
Over Five Years: _____

Additional Comments/Explanation:
This Fiscal Impact Statement Pertains to:
RESOLUTION REQUEST TO ACQUIRE A FEE ACQUISITION AND PERMANENT EASEMENT FROM FACELY D. GARCIA AND EDERMIS GARCIA, IN CONNECTION WITH PIN 8755.38: BEEKMAN ROAD (CR 9) IMPROVEMENTS, TOWNS OF EAST FISHKILL AND BEEKMAN, DUTCHESS COUNTY
Request authorization to acquire a fee acquisition of a 150.49+/- square meter, (1,619.85+/- square foot) parcel as shown on (Map 20, Parcel 21) for the purchase price of $3,000.00, and a permanent easement to a 46.34+/- square meter, (498.80+/- square foot) parcel as shown on (Map 20, Parcel 20) for the purchase price of $600.00

Related expenses in the amout of $1,000 are included in the Total Current Year Cost.

Prepared by: Matthew W. Davis 2929

ADVANCE PAYMENT AGREEMENT TO PURCHASE REAL PROPERTY

Project: **Beekman Road (CR 9) Highway Improvements**
PIN or CIN: **8755.38** Maps: **20 & 21** Parcels: **20, 21, 22**

This Advance Payment Agreement by and between **FACELY D. GARCIA** and **EDERMIS GARCIA**, hereinafter referred to as the "Seller", residing at 623 Beekman Road, Hopewell Junction, New York 12533; and the **COUNTY OF DUTCHESS**, with offices at 22 Market Street, Poughkeepsie, New York 12601, hereinafter referred to as the "Buyer".

1. PROPERTY DESCRIPTION. The Seller agrees to sell, grant, convey all right, title and interest to

☒ *all right title and interest* to **1,619.85**± square feet of real property. Purchase price is **$3,000.**

☒ a *permanent easement* to **498.80**± square feet of real property. Purchase price is **$600.**

☒ a *temporary easement* to **2,249.76**± square feet of real property. Purchase price is **$900.**

Located at **623 Beekman Road, Town of East Fishkill**, Dutchess County, New York and further described as parcels **20, 21, 22** on Exhibit A, attached hereto.

Being a portion of those same lands described in a deed dated **4/9/2015**, and recorded on **4/27/2015**, in **Document # 02 2015 2442** in the Office of the County Clerk for Dutchess County, (Tax Map No. **6658-03-043327**).

2. IMPROVEMENTS INCLUDED IN THE ACQUISITION. The following improvements, if any, now in or on the property are included in this Advance Payment Agreement: **misc. trees (firewood, sight/sound buffer).**

3. PURCHASE PRICE. The Seller and the Buyer cannot agree upon the value of the real property interest(s) to be conveyed. The Buyer is willing to pay an amount equal to the highest approved appraisal of the just compensation for the property. This amount is **FOUR THOUSAND, FIVE HUNDRED AND 00/100 DOLLARS ($4,500.00)**. This amount includes the real property interest(s) described in Paragraph 1 and the improvements described in Paragraph 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 documents which the Buyer, deems necessary to authorize payment and to convey to the Buyer clear title to the property described in paragraph 1 subject to the claim of the Seller. The parties agree that the Seller's right of the advance payment shall not be conditioned on the waiver of any other right.

4. CLOSING. Payment of is **FOUR THOUSAND, FIVE HUNDRED AND 00/100 DOLLARS ($4,500.00)** will be made by the Buyer to the Seller on or about _____, 20_____. This Agreement may be subject to the approval of the Dutchess County Legislature.

5. CLAIM. In accordance with Article 5 of the New York State Eminent Domain Procedure Law, the Seller hereby reserves the right to file a claim in the Dutchess County Supreme Court. 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. TERM OF TEMPORARY EASEMENT. The term of the Temporary Easement(s) shall be for three (3) years. The commencement date may be up to nine (9) months after the date of execution of the Temporary Easement. The Temporary Easement may be extended for two (2) additional one-year terms at the option of the Buyer. Thirty (30) days prior to the expiration of the term or extended term of the Temporary Easement, the Buyer shall notify the Seller in writing of its intention to exercise its option of extending the term of the Temporary Easement for an additional one year. The Buyer shall include a check for the sum of $ 300.00 with said written notification to the Seller.

7. FILING OF CLAIM. It is understood and agreed by and between the parties hereto, that if the Seller intends to file a claim for additional compensation in the Dutchess County Supreme Court, he/she/it must file the claim within one (1) year from the date of the execution of this Agreement.

8. If the Seller fails to file the claim in the time period stated, 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.

9. MARKETABILITY OF TITLE. Buyer shall pay for the costs associated with 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 agrees to cooperate with the Buyer in its curative action activities. 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. In the alternative, the Seller may elect to satisfy the liens and encumbrances from another source of funds.

10. RECORDING COSTS, & CLOSING ADJUSTMENTS. Buyer will pay all recording fees, if any. 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.

11. 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.

12. 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 acquisition of the property. No verbal agreements or promises will be binding.

13. 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.

14. PROJECT RELATED IMPROVEMENTS. The following improvements will occur within this acquisition as a result of the **Beekman Road (CR 9) Highway Improvements** Project, PIN **8755.38**; Including, but not limited to the following:_____

_____.

IN WITNESS WHEREOF, on this _____ day of _____, 20____, the parties have entered into this Advance Payment Agreement.

APPROVED AS TO FORM:

_____
Department of Law

Seller: Facely D. Garcia
Facely D. Garcia

Seller: Edermis Garcia
Edermis Garcia

APPROVED AS TO CONTENT:

_____
Department of Public Works

COUNTY OF DUTCHESS

Buyer: _____

Print Name: _____

Title: _____

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

COUNTY ROUTE 9 (BEEKMAN ROAD) TACONIC STATE PARKWAY TO COUNTY ROUTE 10 (SYLVAN LAKE ROAD)

PIN 8755.38

MAP NO. 20
PARCEL NOS. 20 & 21
SHEET 1 OF 2

Originals of this map (sheets 1 & 2) are on file at the offices of the Dutchess County Department of Public Works.

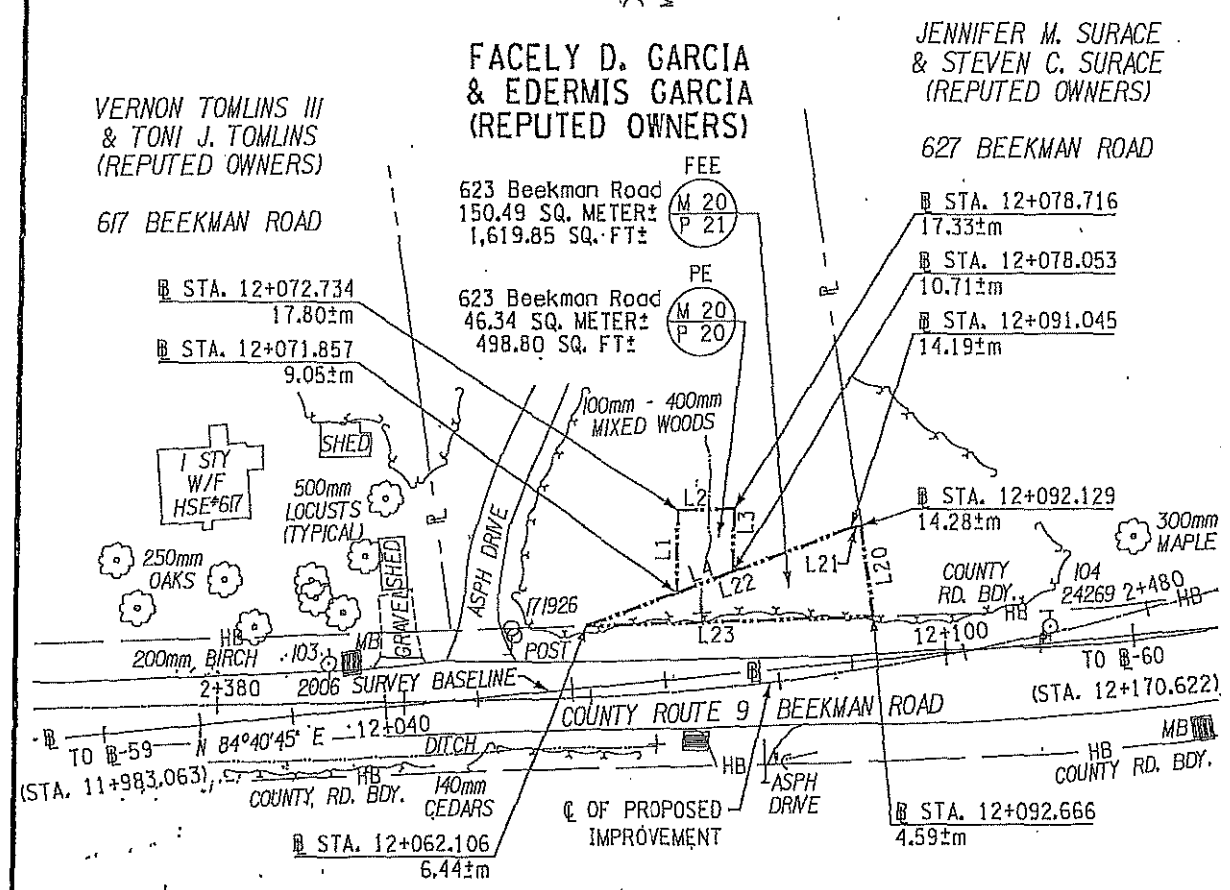
ACQUISITION DESCRIPTION:
Type: FEE & PERMANENT EASEMENT
Portion of Real Property Tax Parcel ID No.
132800-6658-03-043327-0000

MAP REFERENCE:
Lot No.10 on map entitled "Map showing the Land owned by the Estate of Daniel Delaney" and filed in the Dutchess County Clerk's office on June 14, 1937 as map#1740.

FACELY D. GARCIA
& EDERMIS GARCIA
(REPUTED OWNERS)
DOCUMENT# 02-2015-2442

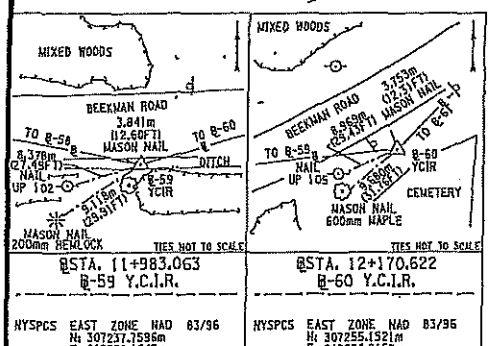
Town of East Fishkill
County of Dutchess
State of New York

REPUTED OWNERS:
FACELY D. GARCIA
& EDERMIS GARCIA
623 Beekman Road
Hopewell Junction, NY 12533



PARCEL 20		
NO.	DISTANCE	DIRECTION
L1	8.80±m(28.9±')	N00°24'04"E
L2	6.00±m(19.7±')	N89°13'11"E
L3	6.65±m(21.8±')	S00°24'04"W
L4	6.41±m(21.0±')	S69°41'30"W

PARCEL 21		
NO.	DISTANCE	DIRECTION
L20	9.70±m(31.8±')	N08°29'31"W
L21	1.09±m(3.6±')	S80°06'50"W
L22	29.96±m(98.3±')	S69°41'30"W
L23	30.62±m(100.4±')	N88°09'06"E



@STA. 11+983.063
℄-59 Y.C.I.R.

NYSPCS EAST ZONE NAD 83/96
N: 307237.7596m
E: 212770.1645m

@STA. 12+170.622
℄-60 Y.C.I.R.

NYSPCS EAST ZONE NAD 83/96
N: 307255.1521m
E: 212856.9152m

10 0 10 20 30 m

SCALE 1:500
ONE METER EQUALS 3.28083333333 FEET.
ONE SQUARE METER EQUALS 10.7638673611 SQUARE FEET.

MAP NUMBER _____
REVISED DATE _____
DATE PREPARED _____

FILE NAME = G:\mp_D-6621\NOV\Acq Maps\V12\P20.dgn

PREPARED BY J. BAIRD CHECKED BY F. DIEHL FINAL CHECK BY J. WALINOWSKI

'EXHIBIT A'

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

COUNTY ROUTE 9 (BEEKMAN ROAD) TACONIC STATE PARKWAY TO COUNTY ROUTE 10 (SYLVAN LAKE ROAD)

PIN 8755.38

MAP NO. 20
PARCEL NOS. 20 & 21
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 a permanent easement and fee acquisition, for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and Eminent Domain Procedure Law.

A PERMANENT EASEMENT TO BE EXERCISED IN, ON AND OVER THE PROPERTY ABOVE DELINEATED FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING AND MAINTAINING THEREON A DRAINAGE DITCH AND APPURTENANCES FOR THE COUNTY ROUTE 9 (BEEKMAN ROAD) IMPROVEMENTS, IN AND TO ALL THAT PIECE OR PARCEL OF PROPERTY DESIGNATED AS PARCEL NO. 20, SITUATE IN THE TOWN OF EAST FISHKILL, COUNTY OF DUTCHESS, STATE OF NEW YORK, AS SHOWN ON THE ACCOMPANYING MAP AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE PROPOSED NORTHERLY BOUNDARY OF COUNTY ROUTE 9 (BEEKMAN ROAD), SAID POINT BEING 9.05±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 12+071.857± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF A PORTION OF COUNTY ROUTE 9 (BEEKMAN ROAD); THENCE THROUGH THE PROPERTY OF FACELY D. GARCIA AND EDERMIS GARCIA (REPUTED OWNERS) THE FOLLOWING THREE (3) COURSES AND DISTANCES; (1) NORTH 00°-24'-04" EAST 8.80±m(28.9±FT.) TO A POINT 17.80±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 12+072.734± OF SAID BASELINE; (2) NORTH 89°-13'-11" EAST 6.00±m(19.7±FT.) TO A POINT 17.33±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 12+078.716± OF SAID BASELINE; AND (3) SOUTH 00°-24'-04" WEST 6.65±m(21.8±FT.) TO A POINT ON THE FIRST MENTIONED PROPOSED NORTHERLY BOUNDARY OF COUNTY ROUTE 9 (BEEKMAN ROAD), THE LAST MENTIONED POINT BEING 10.71±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 12+078.053± OF SAID BASELINE; THENCE SOUTH 69°-41'-30" WEST ALONG THE LAST MENTIONED PROPOSED NORTHERLY BOUNDARY OF COUNTY ROUTE 9 (BEEKMAN ROAD) 6.41±m(21.0±FT.) TO THE POINT OF BEGINNING, SAID PARCEL BEING 46.34± SQUARE METERS (498.80± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE, OR INTEREST IN AND TO THE PROPERTY ABOVE DELINEATED ABOVE AS PARCEL NO. 20, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHT 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.

ALL THAT PIECE OR PARCEL OF PROPERTY HEREINAFTER DESIGNATED AS PARCEL NO. 21, SITUATE IN THE TOWN OF EAST FISHKILL, COUNTY OF DUTCHESS, STATE OF NEW YORK, AS SHOWN ON THE ACCOMPANYING MAP AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY BOUNDARY OF COUNTY ROUTE 9 (BEEKMAN ROAD), AT THE INTERSECTION OF SAID BOUNDARY WITH THE DIVISION LINE BETWEEN THE PROPERTY OF JENNIFER M. SURACE AND STEVEN C. SURACE (REPUTED OWNERS) ON THE EAST AND THE PROPERTY OF FACELY D. GARCIA AND EDERMIS. GARCIA (REPUTED OWNERS) ON THE WEST, SAID POINT BEING 4.59±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 12+092.666± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF A PORTION OF COUNTY ROUTE 9 (BEEKMAN ROAD); THENCE NORTH 08°-29'-31" WEST ALONG SAID DIVISION LINE 9.70±m(31.8±FT.) TO A POINT 14.28±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 12+092.129± OF SAID BASELINE; THENCE THROUGH THE PROPERTY OF FACELY D. GARCIA AND EDERMIS GARCIA (REPUTED OWNERS) THE FOLLOWING TWO (2) COURSES AND DISTANCES; (1) SOUTH 80°-06'-50" WEST 1.09±m(3.6±FT.) TO A POINT 14.19±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 12+091.045± OF SAID BASELINE; AND (2) SOUTH 69°-41'-30" WEST 29.96±m(98.3±FT.) TO A POINT ON THE FIRST MENTIONED NORTHERLY BOUNDARY OF COUNTY ROUTE 9 (BEEKMAN ROAD), THE LAST MENTIONED POINT BEING 6.44±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 12+062.106± OF SAID BASELINE; THENCE NORTH 88°-09'-06" EAST ALONG THE LAST MENTIONED NORTHERLY BOUNDARY OF COUNTY ROUTE 9 (BEEKMAN ROAD) 30.62±m(100.4±FT.) TO THE POINT OF BEGINNING, SAID PARCEL BEING 150.49± SQUARE METERS (1,619.85± SQUARE FEET) MORE OR LESS.

THE ABOVE MENTIONED SURVEY BASELINE IS A PORTION OF THE 2006 SURVEY BASELINE FOR THE RE-CONSTRUCTION OF COUNTY ROUTE 9 (BEEKMAN ROAD) AS SHOWN ON THE MAP AND DESCRIBED AS FOLLOWS:

BEGINNING AT STATION 11+983.063; THENCE NORTH 84°-40'-45" EAST TO STATION 12+170.622.

ALL BEARINGS REFERRED TO TRUE NORTH AT THE 74°-30' MERIDIAN OF WEST LONGITUDE.

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 September 15th 2017

Joseph G. Malinowski - Land Surveyor
P.L.S. License No. 050314

M.J. Engineering and Land Surveying, P.C.
1533 Crescent Road
Clifton Park, NY 12065

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date Oct 2 2017

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

STATE OF NEW YORK · JOSEPH G. MALINOWSKI · LICENSED LAND SURVEYOR · 050314

MAP NUMBER _____
REVISED DATE _____
DATE PREPARED _____

FILE NAME: F:\Proj\3-682\Mdb\Neg Maps\120828a.dgn

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

COUNTY ROUTE 9 (BEEKMAN ROAD) TACONIC STATE PARKWAY TO COUNTY ROUTE 10 (SYLVAN LAKE ROAD)

PIN 8755.38

MAP NO. 21
PARCEL NO. 22
SHEET 1 OF 2

Originals of this map (sheets 1 & 2) are on file at the offices of the Dutchess County Department of Public Works.

FACELY D. GARCIA
& EDERMIS GARCIA
(REPUTED OWNERS)

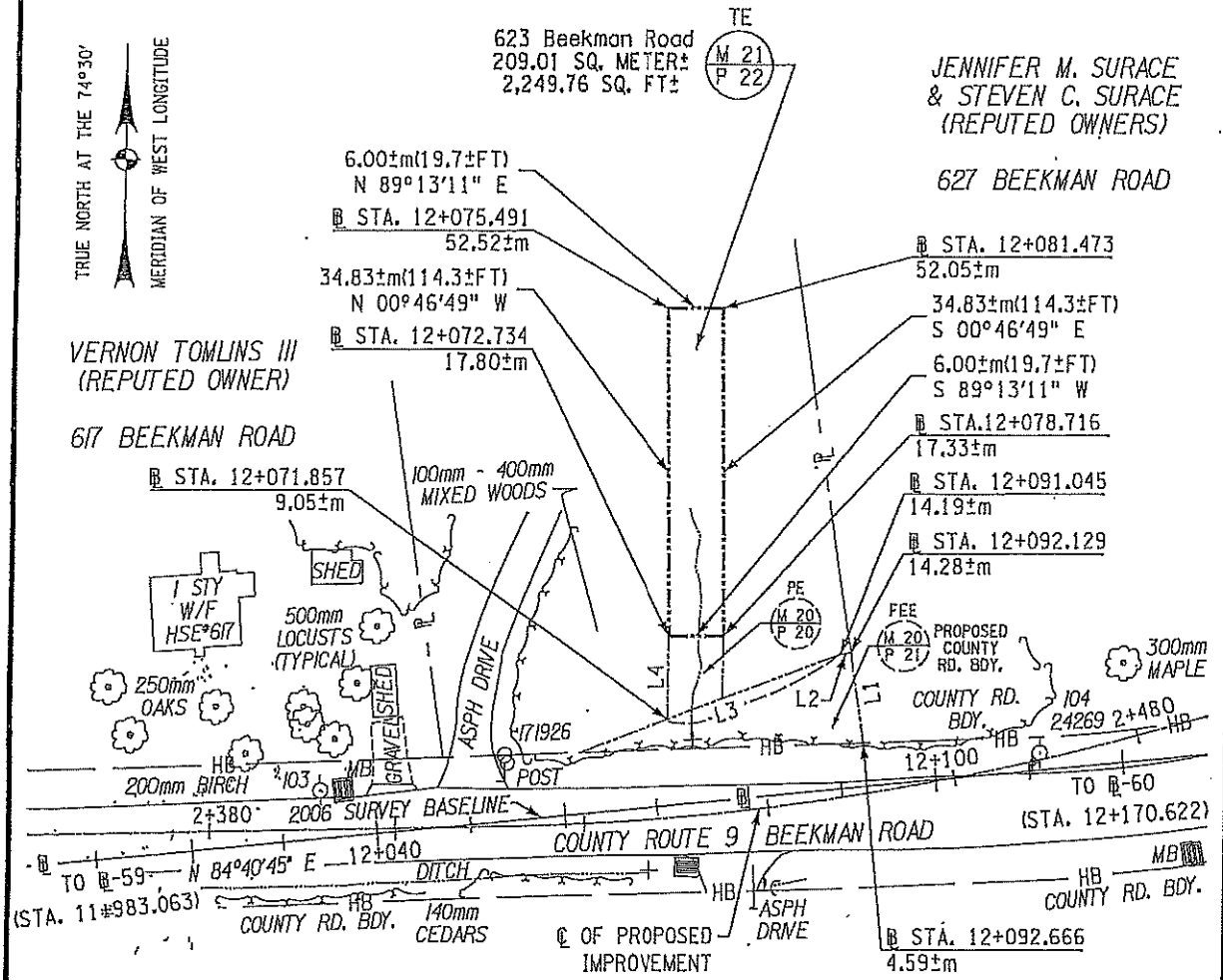
DOCUMENT# 02-2015-2442

Town of East Fishkill
County of Dutchess
State of New York

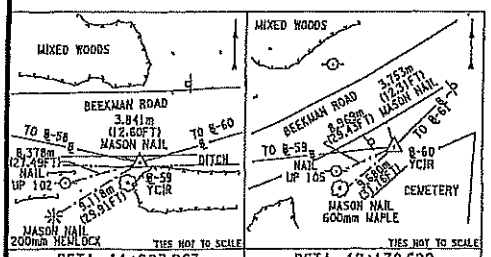
ACQUISITION DESCRIPTION:
Type: TEMPORARY EASEMENT
Portion of Real Property Tax
Parcel ID No.
132800-6658-03-043327-0000

MAP REFERENCE:
Lot No.10 on map entitled "Map showing the Land owned by the Estate of Daniel Delaney" and filed in the Dutchess County Clerk's office on June 14, 1937 as map#1740.

REPUTED OWNERS:
FACELY D. GARCIA
& EDERMIS GARCIA
623 Beekman Road
Hopewell Junction, NY 12533



NO.	DISTANCE	DIRECTION
L1	9.70±m(31.8±')	N08°29'31"W
L2	1.09±m(3.6±')	S80°06'50"W
L3	19.86±m(65.2±')	S69°41'30"W
L4	8.80±m(28.9±')	N00°24'04"E



℄STA. 11+983.063
℄-59 Y.C.J.R.

NYSPCS EAST ZONE NAD 83/96
N 307237.7596m
E 212770.1645m

℄STA. 12+170.622
℄-60 Y.C.J.R.

NYSPCS EAST ZONE NAD 83/96
N 307255.1521m
E 212956.5152m

10 0 10 20 30 m

SCALE 1:500

ONE METER EQUALS 3.28083333333 FEET.
ONE SQUARE METER EQUALS 10.7638673611 SQUARE FEET.

MAP NUMBER _____
REVISED DATE _____
DATE PREPARED _____

FILE NAME = G:\w-0-682.800\Map\H22\P22.dgn

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

COUNTY ROUTE 9 (BEEKMAN ROAD) TACONIC STATE PARKWAY TO COUNTY ROUTE 10 (SYLVAN LAKE ROAD)

PIN 8755.38

MAP NO. 21
PARCEL NO. 22
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 temporary easement acquisition, for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and Eminent Domain Procedure Law.

PARCEL NO. 22, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF A WORK AREA IN CONNECTION WITH THE REHABILITATION OF COUNTY ROUTE 9 (BEEKMAN ROAD) TO GRADE THE SIDE SLOPES TO MEET THE EXISTING GROUND, RECONSTRUCT THE DRAINAGE DITCH, SEEDING TO RE-ESTABLISH A GRASS SURFACE, AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT; DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AT THE NORTHWESTERLY CORNER OF A PROPOSED PERMANENT EASEMENT ON THE PROPOSED NORTHERLY BOUNDARY OF COUNTY ROUTE 9 (BEEKMAN ROAD), SAID POINT BEING 17.80±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 12+072.734± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF A PORTION OF COUNTY ROUTE 9 (BEEKMAN ROAD); THENCE THROUGH THE PROPERTY OF FACELY D. GARCIA AND EDERMIS GARCIA (REPUTED OWNERS) THE FOLLOWING FOUR (4) COURSES AND DISTANCES: (1) NORTH 00°-46'-49" WEST 34.83±m(114.3±FT.) TO A POINT 52.52±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 12+075.491± OF SAID BASELINE; (2) NORTH 89°-13'-11" EAST 6.00±m(19.7±FT.) TO A POINT 52.05±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 12+081.473± OF SAID BASELINE; (3) SOUTH 00°-46'-49" EAST 34.83±m(114.3±FT.) TO A POINT 17.33±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 12+078.716± OF SAID BASELINE; AND (4) SOUTH 89°-13'-11" WEST 6.00±m(19.7±FT.) TO THE POINT OF BEGINNING, SAID PARCEL BEING 209.01± SQUARE METERS (2,249.76± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE, OR INTEREST IN AND TO THE PROPERTY ABOVE DELINEATED, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHT 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 ESTABLISHED BY, THE CONSTRUCTION OR RECONSTRUCTION AND AS SO CONSTRUCTED OR RECONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

THE ABOVE MENTIONED SURVEY BASELINE IS A PORTION OF THE 2006 SURVEY BASELINE FOR THE RE-CONSTRUCTION OF COUNTY ROUTE 9 (BEEKMAN ROAD) AND DESCRIBED AS FOLLOWS:

BEGINNING AT STATION 11+983.063; THENCE NORTH 84°-40'-45" EAST TO STATION 12+170.622.

ALL BEARINGS REFERRED TO TRUE NORTH AT THE 74°-30' MERIDIAN OF WEST LONGITUDE.

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 September 15th 2017

Joseph G. Malinowski - Land Surveyor
P.L.S. License No. 050314

M.J. Engineering and Land Surveying, P.C.
1533 Crescent Road
Clifton Park, NY 12065

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date Oct 2 2017

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

STATE OF NEW YORK · JOSEPH G. MALINOWSKI · 050314 · LICENSED LAND SURVEYOR

MAP NUMBER
REVISED DATE
DATE PREPARED

FILE NAME = G:\wp3-9821\DWG\Proj Maps\VR22P22.dgn

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 8 - City and Town of Poughkeepsie	Brendli	absent	
District 12 - Town of East Fishkill	Metzger (C)		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato (VC)		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 24 - Towns of Dover and Union Vale	Surman	absent	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston	absent	

Present: 8 **Resolution:** ✓ **Total :** 8 (Yes) 0 (No)

Absent: 4 **Motion:** ___ **Abstentions:** 0

Vacant: 0

2018172 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY AND PERMANENT EASEMENT FROM FACELY D. GARCIA AND EDERMIS GARCIA IN CONNECTION WITH A PROJECT FOR THE IMPROVEMENT OF A SECTION OF BEEKMAN ROAD (CR 9), IN THE TOWNS OF EAST FISHKILL AND BEEKMAN (PIN 8755.38)

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	abstt	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 **Resolution:** ✓ **Total :** 24 (Yes) 0 (No)

Absent: 0 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018172 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY AND PERMANENT EASEMENT FROM FACELY D. GARCIA AND EDERMIS GARCIA IN CONNECTION WITH A PROJECT FOR THE IMPROVEMENT OF A SECTION OF BEEKMAN ROAD (CR 9), IN THE TOWNS OF EAST FISHKILL AND BEEKMAN (PIN 8755.38)

July 9, 2018

Public Works & Capital Projects

RESOLUTION NO. 2018173

RE: AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FROM ALAN H. PINE, SR. AND GAIL L. PINE IN CONNECTION WITH A PROJECT FOR THE IMPROVEMENT OF A SECTION OF BEEKMAN ROAD (CR 9), IN THE TOWNS OF EAST FISHKILL AND BEEKMAN (PIN 8755.38)

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

WHEREAS, the Department of Public Works has proposed a project for the improvement of a section of Beekman Road (CR 9) located in the Towns of East Fishkill and Beekman, which project includes the acquisition of certain portions of real property, and

WHEREAS, this Legislature by Resolution No. 2014271 approved and adopted the Full Environmental Assessment Form and Notice of Determination which stated that Beekman Road Improvement Project was a Type I Action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR (SEQR) and would 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 Alan H. Pine, Sr. and Gail L. Pine, and

WHEREAS, the acquisition in fee is described as 287.72+/- square feet as shown on Map No. 12, Parcel No. 12, identified as a portion of parcel number 132800-6558-04-852308-0000, and

WHEREAS, a copy of the Advance Payment Agreement to Purchase Real Property (the "Agreement") 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 $700 plus up to $1,000 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 in substantially the same form as annexed hereto, along with any other necessary documents in connection with this acquisition, and be it further

RESOLVED, that on the submission by the property owners of a deed to the aforementioned land, which shall include the terms and conditions of the Agreement, 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 $700 plus payment of up to $1,000 for related expenses, if necessary, in connection with this acquisition, and be it further

RESOLVED, that the terms and conditions of the aforementioned Advance Payment Agreement to Purchase Real Property be carried out by the Dutchess County Department of Public Works.

CA-124-18
AMS/sc/R-0934-P
6/13/18
Fiscal Impact: See attached statement

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 7/17/2018

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 9th day of July 2018, 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 9th day of July 2018.

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 $ 1,700

Total Current Year Revenue $ 1,615
and Source

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

Identify Line Items(s):
H0384.5110.3009 Roads ISTEA

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): $85
Over Five Years: _____

Additional Comments/Explanation:
This Fiscal Impact Statement Pertains to:

RESOLUTION REQUEST TO ACQUIRE A FEE ACQUISITION
FROM ALAN H. PINE, SR. AND GAIL L. PINE, IN CONNECTION WITH PIN 8755.38: BEEKMAN ROAD (CR 9)
IMPROVEMENTS, TOWNS OF EAST FISHKILL AND BEEKMAN, DUTCHESS COUNTY
Request authorization to acquire a fee acquisition of a 26.73+/- square meter, (287.72+/- square foot) parcel as shown on (Map 12, Parcel 12) for the purchase price of $700.00

Related expenses in the amout of $1,000 are included in the Total Current Year Cost.

Prepared by: Matthew W. Davis 2929

ADVANCE PAYMENT AGREEMENT TO PURCHASE REAL PROPERTY

Project: **Beekman Road (CR 9) Highway Improvements**
PIN or CIN: **8755.38** Map: **12** Parcel: **12**

This Advance Payment Agreement by and between **ALAN H. PINE, SR.** and **GAIL L. PINE**, hereinafter referred to as the "Seller", residing at 541 Beekman Road, Hopewell Junction, New York 12533; and the **COUNTY OF DUTCHESS**, with offices at 22 Market Street, Poughkeepsie, New York 12601, hereinafter referred to as the "Buyer".

1. PROPERTY DESCRIPTION. The Seller agrees to sell, grant, convey all right, title and interest to

☒ *all right title and interest* to **287.72±** square feet of real property. Purchase price is **$700.**

☐ a *permanent easement* to **0±** square feet of real property. Purchase price is **$0.**

☐ a *temporary easement* to **0±** square feet of real property. Purchase price is **$0.**

Located at **541 Beekman Road, Town of East Fishkill**, Dutchess County, New York and further described as parcel **12** on Exhibit A, attached hereto.

Being a portion of those same lands described in a deed dated **5/16/2007**, and recorded on **6/15/2007**, in **Document # 02-2007-4218** in the Office of the County Clerk for Dutchess County, (Tax Map No. **6558-04-852308**).

2. IMPROVEMENTS INCLUDED IN THE ACQUISITION. The following improvements, if any, now in or on the property are included in this Advance Payment Agreement: **lawn.**

3. PURCHASE PRICE. The Seller and the Buyer cannot agree upon the value of the real property interest(s) to be conveyed. The Buyer is willing to pay an amount equal to the highest approved appraisal of the just compensation for the property. This amount is is **SEVEN HUNDRED AND 00/100 DOLLARS ($700.00).** This amount includes the real property interest(s) described in Paragraph 1 and the improvements described in Paragraph 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 documents which the Buyer, deems necessary to authorize payment and to convey to the Buyer clear title to the property described in paragraph 1 subject to the claim of the Seller. The parties agree that the Seller's right of the advance payment shall not be conditioned on the waiver of any other right.

4. CLOSING. Payment of is **SEVEN HUNDRED AND 00/100 DOLLARS ($700.00)** will be made by the Buyer to the Seller on or about _____, 20_____. This Agreement may be subject to the approval of the Dutchess County Legislature.

5. CLAIM. In accordance with Article 5 of the New York State Eminent Domain Procedure Law, the Seller hereby reserves the right to file a claim in the Dutchess County Supreme Court. 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.

FILING OF CLAIM. It is understood and agreed by and between the parties hereto, that if the Seller intends to file a claim for additional compensation in the Dutchess County Supreme Court, he/she/it must file the claim within one (1) year from the date of the execution of this Agreement.

7. If the Seller fails to file the claim in the time period stated, 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.

8. MARKETABILITY OF TITLE. Buyer shall pay for the costs associated with 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 agrees to cooperate with the Buyer in its curative action activities. 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. In the alternative, the Seller may elect to satisfy the liens and encumbrances from another source of funds.

9. RECORDING COSTS, & CLOSING ADJUSTMENTS. Buyer will pay all recording fees, if any. 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 acquisition 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 acquisition as a result of the **Beekman Road (CR 9) Highway Improvements** Project, PIN **8755.38**; Including, but not limited to the following:_____
_____.

IN WITNESS WHEREOF, on this _____ day of _____, 20____, the parties have entered into this Advance Payment Agreement.

APPROVED AS TO FORM:

_____
Department of Law

Seller: Alan H Pine Sr
Alan H. Pine, Sr.

Seller: Gail L. Pine
Gail L. Pine

APPROVED AS TO CONTENT:

_____
Department of Public Works

COUNTY OF DUTCHESS

Buyer: _____

Print Name: _____

Title: _____

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

COUNTY ROUTE 9 (BEEKMAN ROAD) TACONIC STATE PARKWAY TO COUNTY ROUTE 10 (SYLVAN LAKE ROAD)

PIN 8755.38

MAP NO. 12
PARCEL NO. 12
SHEET 1 OF 2

Originals of this map (sheets 1 & 2) are on file at the offices of the Dutchess County Department of Public Works.

ALAN H. PINE
& GAIL L. PINE
(REPUTED OWNERS)

DOCUMENT # 02-2007-4218

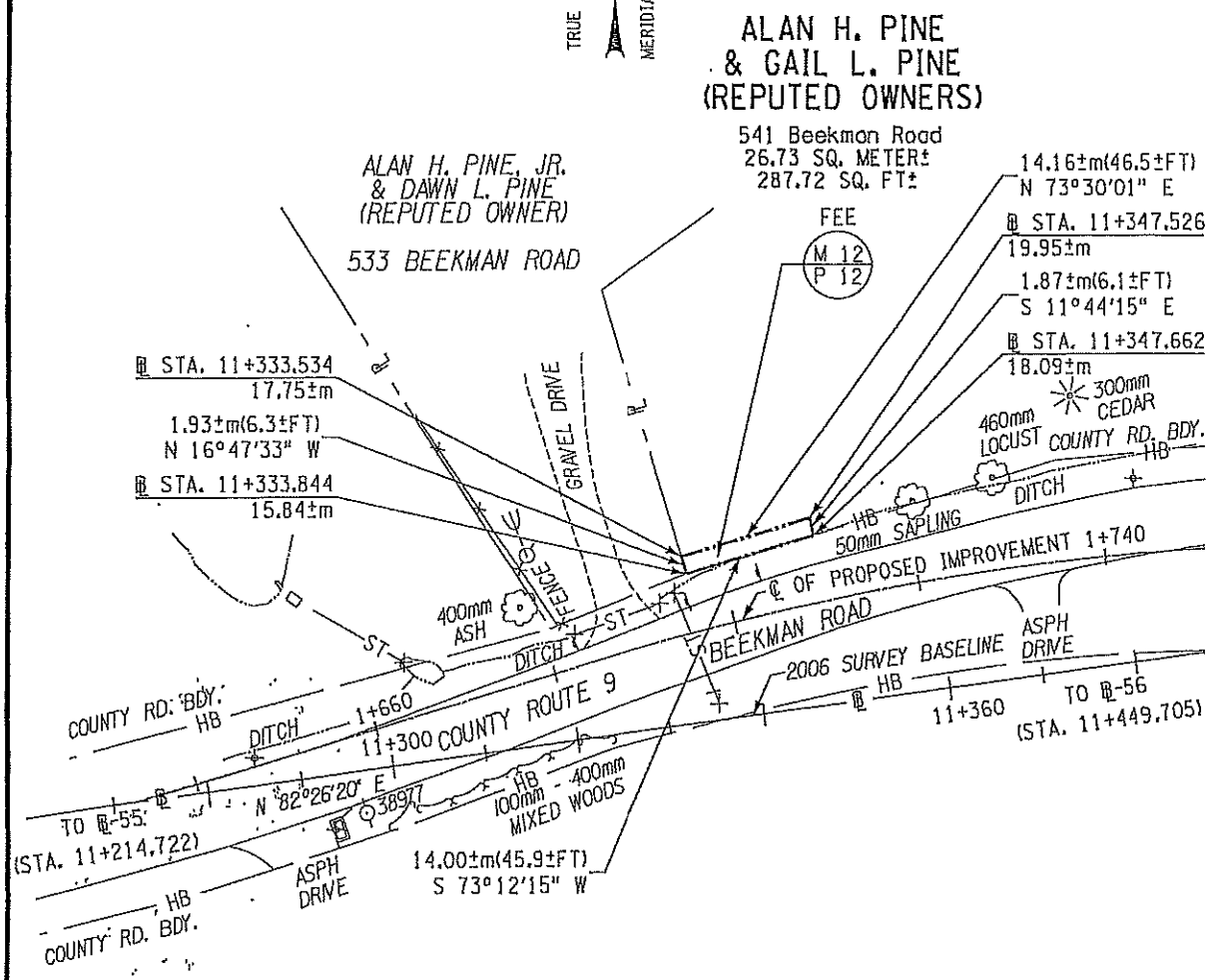
Town of East Fishkill
County of Dutchess
State of New York

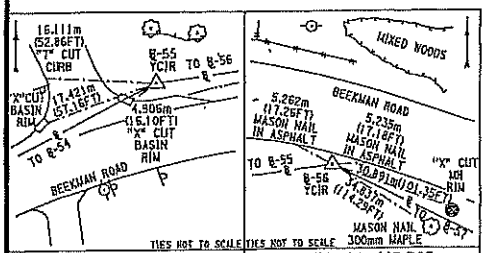
ACQUISITION DESCRIPTION:
Type: FEE
Portion of Real Property Tax
Parcel ID No.
132800-6558-04-852308-0000

MAP REFERENCE:
Lot No.1 on a map entitled "Subdivision for Pine" and filed in the Dutchess County Clerk's Office on December 29, 2005 as Filed Map#9109B.

REPUTED OWNERS:
ALAN H. PINE
& GAIL L. PINE
541 Beekman Road
Hopewell Junction, NY 12533

TRUE NORTH AT THE 74°30'
MERIDIAN OF WEST LONGITUDE





℄STA. 11+214.722 ℄-55 Y.C.I.R.	℄STA. 11+449.705 ℄-56 Y.C.I.R.
NYSPCS EAST ZONE NAD 83/96 N: 307225.5179m E: 212020.8694m	NYSPCS EAST ZONE NAD 83/96 N: 307256.4381m E: 212253.8092m

10 0 10 20 30 m

SCALE 1:500

ONE METER EQUALS 3.28083333333 FEET.
ONE SQUARE METER EQUALS 10.7638673611 SQUARE FEET.

MAP NUMBER _____
REVISED DATE _____
DATE PREPARED _____

PREPARED BY J. BAIRD CHECKED BY R. DIEHL FINAL CHECK BY J. MALINOWSKI

'EXHIBIT A'

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

COUNTY ROUTE 9 (BEEKMAN ROAD) TACONIC STATE PARKWAY TO COUNTY ROUTE 10 (SYLVAN LAKE ROAD)

PIN 8755.38

MAP NO. 12
PARCEL NO. 12
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, for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and Eminent Domain Procedure Law.

All that piece or parcel of property hereinafter designated as Parcel No. 12, situate in the Town of East Fishkill, County of Dutchess, State of New York, as shown on the accompanying map and described as follows:

BEGINNING AT A POINT ON THE NORTHERLY BOUNDARY OF COUNTY ROUTE 9 (BEEKMAN ROAD), AT THE INTERSECTION OF SAID BOUNDARY WITH THE DIVISION LINE BETWEEN THE PROPERTY OF ALAN H. PINE, JR. AND DAWN L. PINE (REPUTED OWNERS) ON THE WEST AND THE PROPERTY OF ALAN H. PINE AND GAIL L. PINE (REPUTED OWNERS) ON THE EAST, SAID POINT BEING 15.84±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 11+333.844± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF A PORTION OF COUNTY ROUTE 9 (BEEKMAN ROAD); THENCE NORTH 16°-47'-33" WEST ALONG SAID DIVISION LINE 1.93±m(6.3±FT.) TO A POINT 17.75±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 11+333.534± OF SAID BASELINE; THENCE THROUGH THE PROPERTY OF ALAN H. PINE AND GAIL L. PINE (REPUTED OWNERS) THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) NORTH 73°-30'-01" EAST 14.16±m(46.5±FT.) TO A POINT 19.95±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 11+347.526 OF SAID BASELINE; AND (2) SOUTH 11°-44'-15" EAST 1.87±m(6.1±FT.) TO A POINT ON THE FIRST MENTIONED NORTHERLY BOUNDARY OF COUNTY ROUTE 9 (BEEKMAN ROAD), THE LAST MENTIONED POINT BEING 18.09±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 11+347.662 OF SAID BASELINE; THENCE SOUTH 73°-12'-15" WEST ALONG THE LAST MENTIONED NORTHERLY BOUNDARY OF COUNTY ROUTE 9 (BEEKMAN ROAD) 14.00±m(45.9±FT.) TO THE POINT OF BEGINNING, SAID PARCEL BEING 26.73± SQUARE METERS (287.72± SQUARE FEET) MORE OR LESS.

THE ABOVE MENTIONED SURVEY BASELINE IS A PORTION OF THE 2006 SURVEY BASELINE FOR THE RE-CONSTRUCTION OF COUNTY ROUTE 9 (BEEKMAN ROAD) AND DESCRIBED AS FOLLOWS:

BEGINNING AT STATION 11+214.722; THENCE NORTH 82°-26'-20" EAST TO STATION 11+449.705.

ALL BEARINGS REFERRED TO TRUE NORTH AT THE 74°-30' MERIDIAN OF WEST LONGITUDE.

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 SEPTEMBER 15th 2017

Joseph G. Malinowski - Land Surveyor
P.L.S. License No. 050314

M.J. Engineering and Land Surveying, P.C.
1533 Crescent Road
Clifton Park, NY 12065

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date Oct. 2 2017

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

STATE OF NEW YORK
JOSEPH G. MALINOWSKI
050314
LICENSED LAND SURVEYOR

MAP NUMBER
REVISED DATE
DATE PREPARED

FILE NAME = G:\dwg\3-882\3DCA\Acq Maps\M12P12a.dgn

PREPARED BY J. BAIRD CHECKED BY R. DIEHL FINAL CHECK BY J. MALINOWSKI

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 8 - City and Town of Poughkeepsie	Brendli	absent	
District 12 - Town of East Fishkill	Metzger (C)		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato (VC)		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 24 - Towns of Dover and Union Vale	Surman	absent	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston	absent	

Present: 8 **Resolution:** ✓ **Total :** 8 (Yes) 0 (No)

Absent: 4 **Motion:** ___ **Abstentions:** 0

Vacant: 0

2018173 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FROM ALAN H. PINE, SR. AND GAIL L. PINE IN CONNECTION WITH A PROJECT FOR THE IMPROVEMENT OF A SECTION OF BEEKMAN ROAD (CR 9), IN THE TOWNS OF EAST FISHKILL AND BEEKMAN (PIN 8755.38)

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 **Resolution:** ✓ **Total :** 24 (Yes) 0 (No)

Absent: 1 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018173 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FROM ALAN H. PINE, SR. AND GAIL L. PINE IN CONNECTION WITH A PROJECT FOR THE IMPROVEMENT OF A SECTION OF BEEKMAN ROAD (CR 9), IN THE TOWNS OF EAST FISHKILL AND BEEKMAN (PIN 8755.38)

July 9, 2018

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2018174

RE: AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FROM BARBARA E. HUBER, CAROLYN L. OHLSON AND PAUL J. BOGDAN IN CONNECTION WITH A PROJECT TO IMPROVE A SECTION OF BEEKMAN ROAD (CR 9), IN THE TOWNS OF EAST FISHKILL AND BEEKMAN
(PIN 8755.38)

Legislators METZGER, PULVER, SAGLIANO, HORTON, and BOLNER offer the following and move its adoption:

WHEREAS, the Department of Public Works has proposed a project to improve a section of Beekman Road (CR 9) located in the Towns of East Fishkill and Beekman, which project includes the acquisition of certain portions of real property, and

WHEREAS, this Legislature by Resolution No. 2014271 approved and adopted the Full Environmental Assessment Form and Notice of Determination which stated that Beekman Road Improvement Project was a Type I Action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR (SEQR) and would 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 Barbara E. Huber, Carolyn L. Ohlson and Paul J. Bogdan, and

WHEREAS, the acquisition in fee is described as 875.32+/- square feet as shown on Map No. 18, Parcel No. 18, identified as a portion of parcel number 132800-6558-04-977306-0000, and

WHEREAS, a copy of the proposed Agreement to Purchase Real Property (the "Agreement") 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 $2,200 plus up to $1,000 for necessary related expenses, if any, 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 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 owners 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 owners in the sum of $2,200 plus up to $1,000 for related expenses for a Fee Acquisition in accordance with the Agreement, and be it further

RESOLVED, that the terms and conditions of the aforementioned Agreement to Purchase Real Property be carried out by the Dutchess County Department of Public Works.

CA-123-18
AMS/sc/R-0934-U
6/13/18
Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/18/2018

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 9th day of July 2018, 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 9th day of July 2018.

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 $ 3,200

Total Current Year Revenue and Source $ 3,040

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

Identify Line Items(s):
H0384.5110.3009 Roads ISTEA

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): $160
Over Five Years: _____

Additional Comments/Explanation:
This Fiscal Impact Statement Pertains to:
RESOLUTION REQUEST TO ACQUIRE A FEE ACQUISITION
FROM BARBARA E. HUBER, CAROLYN L. OHLSON AND PAUL J. BOGDAN, IN CONNECTION WITH PIN 8755.38:
BEEKMAN ROAD (CR 9) IMPROVEMENTS, TOWNS OF EAST FISHKILL AND BEEKMAN, DUTCHESS COUNTY

Request authorization to acquire a fee acquisition of a 81.32+/- square meter, (875.32+/- square foot) parcel as shown on (Map 18, Parcel 18) for the purchase price of $2,200.00

Related expenses in the amout of $1,000 are included in the Total Current Year Cost.

Prepared by: Matthew W. Davis 2929

AGREEMENT TO PURCHASE REAL PROPERTY

Project: **Beekman Road (CR 9) Highway Improvements**
PIN OR CIN: **8755.38** Map: **18** Parcel: **18**

This Agreement by and between **BARBARA E. HUBER, CAROLYN L. OHLSON** and **PAUL J. BOGDAN**, residing at 6 McDonnells Lane, Hopewell Junction, New York 12533, hereinafter referred to as "Seller", and the **COUNTY OF DUTCHESS**, with offices at 22 Market Street, Poughkeepsie, New York 12601 hereinafter referred to as "Buyer".

1. PROPERTY DESCRIPTION. The Seller agrees to sell, grant, convey:

   ☒ *all right title and interest* to **875.32**± square feet of real property. Purchase price is **$2,200.**

   ☐ a *permanent easement* to **0**± square feet of real property. Purchase price is **$0.**

   ☐ a *temporary easement* to **0**± square feet of real property. Purchase price is **$0.**

   Located at **6 McDonnells Lane, Town of East Fishkill**, Dutchess County, New York, and is further described as parcel 18 on Exhibit "A", attached hereto.

   Being a portion of those same lands described in that certain deed dated 3/27/2008 and recorded 4/28/2008 in Instrument #2008-2556 in the Office of the County Clerk for Dutchess County (re: Grid # 6558-04-977306),

2. IMPROVEMENTS INCLUDED IN THE PURCHASE. The following improvements, if any, now in or on the property are included in this Agreement: **lawn.**

3. PURCHASE PRICE. The total purchase price is **TWO THOUSAND, TWO HUNDRED AND 00/100 DOLLARS ($2,200.00).** This price includes the real property described in paragraph 1 and the improvements described in paragraph 2, if any.

4. CLOSING DATE AND PLACE. Transfer of Title shall take place through the mail or at a mutually acceptable location, on or about _____, 20_____. This Agreement may be subject to the approval of the Dutchess County Legislature.

5. BUYER'S POSSESSION OF THE PROPERTY. The Buyer shall provide full payment of the purchase price stated in paragraph 3 to the Seller prior to taking possession of the property rights. Any closing documents received by the Buyer prior to payment pursuant to paragraph 4 above, shall be held in escrow until such payment has been received by the Seller or the Seller's agent.

6. TERM OF TEMPORARY EASEMENT. The term of the Temporary Easement(s) shall be for three (3) years. The commencement date may be up to nine (9) months after the date of execution of the Temporary Easement. The Temporary Easement may be extended for two (2) additional one year terms at the option of the Buyer. Thirty (30) days prior to the expiration of the term or extended term of the Temporary Easement, the Buyer shall notify the Seller in writing of its intention to exercise its option of extending the term of the Temporary Easement for an additional one year. The Buyer shall include a check for the sum of $_____ with said written notification to the Seller.

7. TITLE DOCUMENTS. Buyer shall provide the following documents in connection with the sale:

A. Deed. Buyer will prepare and deliver to the Seller for execution at the time of closing all documents required to convey the real property interest(s) described in paragraph 1 above. Buyer will pay for a title search.

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. Seller agrees to cooperate with Buyer in its curative action activities. 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. In the alternative, the Seller may elect to satisfy the liens and encumbrances from another source of funds.

9. RECORDING COSTS AND CLOSING ADJUSTMENTS. Buyer will pay all recording fees, if any. 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 closing: 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 stipulations aforesaid shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.

11. ENTIRE AGREEMENT. This agreement when signed by both the Buyer and the Seller will be the record of the complete agreement between the Buyer and Seller concerning the purchase and sale of the property. No verbal agreements or promises will be binding.

12. 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.

IN WITNESS WHEREOF, on this _____ day of _____, 20____, the parties have entered into this Agreement.

APPROVED AS TO FORM:

_____
Department of Law

Seller: Barbara E Huber
Barbara E. Huber

Seller: Carolyn L Ohlson
Carolyn L. Ohlson

Seller: Paul J. Bogdan
Paul J. Bogdan

APPROVED AS TO CONTENT:

_____
Department of Public Works

COUNTY OF DUTCHESS

_____

Print Name: _____

Title: _____

'EXHIBIT A'

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

COUNTY ROUTE 9 (BEEKMAN ROAD) TACONIC STATE PARKWAY TO COUNTY ROUTE 10 (SYLVAN LAKE ROAD)

PIN 8755.38

MAP NO. 18
PARCEL NO. 18
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, for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and Eminent Domain Procedure Law.

All that piece or parcel of property hereinafter designated as Parcel No. 18, situate in the Town of East Fishkill, County of Dutchess, State of New York, as shown on the accompanying map and described as follows:

BEGINNING AT A POINT ON THE EASTERLY BOUNDARY OF MCDONNELLS LANE (A.K.A. MCDONALD ROAD) AT THE INTERSECTION OF SAID BOUNDARY WITH THE NORTHERLY BOUNDARY OF COUNTY ROUTE 9 (BEEKMAN ROAD), SAID POINT BEING 1.01±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 11+830.125± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF A PORTION OF COUNTY ROUTE 9 (BEEKMAN ROAD); THENCE NORTH 86°-24'-53" EAST ALONG THE LAST MENTIONED NORTHERLY BOUNDARY OF COUNTY ROUTE 9 (BEEKMAN ROAD) 10.44±m (34.3±FT.) TO A POINT 2.16±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 11+840.506± OF SAID BASELINE; THENCE NORTH 35°-57'-35" WEST THROUGH THE PROPERTY OF BARBARA E. HUBER, CAROLYN L. OHLSON AND PAUL J. BOGDAN (REPUTED OWNERS) 18.44±m(60.5±FT.) TO A POINT ON THE FIRST MENTIONED EASTERLY BOUNDARY OF MCDONNELLS LANE (A.K.A. MCDONALD ROAD), THE LAST MENTIONED POINT BEING 16.56±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 11+828.986± OF THE FORE TANGENT PRODUCED BACK OF SAID BASELINE; THENCE SOUTH 01°-29'-31" EAST ALONG THE LAST MENTIONED EASTERLY BOUNDARY OF MCDONNELLS LANE (A.K.A. MCDONALD ROAD) 15.59±m(51.1±FT.) TO THE POINT OF BEGINNING, SAID PARCEL BEING 81.32± SQUARE METERS (875.32± SQUARE FEET) MORE OR LESS.

THE ABOVE MENTIONED SURVEY BASELINE IS A PORTION OF THE 2006 SURVEY BASELINE FOR THE RE-CONSTRUCTION OF COUNTY ROUTE 9 (BEEKMAN ROAD) AS SHOWN ON THE MAP AND DESCRIBED AS FOLLOWS:

BEGINNING AT STATION 11+617.710; THENCE NORTH 76°-42'-59" EAST TO STATION 11+829.844; THENCE SOUTH 87°-18'-01" EAST TO STATION 11+983.063.

ALL BEARINGS REFERRED TO TRUE NORTH AT THE 74°-30' MERIDIAN OF WEST LONGITUDE.

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 SEPTEMBER 15th 2017

Joseph G. Malinowski - Land Surveyor
P.L.S. License No. 050314

M.J. Engineering and Land Surveying, P.C.
1533 Crescent Road
Clifton Park, NY 12065

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date Oct. 2 2017

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

STATE OF NEW YORK
JOSEPH G. MALINOWSKI
050314
LICENSED LAND SURVEYOR

MAP NUMBER
REVISED DATE
DATE PREPARED

FILE NAME = G:\mj\3-882\DGN\Acq Maps\18\18.dgn

DRAWN BY
CHECKED BY
FIELD CHECK BY J. MALINOWSKI

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 8 - City and Town of Poughkeepsie	Brendli	absent	
District 12 - Town of East Fishkill	Metzger (C)		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato (VC)		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 24 - Towns of Dover and Union Vale	Surman	absent	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston	absent	

Present: 8 **Resolution:** ✓ **Total :** 8 (Yes) 0 (No)

Absent: 4 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018174 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FROM BARBARA E. HUBER, CAROLYN L. OHLSON AND PAUL J. BOGDAN IN CONNECTION WITH A PROJECT TO IMPROVE A SECTION OF BEEKMAN ROAD (CR 9), IN THE TOWNS OF EAST FISHKILL AND BEEKMAN (PIN 8755.38)

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 **Resolution:** ✓ **Total :** 24 (Yes) 0 (No)

Absent: 1 **Motion:** ___

Vacant: 0 **Abstentions:** 0

2018174 AUTHORIZING ACQUISITION IN FEE OF REAL PROPERTY FROM BARBARA E. HUBER, CAROLYN L. OHLSON AND PAUL J. BOGDAN IN CONNECTION WITH A PROJECT TO IMPROVE A SECTION OF BEEKMAN ROAD (CR 9), IN THE TOWNS OF EAST FISHKILL AND BEEKMAN (PIN 8755.38)

July 9, 2018

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2018175

RE: AUTHORIZATION TO ACQUIRE A FEE ACQUISITION FROM MARK A. LANCASTER AND LOREN LANCASTER, IN CONNECTION WITH THE MYERS CORNERS ROAD (CR 93) IMPROVEMENTS PROJECT, TOWN OF WAPPINGER (PIN 8755.45)

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

WHEREAS, the Department of Public Works has proposed the improvement of Myers Corners Road (CR 93) in the Town of Wappinger, a project which includes the acquisition of certain portions of real property, and

WHEREAS, the Department of Public Works has determined that the improvement project (1) constitutes a Type II Action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and (2) will result in no significant adverse impact on the environment, and

WHEREAS, the Department of Public Works has made a determination that in order to complete the improvement project referenced above, it is necessary to acquire in fee a portion of real property as follows: real property shown on Map No. 21, Parcel No. 27 (approximately 195.94± square feet), located at 308 Myers Corners Road, Town of Wappinger, Dutchess County, described as Parcel Identification Number 135689-6358-01-163546-0000, presently owned by Mark A. Lancaster and Loren Lancaster, and

WHEREAS, the proposed Agreement to Purchase Real Property between the County and the property owner is annexed hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the subject property be purchased for the total sum of $1,000, plus an authorization to spend up to an additional $1,000 in related expenses, if necessary, and

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

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

RESOLVED, that on the receipt from the property owner of the executed deed to the aforementioned land, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, the County shall pay to the property owner the sum of $1,000 plus an additional $1,000 in related expenses, if necessary, in connection with the acquisition of this property.

CA-120-18
AMS/kvh/R-0946-S
06/08/18
Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/18/2018

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 9th day of July 2018, 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 9th day of July 2018.

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 $ 2,000

Total Current Year Revenue $ 1,900
and Source

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

Identify Line Items(s):
H0384.5110.3009 Roads ISTEA

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): $100
Over Five Years: _____

Additional Comments/Explanation:
This Fiscal Impact Statement Pertains to:
RESOLUTION REQUEST TO ACQUIRE A FEE ACQUISITION FROM MARK A. LANCASTER AND LOREN LANCASTER, IN CONNECTION WITH PIN 8755.45: MYERS CORNERS ROAD (CR 93) IMPROVEMENTS PROJECT, TOWN OF WAPPINGER, DUTCHESS COUNTY, NEW YORK

Request authorization to acquire a fee acquisition of a 18.20+/- square meter (195.94+/- square foot) parcel as shown on accompanying (Map 21, Parcel 27) for the purchase price of $1,000.00.

Related expenses in the amout of $1,000 are included in the Total Current Year Cost.

Prepared by: Matthew W. Davis 2929

ADVANCE PAYMENT AGREEMENT TO PURCHASE REAL PROPERTY

Project: **Myers Corners Road (CR 93) Improvements**
PIN or CIN: **8755.45** Map: **21** Parcel: **27**

This Advance Payment Agreement by and between **MARK A. LANCASTER** and **LOREN LANCASTER**, hereinafter referred to as the "Seller", residing at **308 Myers Corners Road, Wappingers Falls, New York 12590;** and the **COUNTY OF DUTCHESS**, with offices at 22 Market Street, Poughkeepsie, New York 12601, hereinafter referred to as the "Buyer".

1. PROPERTY DESCRIPTION. The Seller agrees to sell, grant, convey all right, title and interest to

   ☒ *all right title and interest* to **195.94±** square feet of real property. Purchase price is **$1,000.**

   ☐ a *permanent easement* to 0± square feet of real property. Purchase price is $0.

   ☐ a *temporary easement* to 0± square feet of real property. Purchase price is $0.

   Located at **308 Myers Corners Road, Town of Wappinger,** Dutchess County, New York and further described as parcel(s) **27** on Exhibit A, attached hereto.

   Being a portion of those same lands described in a Bargain and Sale deed dated **August 23, 1994**, and recorded on **9/6/1994**, in **Liber 1949 of Deeds at Page 487** in the Office of the County Clerk for Dutchess County, (Tax Map No. **6358-01-163546**).

2. IMPROVEMENTS INCLUDED IN THE ACQUISITION. The following improvements, if any, now in or on the property are included in this Advance Payment Agreement: **lawn and asphalt.**

3. PURCHASE PRICE. The Seller and the Buyer cannot agree upon the value of the real property interest(s) to be conveyed. The Buyer is willing to pay an amount equal to the highest approved appraisal of the just compensation for the property. This amount is **$1,000.00.** This amount includes the real property interest(s) described in Paragraph 1 and the improvements described in Paragraph 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 documents which the Buyer, deems necessary to authorize payment and to convey to the Buyer clear title to the property described in paragraph 1 subject to the claim of the Seller. The parties agree that the Seller's right of the advance payment shall not be conditioned on the waiver of any other right.

4. CLOSING. Payment of **$1,000.00** will be made by the Buyer to the Seller on or about March 15,2018. This Agreement may be subject to the approval of the Dutchess County Legislature.

5. CLAIM. In accordance with Article 5 of the New York State Eminent Domain Procedure Law, the Seller hereby reserves the right to file a claim in the Dutchess County Supreme Court. 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 OF CLAIM. It is understood and agreed by and between the parties hereto, that if the Seller intends to file a claim for additional compensation in the Dutchess County Supreme Court, he/she/it must file the claim within one (1) year from the date of the execution of this Agreement.

If the Seller fails to file the claim in the time period stated, 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. MARKETABILITY OF TITLE. Buyer shall pay for the costs associated with 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 agrees to cooperate with the Buyer in its curative action activities. 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. In the alternative, the Seller may elect to satisfy the liens and encumbrances from another source of funds.

8. RECORDING COSTS, & CLOSING ADJUSTMENTS. Buyer will pay all recording fees, if any. 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.

9. 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.

10. 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 acquisition of the property. No verbal agreements or promises will be binding.

11. 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.

12. PROJECT RELATED IMPROVEMENTS. The following improvements will occur within this acquisition as a result of the **Myers Corners Road (CR 93) Improvements** Project, PIN **8755.45**; Including, but not limited to the following: _____
_____.

IN WITNESS WHEREOF, on this _____ day of _____, 20____, the parties have entered into this Advance Payment Agreement.

APPROVED AS TO FORM:

_____
Department of Law

Seller: Mark A. Lancaster
Mark A. Lancaster

Seller: Loren Lancaster
Loren Lancaster

APPROVED AS TO CONTENT:

_____
Department of Public Works

COUNTY OF DUTCHESS:

Print Name: _____

Print Title: _____

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REALIGNMENT OF
COUNTY ROUTE 93
MYERS CORNERS ROAD

PIN 8755.45

MAP NO. 21
PARCEL NO. 27
SHEET 1 OF 2

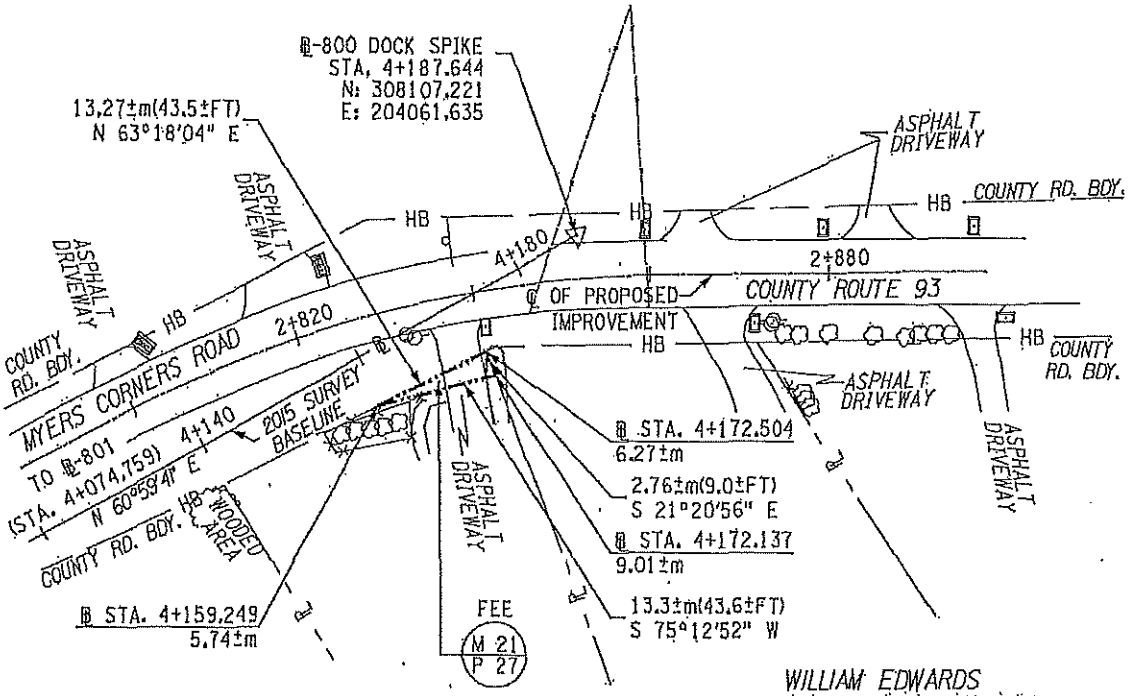
Originals of this map (sheets 1 & 2) are on file at the offices of the Dutchess County Department of Public Works.

ACQUISITION DESCRIPTION:
Type: FEE
Portion of Real Property Tax Parcel ID No:
135689-6358-01-163546-0000

MARK A. LANCASTER
& LOREN LANCASTER
(REPUTED OWNERS)
L. 1949 P. 487

Town of Wappinger
County of Dutchess
State of New York

REPUTED OWNERS:
MARK A. LANCASTER
& LOREN LANCASTER
308 MYERS CORNERS ROAD
WAPPINGERS FALLS, NY 12590



LINDA N. RAMANO,
CAROL F. GLASS
& RICHARD B. SCHULTZ
(REPUTED OWNERS)

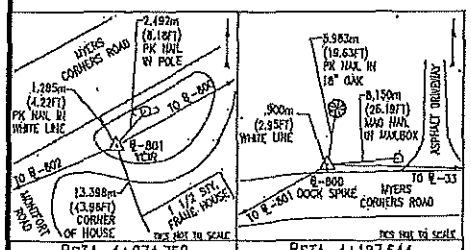
1 MONTFORT ROAD

308 MYERS CORNERS ROAD
18.20 SQ. METER±
195.94 SQ. FT±

MARK A. LANCASTER
& LOREN LANCASTER
(REPUTED OWNERS)

WILLIAM EDWARDS
& KAREN SEIDER EDWARDS
(REPUTED OWNERS)

310 MYERS CORNERS ROAD



℄STA. 4+074.759 ℄-801 Y.C.I.R.	℄STA. 4+187.644 ℄-800 DOCK SPIKE
NYSPCS EAST ZONE NAD 83/96 N: 306052.484m E: 203982.908m	NYSPCS EAST ZONE NAD 83/96 N: 308107.221m E: 204061.635m

10 0 10 20 30 m
SCALE 1:500
ONE METER EQUALS 3.28083333333 FEET.
ONE SQUARE METER EQUALS 10.7639673611 SQUARE FEET.

MAP NUMBER
REVISED DATE
DATE PREPARED

PREPARED BY D. COOPER CHECKED BY D. WIEDBALSKI FINAL CHECK BY J. WALTHOWSKI

FILE NAME = G:\AUTO22\2221 MYERS CORNER RD Re-Align Maps\M21P27.dgn

'EXHIBIT A'

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REALIGNMENT OF
COUNTY ROUTE 93
MYERS CORNERS ROAD

PIN 8755.45

MAP NO. 21
PARCEL NO. 27
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, for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and Eminent Domain Procedure Law.

ALL THAT PIECE OR PARCEL OF PROPERTY HEREINAFTER DESIGNATED AS PARCEL NO. 27, SITUATE IN THE TOWN OF WAPPINGER, COUNTY OF DUTCHESS, STATE OF NEW YORK, AS SHOWN ON THE ACCOMPANYING MAP AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY BOUNDARY OF COUNTY ROUTE 93 (MYERS CORNERS ROAD), AT THE INTERSECTION OF SAID BOUNDARY WITH THE DIVISION LINE BETWEEN THE PROPERTY OF WILLIAM EDWARDS AND KAREN SEIDER EDWARDS (REPUTED OWNERS) ON THE EAST AND THE PROPERTY OF MARK A. LANCASTER AND LOREN LANCASTER (REPUTED OWNERS) ON THE WEST, SAID POINT BEING 6.27±m DISTANT SOUTHEASTERLY MEASURED AT RIGHT ANGLES FROM STATION 4+172.504± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE REALIGNMENT OF COUNTY ROUTE 93 (MYERS CORNERS ROAD); THENCE SOUTH 21°-20'-56" EAST ALONG SAID DIVISION LINE 2.76±m(9.0±FT.) TO A POINT 9.01±m DISTANT SOUTHEASTERLY MEASURED AT RIGHT ANGLES FROM STATION 4+172.137± OF SAID BASELINE; THENCE SOUTH 75°-12'-52" WEST THROUGH THE PROPERTY OF MARK A. LANCASTER AND LOREN LANCASTER (REPUTED OWNERS) 13.3±m(43.6±FT.) TO A POINT ON THE FIRST MENTIONED SOUTHERLY BOUNDARY OF COUNTY ROUTE 93 (MYERS CORNERS ROAD), THE LAST MENTIONED POINT BEING 5.74±m DISTANT SOUTHEASTERLY MEASURED AT RIGHT ANGLES FROM STATION 4+159.249± OF SAID BASELINE; THENCE ALONG THE LAST MENTIONED SOUTHERLY BOUNDARY OF COUNTY ROUTE 93 (MYERS CORNERS ROAD) NORTH 63°-18'-04" EAST 13.27±m(43.5±FT.) TO THE POINT OF BEGINNING, SAID PARCEL BEING 18.20± SQUARE METERS (195.94± SQUARE FEET) MORE OR LESS.

THE ABOVE MENTIONED SURVEY BASELINE IS A PORTION OF THE 2015 SURVEY BASELINE FOR THE REALIGNMENT OF COUNTY ROUTE 93 (MYERS CORNERS ROAD), AND IS DESCRIBED AS FOLLOWS:

BEGINNING AT STATION 4+074.759; THENCE NORTH 60°-59'-41" EAST TO STATION 4+187.644.

ALL BEARINGS REFERRED TO TRUE NORTH AT THE 74°-30' MERIDIAN OF WEST LONGITUDE.

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date Sept 19 2017

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

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 Sept. 0 2017

Mark DeLor - Land Surveyor
P.L.S. License No. 050478

Moser Consulting P.A.
18 Computer Drive East, Suite 203
Albany, NY 12205

MAP NUMBER
REVISED DATE
DATE PREPARED

FILE NAME: G:\NRZZ\ZZZ1 MYERS CORNER RD\Re-Alig. Maps\R21P27Ledge

PREPARED BY D. COOPER CHECKED BY D. RIEDDALSKI FINAL CHECK BY J. MALINOWSKI

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 8 - City and Town of Poughkeepsie	Brendli	absent	
District 12 - Town of East Fishkill	Metzger (C)		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato (VC)		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 24 - Towns of Dover and Union Vale	Surman	absent	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston	absent	

Present: 8 **Resolution:** ✓ **Total :** 8 (Yes) 0 (No)

Absent: 4 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018175 AUTHORIZATION TO ACQUIRE A FEE ACQUISITION FROM MARK A. LANCASTER AND LOREN LANCASTER, IN CONNECTION WITH THE MYERS CORNERS ROAD (CR 93) IMPROVEMENTS PROJECT, TOWN OF WAPPINGER (PIN 8755.45)

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 **Resolution:** ✓ **Total :** 24 Yes 0 No

Absent: 1 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018175 AUTHORIZATION TO ACQUIRE A FEE ACQUISITION FROM MARK A. LANCASTER AND LOREN LANCASTER, IN CONNECTION WITH THE MYERS CORNERS ROAD (CR 93) IMPROVEMENTS PROJECT, TOWN OF WAPPINGER (PIN 8755.45)

July 9, 2018

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2018176

RE: AUTHORIZATION TO ACQUIRE A FEE ACQUISITION FROM ARNOLD STEPNEY, IN CONNECTION WITH THE MYERS CORNERS ROAD (CR 93) IMPROVEMENT PROJECT, TOWN OF WAPPINGER (PIN 8755.45)

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

WHEREAS, the Department of Public Works has proposed the improvement of Myers Corners Road (CR 93) in the Town of Wappinger, a project which includes the acquisition of certain portions of real property, and

WHEREAS, the Department of Public Works has determined that the improvement project (1) constitutes a Type II Action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and (2) will result in no significant adverse impact on the environment, and

WHEREAS, the Department of Public Works has made a determination that in order to complete the improvement project referenced above, it is necessary to acquire in fee a portion of real property as follows: real property shown on Map No. 60, Parcel No. 67 (approximately 48.95± square feet), located at 267 Myers Corners Road, Town of Wappinger, Dutchess County, described as Parcel Identification Number 135689-6258-02-922570-0000, presently owned by Arnold Stepney, and

WHEREAS, the proposed Agreement to Purchase Real Property between the County and the property owner is annexed hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the subject property be purchased for the total sum of $200, plus an authorization to spend up to an additional $1,000 in related expenses, if necessary, and

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

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

RESOLVED, that on the receipt from the property owner of the executed deed to the aforementioned land, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, the County shall pay to the property owner the sum of $200 plus an additional $1,000 in related expenses, if necessary, in connection with the acquisition of this property.

CA-121-18
AMS/kvh/R-0946-YY
06/08/18
Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/12/2018

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 9th day of July 2018, 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 9th day of July 2018.

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 $ 1,200

Total Current Year Revenue and Source $ 1,140

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

Identify Line Items(s):
H0384.5110.3009 Roads ISTEA

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): $60
Over Five Years: _____

Additional Comments/Explanation:
This Fiscal Impact Statement Pertains to:
RESOLUTION REQUEST TO ACQUIRE A FEE ACQUISITION FROM ARNOLD STEPNEY, IN CONNECTION WITH PIN 8755.45: MYERS CORNERS ROAD (CR 93) IMPROVEMENTS PROJECT, TOWN OF WAPPINGER, DUTCHESS COUNTY, NEW YORK

Request authorization to acquire a fee acquisition of a 4.55+/- square meter (48.95+/- square foot) parcel as shown on accompanying (Map 60, Parcel 67) for the purchase price of $200.00

Related expenses in the amount of $1,000 are included in the Total Current Year Cost.

Prepared by: Matthew W. Davis 2929

AGREEMENT TO PURCHASE REAL PROPERTY

Project: **Myers Corners Road (CR 93) Improvements**
PIN OR CIN: **8755.45** Map: **60** Parcel: **67**

This Agreement by and between **ARNOLD STEPNEY**, residing at **267 Myers Corners Road, Wappinger Falls, New York 12590**, hereinafter referred to as "Seller", and the **COUNTY OF DUTCHESS**, with offices at 22 Market Street, Poughkeepsie, New York 12601 hereinafter referred to as "Buyer".

1. PROPERTY DESCRIPTION. The Seller agrees to sell, grant, convey:

   ☒ *all right title and interest* to **48.95±** square feet of real property. Purchase price is **$200.**

   ☐ a *permanent easement* to **0±** square feet of real property. Purchase price is **0.**

   ☐ a *temporary easement* to **0±** square feet of real property. Purchase price is **0.**

   Located at 267 Myers Corners Road, Town of Wappinger, Dutchess County, New York, and is further described as parcel 67 on Exhibit "A", attached hereto.

   Being a portion of those same lands described in that certain deed dated December 7, 2016 and recorded December 22, 2016 in Document # 02 2016 9184 in the Office of the County Clerk for Dutchess County (re: Grid # 6258-02-922570),

2. IMPROVEMENTS INCLUDED IN THE PURCHASE. The following improvements, if any, now in or on the property are included in this Agreement: lawn.

3. PURCHASE PRICE. The total purchase price is **TWO HUNDRED AND 00/100 DOLLARS ($200.00).** This price includes the real property described in paragraph 1 and the improvements described in paragraph 2, if any.

4. CLOSING DATE AND PLACE. Transfer of Title shall take place through the mail or at a mutually acceptable location, on or about _____, 20_____. This Agreement may be subject to the approval of the Dutchess County Legislature.

5. BUYER'S POSSESSION OF THE PROPERTY. The Buyer shall provide full payment of the purchase price stated in paragraph 3 to the Seller prior to taking possession of the property rights. Any closing documents received by the Buyer prior to payment pursuant to paragraph 4 above, shall be held in escrow until such payment has been received by the Seller or the Seller's agent.

6. TERM OF TEMPORARY EASEMENT. The term of the Temporary Easement(s) shall be for three (3) years. The commencement date may be up to nine (9) months after the date of execution of the Temporary Easement. The Temporary Easement may be extended for two (2) additional one year terms at the option of the Buyer. Thirty (30) days prior to the expiration of the term or extended term of the Temporary Easement, the Buyer shall notify the Seller in writing of its intention to exercise its option of extending the term of the Temporary Easement for an additional one year. The Buyer shall include a check for the sum of $_____ with said written notification to the Seller.

7. TITLE DOCUMENTS. Buyer shall provide the following documents in connection with the sale:

A. Deed. Buyer will prepare and deliver to the Seller for execution at the time of closing all documents required to convey the real property interest(s) described in paragraph 1 above. Buyer will pay for a title search.

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. Seller agrees to cooperate with Buyer in its curative action activities. 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. In the alternative, the Seller may elect to satisfy the liens and encumbrances from another source of funds.

9. RECORDING COSTS AND CLOSING ADJUSTMENTS. Buyer will pay all recording fees, if any. 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 closing: 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 stipulations aforesaid shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.

11. ENTIRE AGREEMENT. This agreement when signed by both the Buyer and the Seller will be the record of the complete agreement between the Buyer and Seller concerning the purchase and sale of the property. No verbal agreements or promises will be binding.

12. 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.

IN WITNESS WHEREOF, on this 20 day of March, 2018, the parties have entered into this Agreement.

APPROVED AS TO FORM:

Department of Law

Seller: Arnold Stepney

APPROVED AS TO CONTENT:

Department of Public Works

COUNTY OF DUTCHESS

Print Name: _____

Title: _____

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REALIGNMENT OF
COUNTY ROUTE 93
MYERS CORNERS ROAD

PIN 8755.45

MAP NO. 60
PARCEL NO. 67
SHEET 1 OF 2

Originals of this map (sheets 1 & 2) are on file at the offices of the Dutchess County Department of Public Works.

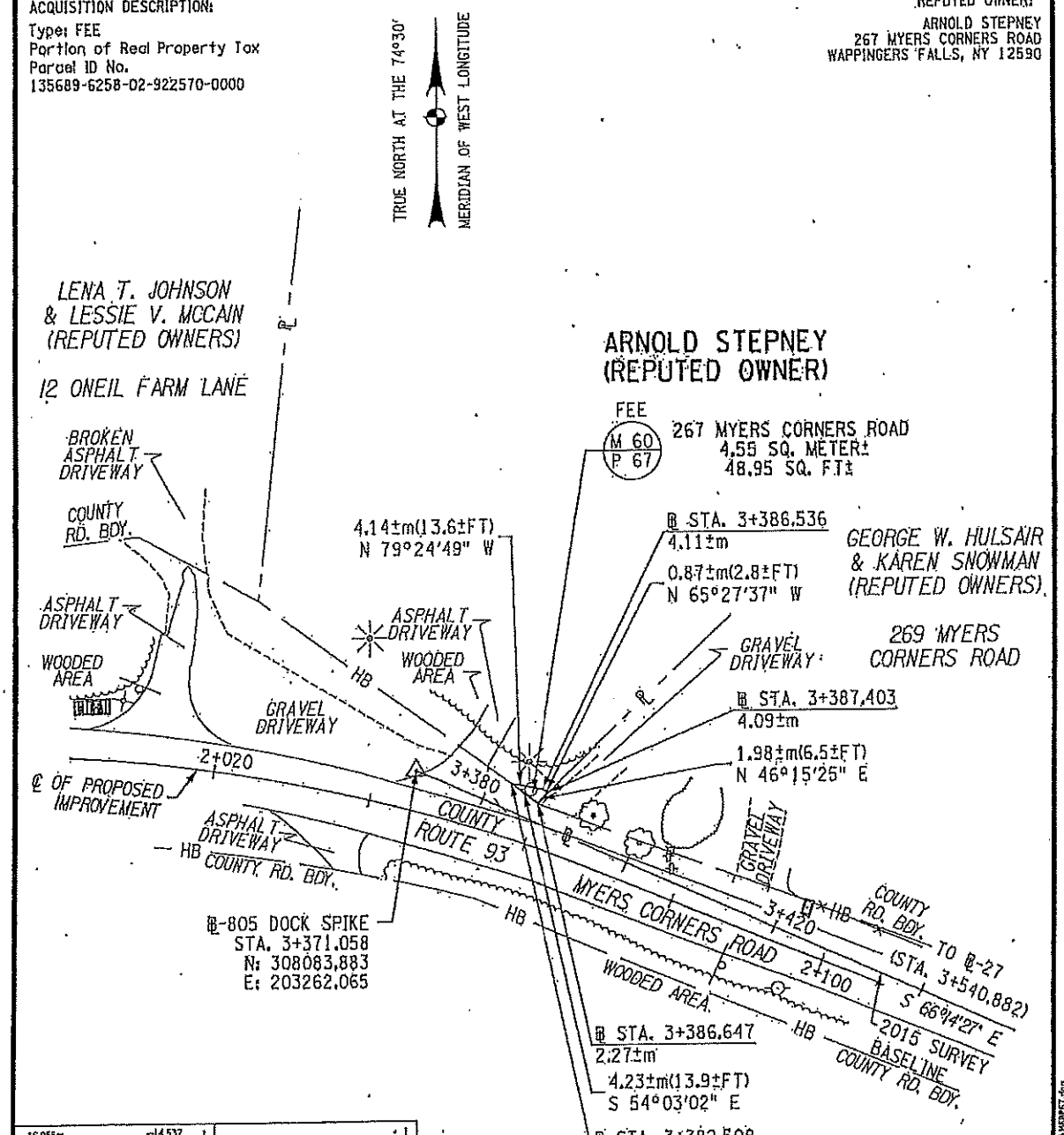
ARNOLD STEPNEY
(REPUTED OWNER)

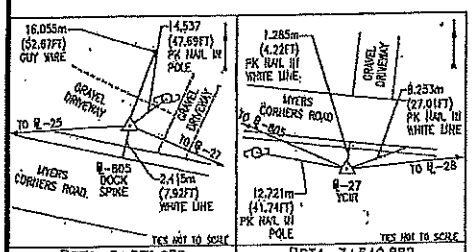
DOCUMENT# 02-2016-9184

Town of Wappinger
County of Dutchess
State of New York

ACQUISITION DESCRIPTION:
Type: FEE
Portion of Real Property Tax
Parcel ID No.
135689-6258-02-922570-0000

REPUTED OWNER:
ARNOLD STEPNEY
267 MYERS CORNERS ROAD
WAPPINGERS FALLS, NY 12590





STA. 3+371.058 ℄-805 DOCK SPIKE	STA. 3+540.882 ℄-27 Y.C.I.R.
NYSPCS EAST ZONE NAD 83/96 N: 308083.883m E: 203262.065m	NYSPCS EAST ZONE NAD 83/96 N: 308015.461m E: 203447.496m

10 0 10 20 30 m

SCALE 1:500

ONE METER EQUALS 3.28083333333 FEET;
ONE SQUARE METER EQUALS 10.7639673611 SQUARE FEET.

MAP NUMBER _____
REVISED DATE _____
DATE PREPARED _____

FILE NAME = G:\AUTO22\2223 MYERS CORNER RD\Sim\Maps\MBP67.dgn

PREPARED BY D. COOPER CHECKED BY D. HIEDBALSKI FINAL CHECK BY J. WALIHONSKI

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REALIGNMENT OF
COUNTY ROUTE 93
MYERS CORNERS ROAD

PIN 8755.45

MAP NO. 60
PARCEL NO. 67
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, for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and Eminent Domain Procedure Law.

ALL THAT PIECE OR PARCEL OF PROPERTY HEREINAFTER DESIGNATED AS PARCEL NO. 67, SITUATE IN THE TOWN OF WAPPINGER, COUNTY OF DUTCHESS, STATE OF NEW YORK, AS SHOWN ON THE ACCOMPANYING MAP AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY BOUNDARY OF COUNTY ROUTE 93 (MYERS CORNERS ROAD), AT THE INTERSECTION OF SAID BOUNDARY WITH THE DIVISION LINE BETWEEN THE PROPERTY OF GEORGE W. HULSAIR AND KAREN SNOWMAN (REPUTED OWNERS) ON THE EAST AND THE PROPERTY OF ARNOLD STEPNEY (REPUTED OWNER) ON THE WEST, SAID POINT BEING 2.27±m DISTANT NORTHEASTERLY MEASURED AT RIGHT ANGLES FROM STATION 3+386.647± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE REALIGNMENT OF COUNTY ROUTE 93 (MYERS CORNERS ROAD); THENCE NORTH 46°-15'-25" EAST ALONG SAID DIVISION LINE 1.98±m(6.5±FT.) TO A POINT 4.09±m DISTANT NORTHEASTERLY MEASURED AT RIGHT ANGLES FROM STATION 3+387.403± OF SAID BASELINE; THENCE THROUGH THE PROPERTY OF ARNOLD STEPNEY (REPUTED OWNER) THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) NORTH 65°-27'-37" WEST 0.87±m(2.8±FT.) TO A POINT 4.11±m DISTANT NORTHEASTERLY MEASURED AT RIGHT ANGLES FROM STATION 3+386.536± OF SAID BASELINE; AND (2) NORTH 79°-24'-49" WEST 4.14±m(13.6±FT.) TO A POINT ON THE FIRST MENTIONED NORTHERLY BOUNDARY OF COUNTY ROUTE 93 (MYERS CORNERS ROAD), THE LAST MENTIONED POINT BEING 3.16±m DISTANT NORTHEASTERLY MEASURED AT RIGHT ANGLES FROM STATION 3+382.508± OF SAID BASELINE; THENCE SOUTH 54°-03'-02" EAST ALONG THE LAST MENTIONED NORTHERLY BOUNDARY OF COUNTY ROUTE 93 (MYERS CORNERS ROAD) 4.23±m(13.9±FT.) TO THE POINT OF BEGINNING, SAID PARCEL BEING 4.55± SQUARE METERS (48.95± SQUARE FEET) MORE OR LESS.

THE ABOVE MENTIONED SURVEY BASELINE IS A PORTION OF THE 2015 SURVEY BASELINE FOR THE REALIGNMENT OF COUNTY ROUTE 93 (MYERS CORNERS ROAD), AND IS DESCRIBED AS FOLLOWS:

BEGINNING AT STATION 3+371.058; THENCE SOUTH 66°-14'-27" EAST TO STATION 3+540.882.

ALL BEARINGS REFERRED TO TRUE NORTH AT THE 74°-30' MERIDIAN OF WEST LONGITUDE.

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date Sept 19 2017

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

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 Sept 13 2017

Mark DeLor - Land Surveyor
P.L.S. License No. 050478

Moser Consulting P.A.
18 Computer Drive East, Suite 203
Albany, NY 12205

MAP NUMBER
REVISED DATE
DATE PREPARED

PREPARED BY D. COOPER CHECKED BY D. NIEBRALSKI FINAL CHECK BY J. MALINOWSKI

FILE NAME = G:\H2224\2223 MYERS CORNER RD\Re\Map Map\MGRFR2.dgn

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 8 - City and Town of Poughkeepsie	Brendli	absent	
District 12 - Town of East Fishkill	Metzger (C)		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato (VC)		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 24 - Towns of Dover and Union Vale	Surman	absent	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston	absent	

Present: 8 **Resolution:** ✓ **Total :** 8 (Yes) 0 (No)

Absent: 4 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018176 AUTHORIZATION TO ACQUIRE A FEE ACQUISITION FROM ARNOLD STEPNEY, IN CONNECTION WITH THE MYERS CORNERS ROAD (CR 93) IMPROVEMENT PROJECT, TOWN OF WAPPINGER (PIN 8755.45)

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 **Resolution:** ✓ **Total :** 24 (Yes) 0 (No)

Absent: 1 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018176 AUTHORIZATION TO ACQUIRE A FEE ACQUISITION FROM ARNOLD STEPNEY, IN CONNECTION WITH THE MYERS CORNERS ROAD (CR 93) IMPROVEMENT PROJECT, TOWN OF WAPPINGER (PIN 8755.45)

July 9, 2018

RESOLUTION NO. 2018177

RE: AUTHORIZATION TO ACQUIRE A FEE ACQUISITION FROM ROGER A. RYNKIEWICZ AND DENISE RYNKIEWICZ, IN CONNECTION WITH THE MYERS CORNERS ROAD (CR 93) IMPROVEMENT PROJECT, TOWN OF WAPPINGER (PIN 8755.45)

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

WHEREAS, the Department of Public Works has proposed the improvement of Myers Corners Road (CR 93) in the Town of Wappinger, a project which includes the acquisition of certain portions of real property, and

WHEREAS, the Department of Public Works has determined that the improvement project (1) constitutes a Type II Action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and (2) will result in no significant adverse impact on the environment, and

WHEREAS, the Department of Public Works has made a determination that in order to complete the improvement project referenced above, it is necessary to acquire in fee a portion of real property as follows: real property shown on Map No. 62, Parcel No. 69 (approximately 1,723.68 ± square feet), located at 1093 Route 376, Town of Wappinger, Dutchess County, described as Parcel Identification Number 135689-6358-01-271593-0000, presently owned by Roger A. Ryniewicz and Denise Rynkiewicz , and

WHEREAS, the proposed Advance Payment Agreement to Purchase Real Property between the County and the property owner is annexed hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the subject property be purchased for the total sum of $4,400, plus an authorization to spend up to an additional $1,000 in related expenses, if necessary, and

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

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

RESOLVED, that on the receipt from the property owner of the executed deed to the aforementioned land, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, the County shall pay to the property owner the sum of $4,400 plus an additional $1,000 in related expenses, if necessary, in connection with the acquisition of this property.

CA-115-18
AMS/kvh/R-0946-CC
06/12/18
Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/18/2018

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 9th day of July 2018, 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 9th day of July 2018.

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 $ 5,400

Total Current Year Revenue and Source $ 5,130

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

Identify Line Items(s):
H0384.5110.3009 Roads ISTEA

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): $270
Over Five Years: _____

Additional Comments/Explanation:
This Fiscal Impact Statement Pertains to:
RESOLUTION REQUEST TO ACQUIRE A FEE ACQUISITION FROM ROGER A. RYNIEWICZ AND DENISE RYNKIEWICZ, IN CONNECTION WITH PIN 8755.45: MYERS CORNERS ROAD (CR 93) IMPROVEMENTS PROJECT, TOWN OF WAPPINGER, DUTCHESS COUNTY, NEW YORK

Request authorization to acquire a fee acquisition of a 303.49+/- square meter (3,266.68+/- square foot) parcel as shown on accompanying (Map 31, Parcel 39) for the purchase price of $4,400.00.

Related expenses in the amount of $1,000 are included in the Total Current Year Cost.

Prepared by: Matthew W. Davis 2929

AGREEMENT TO PURCHASE REAL PROPERTY

Project: **Myers Corners Road (CR 93) Improvements**
PIN OR CIN: **8755.45** Maps: **31 & 62** Parcels: **39 & 69**

This Agreement by and between **ROGER A. RYNKIEWICZ** and **DENISE RYNKIEWICZ**, residing at 7 Winnie Lane, Wappingers Falls, New York 12590, hereinafter referred to as "Seller", and the **COUNTY OF DUTCHESS**, with offices at 22 Market Street, Poughkeepsie, New York 12601 hereinafter referred to as "Buyer".

1. PROPERTY DESCRIPTION. The Seller agrees to sell, grant, convey:

   ☒ *all right title and interest* to **1,723.68±** square feet of real property. Purchase price is **$4,400.**

   ☐ a *permanent easement* to **0±** square feet of real property. Purchase price is **$0.**

   ☒ a *temporary easement* to **3,266.68±** square feet of real property. Purchase price is **$2,000.**

   Located at 1093 Route 376, Town of Wappinger, Dutchess County, New York, and is further described as parcels 39 & 69 on Exhibit "A", attached hereto.

   Being a portion of those same lands described in that certain deed dated January 9, 2008 and recorded February 6, 2008 in Document # 02 2008 825 in the Office of the County Clerk for Dutchess County (re: Grid # 6358-01-271593),

2. IMPROVEMENTS INCLUDED IN THE PURCHASE. The following improvements, if any, now in or on the property are included in this Agreement: trees and bushes.

3. PURCHASE PRICE. The total purchase price is **SIX THOUSAND, FOUR HUNDRED AND 00/100 DOLLARS ($6,400.00).** This price includes the real property described in paragraph 1 and the improvements described in paragraph 2, if any.

4. CLOSING DATE AND PLACE. Transfer of Title shall take place through the mail or at a mutually acceptable location, on or about March 30, 20 18. This Agreement may be subject to the approval of the Dutchess County Legislature.

5. BUYER'S POSSESSION OF THE PROPERTY. The Buyer shall provide full payment of the purchase price stated in paragraph 3 to the Seller prior to taking possession of the property rights. Any closing documents received by the Buyer prior to payment pursuant to paragraph 4 above, shall be held in escrow until such payment has been received by the Seller or the Seller's agent.

6. TERM OF TEMPORARY EASEMENT. The term of the Temporary Easement(s) shall be for three (3) years. The commencement date may be up to nine (9) months after the date of execution of the Temporary Easement. The Temporary Easement may be extended for two (2) additional one year terms at the option of the Buyer. Thirty (30) days prior to the expiration of the term or extended term of the Temporary Easement, the Buyer shall notify the Seller in writing of its intention to exercise its option of extending the term of the Temporary Easement for an additional one year. The Buyer shall include a check for the sum of $ 1,300.00 with said written notification to the Seller.

7. TITLE DOCUMENTS. Buyer shall provide the following documents in connection with the sale:

A. Deed. Buyer will prepare and deliver to the Seller for execution at the time of closing all documents required to convey the real property interest(s) described in paragraph 1 above. Buyer will pay for a title search.

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. Seller agrees to cooperate with Buyer in its curative action activities. 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. In the alternative, the Seller may elect to satisfy the liens and encumbrances from another source of funds.

9. RECORDING COSTS AND CLOSING ADJUSTMENTS. Buyer will pay all recording fees, if any. 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 closing: 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 stipulations aforesaid shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.

11. ENTIRE AGREEMENT. This agreement when signed by both the Buyer and the Seller will be the record of the complete agreement between the Buyer and Seller concerning the purchase and sale of the property. No verbal agreements or promises will be binding.

12. 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.

IN WITNESS WHEREOF, on this 5th day of March, 2018, the parties have entered into this Agreement.

APPROVED AS TO FORM:

_____
Department of Law

Seller: Roger A. Rynkiewicz
Roger A. Rynkiewicz

Seller: Denise Rynkiewicz
Denise Rynkiewicz

APPROVED AS TO CONTENT:

_____
Department of Public Works

COUNTY OF DUTCHESS

_____

Print Name: _____

Title: _____

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

Rev2

REALIGNMENT OF
COUNTY ROUTE 93
MYERS CORNERS ROAD

PIN 8755.45

MAP NO. 31
PARCEL NO. 39
SHEET 1 OF 2

Originals of this map (sheets 1. & 2) are on file at the offices of the Dutchess County Department of Public Works.

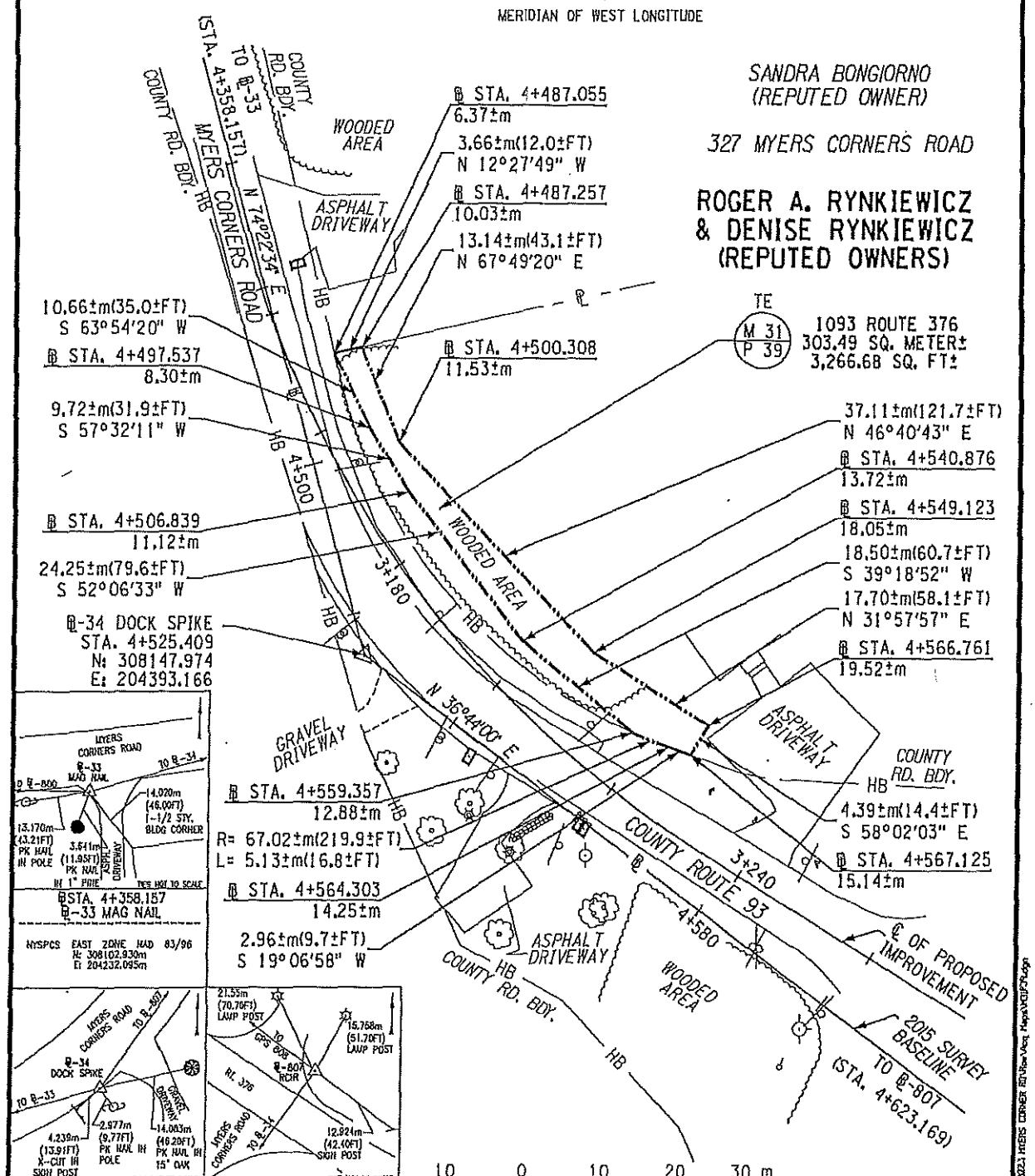
ACQUISITION DESCRIPTION:
Type: TEMPORARY EASEMENT
Portion of Real Property Tax Parcel ID No.
135689-6358-01-271593-0000

ROGER A. RYNKIEWICZ
& DENISE RYNKIEWICZ
(REPUTED OWNERS)
DOCUMENT #02-2008-825

Town of Wappinger
County of Dutchess
State of New York

REPUTED OWNERS:
ROGER A. RYNKIEWICZ
& DENISE RYNKIEWICZ
1093 ROUTE 376
WAPPINGERS FALLS, NY 12590

TRUE NORTH AT THE 74°30'
MERIDIAN OF WEST LONGITUDE



MAP NUMBER _____
REVISED DATE _____
DATE PREPARED _____

PREPARED BY D. COOPER CHECKED BY D. NIEDBALSKI FINAL CHECK BY J. MALINOWSKI

FILE NAME = DAM3322.0223 MYERS CORNER RD/Sur/Acq Maps/MCIP/Page

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REALIGNMENT OF
COUNTY ROUTE 93
MYERS CORNERS ROAD

PIN 8755.45

MAP NO. 31
PARCEL NO. 39
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 a temporary easement, for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and Eminent Domain Procedure Law.

PARCEL NO. 39, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF A WORK AREA IN CONNECTION WITH THE REHABILITATION OF COUNTY ROUTE 93 (MYERS CORNERS ROAD) TO GRADE THE SIDE SLOPES TO MEET THE EXISTING GROUND, RECONSTRUCT THE DRIVEWAY, SEEDING TO RE-ESTABLISH A GRASS SURFACE, AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT; DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY BOUNDARY OF COUNTY ROUTE 93 (MYERS CORNERS ROAD), AT THE INTERSECTION OF SAID BOUNDARY WITH THE DIVISION LINE BETWEEN THE PROPERTY OF SANDRA BONGIORNO (REPUTED OWNER) ON THE WEST AND THE PROPERTY OF ROGER A. RYNKIEWICZ AND DENISE RYNKIEWICZ (REPUTED OWNERS) ON THE EAST, SAID POINT BEING 6.37±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 4+487.055± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE REALIGNMENT OF COUNTY ROUTE 93 (MYERS CORNERS ROAD); THENCE NORTH 12°-27'-49" WEST ALONG SAID DIVISION LINE 3.66±m(12.0±FT.) TO A POINT 10.03±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 4+487.257± OF SAID BASELINE; THENCE THROUGH THE PROPERTY OF ROGER A. RYNKIEWICZ AND DENISE RYNKIEWICZ (REPUTED OWNERS) THE FOLLOWING FOUR (4) COURSES AND DISTANCES: (1) NORTH 67°-49'-20" EAST 13.14±m(43.1±FT.) TO A POINT 11.53±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 4+500.308± OF SAID BASELINE; (2) NORTH 46°-40'-43" EAST 37.11±m(121.7±FT.) TO A POINT 18.05±m DISTANT NORTHWESTERLY MEASURED AT RIGHT ANGLES FROM STATION 4+549.123± OF SAID BASELINE; (3) NORTH 31°-57'-57" EAST 17.70±m(58.1±FT.) TO A POINT 19.52±m DISTANT NORTHWESTERLY MEASURED AT RIGHT ANGLES FROM STATION 4+566.761± OF SAID BASELINE; AND (4) SOUTH 58°-02'-03" EAST 4.39±m(14.4±FT.) TO A POINT ON THE FIRST MENTIONED NORTHERLY BOUNDARY OF COUNTY ROUTE 93 (MYERS CORNERS ROAD), THE LAST MENTIONED POINT BEING 15.14±m DISTANT NORTHWESTERLY MEASURED AT RIGHT ANGLES FROM STATION 4+567.125± OF SAID BASELINE; THENCE ALONG THE LAST MENTIONED NORTHERLY BOUNDARY OF COUNTY ROUTE 93 (MYERS CORNERS ROAD) THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) SOUTH 19°-06'-58" WEST 2.96±m(9.7±FT.) TO A POINT 14.25±m DISTANT NORTHWESTERLY MEASURED AT RIGHT ANGLES FROM STATION 4+564.303± OF SAID BASELINE; AND (2) ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 67.02±m(219.9±FT.), A DISTANCE OF 5.13±m(16.8±FT.) TO A POINT ON THE PROPOSED NORTHERLY BOUNDARY OF COUNTY ROUTE 93 (MYERS CORNERS ROAD), THE LAST MENTIONED POINT BEING 12.88±m DISTANT NORTHWESTERLY MEASURED AT RIGHT ANGLES FROM STATION 4+559.357± OF SAID BASELINE; THENCE ALONG THE LAST MENTIONED PROPOSED NORTHERLY BOUNDARY OF COUNTY ROUTE 93 (MYERS CORNERS ROAD) THE FOLLOWING FOUR (4) COURSES AND DISTANCES: (1) SOUTH 39°-18'-52" WEST 18.50±m(60.7±FT.) TO A POINT 13.72±m DISTANT NORTHWESTERLY MEASURED AT RIGHT ANGLES FROM STATION 4+540.876± OF SAID BASELINE; (2) SOUTH 52°-06'-33" WEST 24.25±m(79.6±FT.) TO A POINT 11.12±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 4+506.839± OF SAID BASELINE; (3) SOUTH 57°-32'-11" WEST 9.72±m(31.9±FT.) TO A POINT 8.30±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 4+497.537± OF SAID BASELINE; AND (4) SOUTH 63°-54'-20" WEST 10.66±m(35.0±FT.) TO THE POINT OF BEGINNING, SAID PARCEL BEING 303.49± SQUARE METERS (3,266.68± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE, OR INTEREST IN AND TO THE PROPERTY ABOVE DELINEATED, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHT 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 ESTABLISHED BY, THE CONSTRUCTION OR RECONSTRUCTION AND AS SO CONSTRUCTED OR RECONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

THE ABOVE MENTIONED SURVEY BASELINE IS A PORTION OF THE 2015 SURVEY BASELINE FOR THE REALIGNMENT OF COUNTY ROUTE 93 (MYERS CORNERS ROAD), AND IS DESCRIBED AS FOLLOWS:

BEGINNING AT STATION 4+358.157; THENCE NORTH 74°-22'-34" EAST TO STATION 4+525.409; THENCE NORTH 36°-44'-00" EAST TO STATION 4+623.169.

ALL BEARINGS REFERRED TO TRUE NORTH AT THE 74°-30' MERIDIAN OF WEST LONGITUDE.

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date_____2017

_____

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

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 _____2017

_____

Mark DeLor - Land Surveyor
P.L.S. License No. 050478

Maser Consulting P.A.
18 Computer Drive East, Suite 203
Albany, NY 12205

MAP NUMBER _____
REVISED DATE _____
DATE PREPARED _____

FILE NAME = G:\DUCS\2021 MYERS CORNER RD\Row\Acq Maps\V03\P39.dgn

PREPARED BY D. COOPER CHECKED BY D. MEDRALSKI FINAL CHECK BY J. WALINOWSKI

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

Rev0

REALIGNMENT OF
COUNTY ROUTE 93
MYERS CORNERS ROAD

PIN 8755.45

MAP NO. 62
PARCEL NO. 69
SHEET 1 OF 2

Originals of this map (sheets 1 & 2) are on file at the offices of the Dutchess County Department of Public Works.

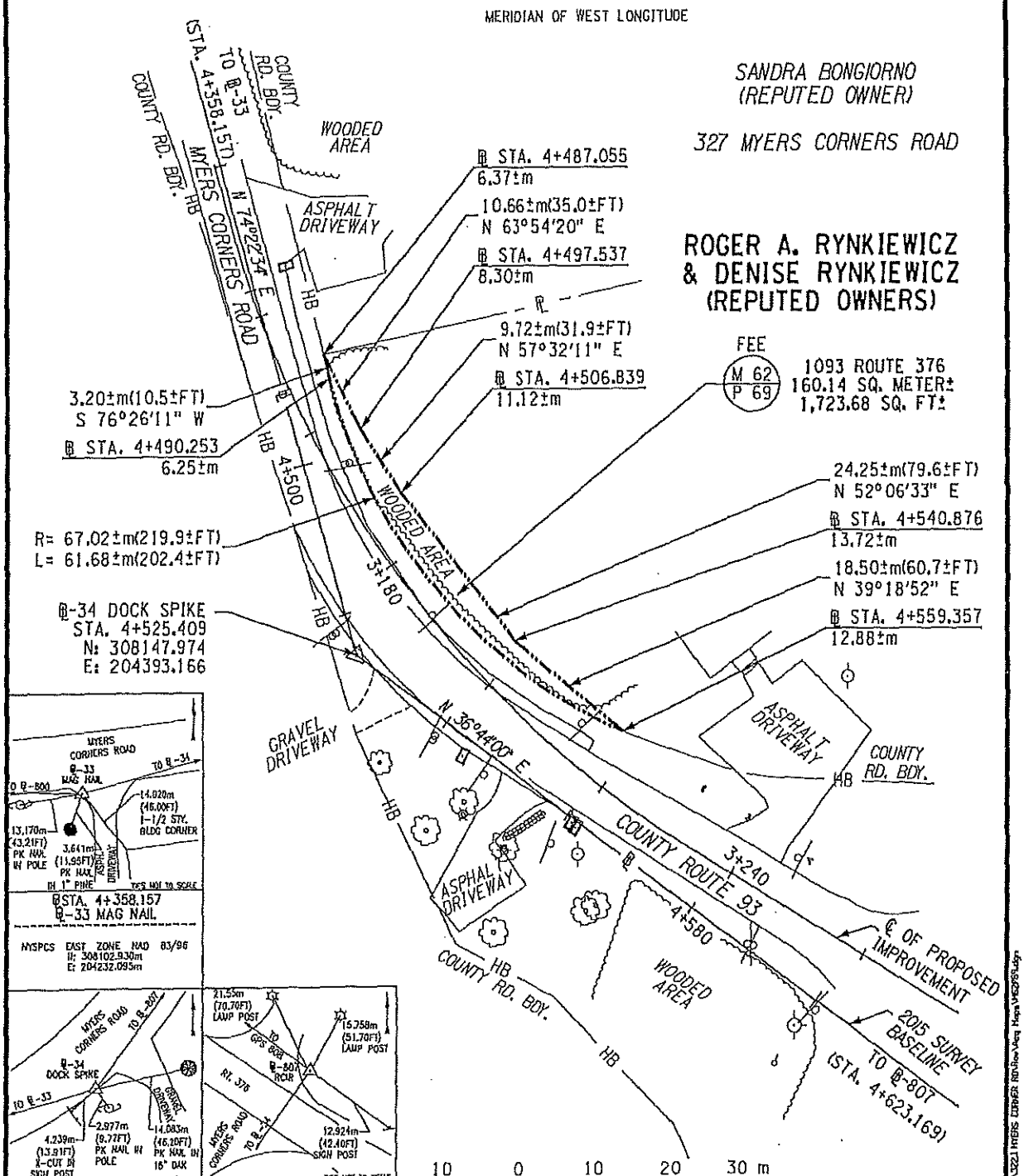
ROGER A. RYNKIEWICZ
& DENISE RYNKIEWICZ
(REPUTED OWNERS)
DOCUMENT #02-2008-825

Town of Wappinger
County of Dutchess
State of New York

ACQUISITION DESCRIPTION:
Type: FEE
Portion of Real Property Tax
Parcel ID No.
135689-6358-01-271593-0000

REPUTED OWNERS:
ROGER A. RYNKIEWICZ
& DENISE RYNKIEWICZ
1093 ROUTE 376
WAPPINGERS FALLS, NY 12590

TRUE NORTH AT THE 74°30'
MERIDIAN OF WEST LONGITUDE



MAP NUMBER
REVISED DATE
DATE PREPARED

PREPARED BY D. COOPER CHECKED BY D. WIEDBALSKI FINAL CHECK BY J. WALIKOWSKI

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REALIGNMENT OF
COUNTY ROUTE 93
MYERS CORNERS ROAD

PIN 8755.45

MAP NO. 62
PARCEL NO. 69
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, for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and Eminent Domain Procedure Law.

ALL THAT PIECE OR PARCEL OF PROPERTY HEREINAFTER DESIGNATED AS PARCEL NO. 69, SITUATE IN THE TOWN OF WAPPINGER, COUNTY OF DUTCHESS, STATE OF NEW YORK, AS SHOWN ON THE ACCOMPANYING MAP AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY BOUNDARY OF COUNTY ROUTE 93 (MYERS CORNERS ROAD), AT THE INTERSECTION OF SAID BOUNDARY WITH THE DIVISION LINE BETWEEN THE PROPERTY OF ROGER A. RYNKIEWICZ AND DENISE RYNKIEWICZ (REPUTED OWNERS) ON THE EAST AND THE PROPERTY OF SANDRA BONGIORNO (REPUTED OWNER) ON THE WEST, SAID POINT BEING 6.37±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 4+487.055± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE REALIGNMENT OF COUNTY ROUTE 93 (MYERS CORNERS ROAD); THENCE THROUGH THE PROPERTY OF ROGER A. RYNKIEWICZ AND DENISE RYNKIEWICZ (REPUTED OWNERS) THE FOLLOWING FOUR (4) COURSES AND DISTANCES: (1) NORTH 63°-54'-20" EAST 10.66±m(35.0±FT.) TO A POINT 8.30±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 4+497.537± OF SAID BASELINE; (2) NORTH 57°-32'-11" EAST 9.72±m(31.9±FT.) TO A POINT 11.12±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 4+506.839± OF SAID BASELINE; (3) NORTH 52°-06'-33" EAST 24.25±m(79.6±FT.) TO A POINT 13.72±m DISTANT NORTHWESTERLY MEASURED AT RIGHT ANGLES FROM STATION 4+540.876± OF SAID BASELINE; AND (4) NORTH 39°-18'-52" EAST 18.50±m(60.7±FT.) TO A POINT ON THE FIRST MENTIONED NORTHERLY BOUNDARY OF COUNTY ROUTE 93 (MYERS CORNERS ROAD), THE LAST MENTIONED POINT BEING 12.88±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 4+559.357± OF SAID BASELINE; THENCE ALONG THE LAST MENTIONED NORTHERLY BOUNDARY OF COUNTY ROUTE 93 (MYERS CORNERS ROAD) THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) SOUTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 67.02±m(219.9±FT.), A DISTANCE OF 61.68±m(202.4±FT.) TO A POINT 6.25±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 4+490.253± OF SAID BASELINE; AND (2) SOUTH 76°-26'-11" WEST 3.20±m(10.5±FT.) TO THE POINT OF BEGINNING, SAID PARCEL BEING 160.14± SQUARE METERS (1,723.68± SQUARE FEET) MORE OR LESS.

THE ABOVE MENTIONED SURVEY BASELINE IS A PORTION OF THE 2015 SURVEY BASELINE FOR THE REALIGNMENT OF COUNTY ROUTE 93 (MYERS CORNERS ROAD), AND IS DESCRIBED AS FOLLOWS:

BEGINNING AT STATION 4+358.157; THENCE NORTH 74°-22'-34" EAST TO STATION 4+525.409; THENCE NORTH 36°-44'-00" EAST TO STATION 4+623.169.

ALL BEARINGS REFERRED TO TRUE NORTH AT THE 74°-30' MERIDIAN OF WEST LONGITUDE.

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date_____2017

_____

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

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 _____2017

_____

Mark DeLor - Land Surveyor
P.L.S. License No. 050478

Moser Consulting P.A.
18 Computer Drive East, Suite 203
Albany, NY 12205

MAP NUMBER _____
REVISED DATE _____
DATE PREPARED _____

FILE NAME = G:\HIDDEN\2021 MYERS CORNER RD\Raw\Acq Maps\MC29PA.dgn

PREPARED BY D. COOPER CHECKED BY R. DIEHL FINAL CHECK BY J. WALKHOUSE

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 8 - City and Town of Poughkeepsie	Brendli	absent	
District 12 - Town of East Fishkill	Metzger (C)		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato (VC)		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 24 - Towns of Dover and Union Vale	Surman	absent	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston	absent	

Present: 8 **Resolution:** ✓ **Total :** 8 (Yes) 0 (No)

Absent: 4 **Motion:** ____ **Abstentions:** 0

Vacant: 0

2018177 AUTHORIZATION TO ACQUIRE A FEE ACQUISITION FROM ROGER A. RYNKIEWICZ AND DENISE RYNKIEWICZ, IN CONNECTION WITH THE MYERS CORNERS ROAD (CR 93) IMPROVEMENT PROJECT, TOWN OF WAPPINGER (PIN 8755.45)

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 **Resolution:** ✓ **Total :** 24 (Yes) 0 (No)

Absent: 1 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018177 AUTHORIZATION TO ACQUIRE A FEE ACQUISITION FROM ROGER A. RYNKIEWICZ AND DENISE RYNKIEWICZ, IN CONNECTION WITH THE MYERS CORNERS ROAD (CR 93) IMPROVEMENT PROJECT, TOWN OF WAPPINGER (PIN 8755.45)

July 9, 2018

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2018178

RE: AUTHORIZATION TO ACQUIRE A PERMANENT EASEMENT FROM GAS LAND PETROLEUM, INC. IN CONNECTION WITH THE MYERS CORNERS ROAD (CR 93) IMPROVEMENT PROJECT, TOWN OF WAPPINGER (PIN 8755.45)

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

WHEREAS, the Department of Public Works has proposed the improvement of Myers Corners Road (CR 93) in the Town of Wappinger, a project which includes the acquisition of certain portions of real property and permanent easement; and

WHEREAS, the Department of Public Works has determined that the improvement project (1) constitutes a Type II Action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and (2) will result in no significant adverse impact on the environment, and

WHEREAS, the Department of Public Works has made a determination that in order to complete the improvement project referenced above, it is necessary to acquire a permanent easement of a portion of real property as follows: real property shown on Map No. 45, Parcel No. 58, (approximately 424.90± square feet), located at233 Myers Corners Road, Town of Wappinger, Dutchess County, described as Parcel Identification Number 135689-6258-02-730572-0000, presently owned by Gas Land Petroleum, Inc., and

WHEREAS, the proposed Agreement to Purchase Real Property for a permanent easement between the County and the property owner is annexed hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the subject permanent easement be purchased for the total sum of $4,200, plus an authorization to spend up to an additional $1,000 in related expenses, if necessary, and

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

RESOLVED, that the County Executive, or his designee, is authorized to execute the Agreement to Purchase Real Property for a permanent easement in substantially the same form as annexed hereto along with any other necessary documents in connection with this acquisition, and be it further

RESOLVED, that on the receipt from the property owner of the executed permanent easement to the aforementioned land, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, the County shall pay to the property owner the sum of $4,200 plus an additional $1,000 in related expenses, if necessary, in connection with the acquisition of this property.

CA-119-18
AMS/kvh/R-00946-QQ
06/08/18
Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/19/2019

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 9th day of July 2018, 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 9th day of July 2018.

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 $ 5,200

Total Current Year Revenue and Source $ 4,940

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

Identify Line Items(s):
H0384.5110.3008 Roads ISTEA

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): $260
Over Five Years: _____

Additional Comments/Explanation:
This Fiscal Impact Statement Pertains to:
RESOLUTION REQUEST TO ACQUIRE A FEE ACQUISITION FROM GAS LAND PETROLEUM, INC., IN CONNECTION WITH PIN 8755.45: MYERS CORNERS ROAD (CR 93) IMPROVEMENTS PROJECT, TOWN OF WAPPINGER, DUTCHESS COUNTY, NEW YORK

Request authorization to acquire a permanent easement to a 39.47+/- square meter (424.90+/- square foot) parcel as shown on accompanying (Map 45, Parcel 58) for the purchase price of $4,200.00

Related expenses in the amout of $1,000 are included in the Total Current Year Cost.

Prepared by: Matthew W. Davis 2929

RESOLUTION REQUEST FORM

Date of Legislative Meeting: 7/9/18

Department:
DPW Engineering

Contact (Name & Phone No.):
Matthew W. Davis 2929

Purpose of Resolution: (*check appropriate boxes:*)

- ☐ Personnel (Involving Authorized Positions)
- ☐ Authorizing Grant Application
- ☐ Contract/Lease Authorization (using budgeted funds)
- Budget Amendment
  - ☐ Grant
  - ☐ Contingency
  - ☐ Other (specify below)
- ☐ Capital Project
- ☒ Other (specify below)

Brief Description of Request:

RESOLUTION REQUEST TO ACQUIRE A FEE ACQUISITION FROM GAS LAND PETROLEUM, INC., IN CONNECTION WITH PIN 8755.45: MYERS CORNERS ROAD (CR 93) IMPROVEMENTS PROJECT, TOWN OF WAPPINGER, DUTCHESS COUNTY, NEW YORK

Request authorization to acquire a permanent easement to a 39.47+/- square meter (424.90+/- square foot) parcel as shown on accompanying (Map 45, Parcel 58) for the purchase price of $4,200.00

Related expenses in the amout of $1,000 are included in the Fiscal Impact (current year) of resolution.

Fiscal Impact (current year) of resolution: $ 5,200
(Attach completed Fiscal Impact Statement)

Budget Amendment(s) & Capital Projects:

	Line No.	Description	Increase	Decrease
			$0	$0
Appropriations:			$0	$0
Revenues:			$0	$0
			$0	$0

4/7/18
(Date)

(Department Head Signature)

ADVANCE PAYMENT AGREEMENT TO PURCHASE REAL PROPERTY

Project: Myers Corners Road (CR 93) Improvements
PIN or CIN: 8755.45 Map: 45 Parcel: 58

This Advance Payment Agreement by and between **GAS LAND PETROLEUM, INC.**, hereinafter referred to as the "Seller", with offices at 785 Broadway, Kingston, New York 12401; and the **COUNTY OF DUTCHESS**, with offices at 22 Market Street, Poughkeepsie, New York 12601, hereinafter referred to as the "Buyer".

1. PROPERTY DESCRIPTION. The Seller agrees to sell, grant, convey all right, title and interest to

☐ *all right title and interest* to ± square feet of real property. Purchase price is $0.

☒ a *permanent easement* to **424.90**± square feet of real property. Purchase price is **$4,200.**

☐ a *temporary easement* to 0± square feet of real property. Purchase price is $0.00.

Located at 233 Myers Corners Road, Town of Wappinger, Dutchess County, New York and further described as parcel 58 on Exhibit A, attached hereto.

Being a portion of those same lands described in a deed dated 12/20/2011, and recorded on 1/4/2012, in Document # 02 2012 30 in the Office of the County Clerk for Dutchess County, (Grid No. 6258-02-730572).

2. IMPROVEMENTS INCLUDED IN THE ACQUISITION. The following improvements, if any, now in or on the property are included in this Advance Payment Agreement: lawn, **asphalt, curbing and bushes.**

3. PURCHASE PRICE. The Seller and the Buyer cannot agree upon the value of the real property interest(s) to be conveyed. The Buyer is willing to pay an amount equal to the highest approved appraisal of the just compensation for the property. This amount is **FOUR THOUSAND, TWO HUNDRED AND 00/100 DOLLARS ($4,200.00)**. This amount includes the real property interest(s) described in Paragraph 1 and the improvements described in Paragraph 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 documents which the Buyer, deems necessary to authorize payment and to convey to the Buyer clear title to the property described in paragraph 1 subject to the claim of the Seller. The parties agree that the Seller's right of the advance payment shall not be conditioned on the waiver of any other right.

4. CLOSING. Payment of **FOUR THOUSAND, TWO HUNDRED AND 00/100 DOLLARS ($4,200.00)** will be made by the Buyer to the Seller on or about March 30, 2018. This Agreement may be subject to the approval of the Dutchess County Legislature.

5. CLAIM. In accordance with Article 5 of the New York State Eminent Domain Procedure Law, the Seller hereby reserves the right to file a claim in the Dutchess County Supreme Court. 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 OF CLAIM. It is understood and agreed by and between the parties hereto, that if the Seller intends to file a claim for additional compensation in the Dutchess County Supreme Court, he/she/it must file the claim within one (1) year from the date of the execution of this Agreement.

7. If the Seller fails to file the claim in the time period stated, 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.

8. MARKETABILITY OF TITLE. Buyer shall pay for the costs associated with 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 agrees to cooperate with the Buyer in its curative action activities. 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. In the alternative, the Seller may elect to satisfy the liens and encumbrances from another source of funds.

9. RECORDING COSTS, & CLOSING ADJUSTMENTS. Buyer will pay all recording fees, if any. 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 acquisition 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 acquisition as a result of the Myers Corners Road (CR 93) Improvements Project, PIN 8755.45; Including, but not limited to the following: **shoulder and curb improvements.**

IN WITNESS WHEREOF, on this _____ day of _____, 2018, the parties have entered into this Advance Payment Agreement.

APPROVED AS TO FORM:

_____
Department of Law

APPROVED AS TO CONTENT:

_____
Department of Public Works

GAS LAND PETROLEUM, INC.

Seller: _____

COUNTY OF DUTCHESS:

Buyer: _____

Print Name: _____

Title: _____

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

Rev2

REALIGNMENT OF
COUNTY ROUTE 93
MYERS CORNERS ROAD

PIN 8755.45

MAP NO. 45
PARCEL NO. 58
SHEET 1 OF 2

Originals of this map (sheets 1 & 2) are on file at the offices of the Dutchess County Department of Public Works.

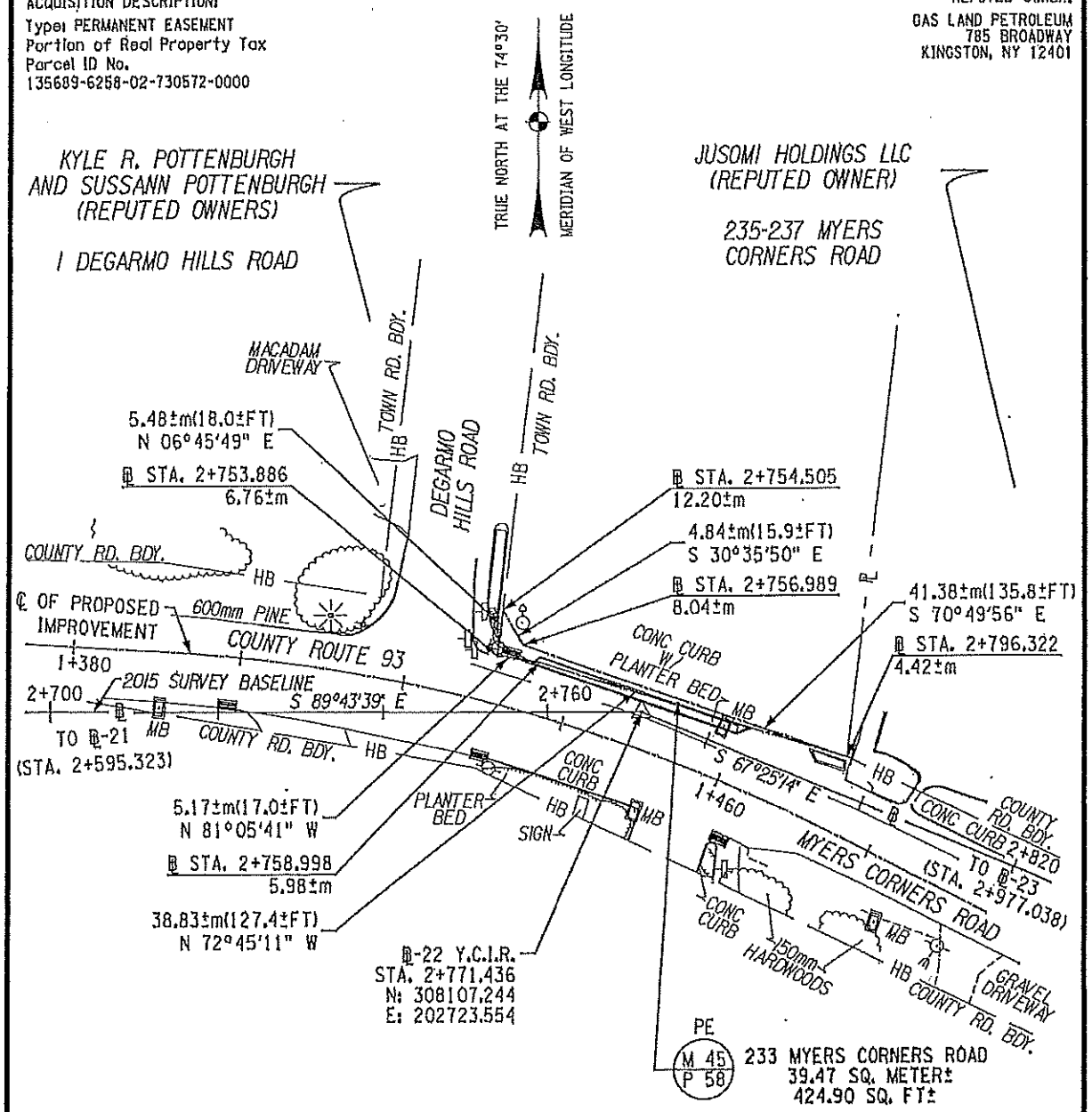
GAS LAND PETROLEUM INC.
(REPUTED OWNER)

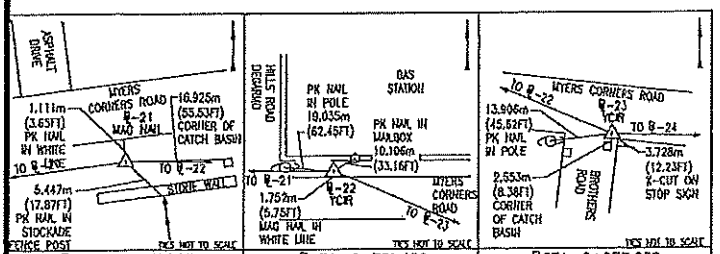
DOCUMENT# 02-2012-30

Town of Wappinger
County of Dutchess
State of New York

ACQUISITION DESCRIPTION:
Type: PERMANENT EASEMENT
Portion of Real Property Tax
Parcel ID No.
135689-6258-02-730572-0000

REPUTED OWNER:
GAS LAND PETROLEUM
785 BROADWAY
KINGSTON, NY 12401





℄STA. 2+595.323 ℄-21 MAG NAIL	℄STA. 2+771.436 ℄-22 Y.C.I.R.	℄STA. 2+977.038 ℄-23 Y.C.I.R.
NYSPCS EAST ZONE NAD 83/96 N: 308109.082m E: 202547.443m	NYSPCS EAST ZONE NAD 83/96 N: 308107.244m E: 202723.554m	NYSPCS EAST ZONE NAD 83/96 N: 308028.300m E: 202913.396m

GAS LAND PETROLEUM INC.
(REPUTED OWNER)

MAP NUMBER _____
REVISED DATE _____
DATE PREPARED _____

10 0 10 20 30 m

SCALE 1:500

ONE METER EQUALS 3.28083333333 FEET.
ONE SQUARE METER EQUALS 10.7638673611 SQUARE FEET.

PREPARED BY D. COOPER CHECKED BY D. NIEDBALSKI FINAL CHECK BY J. MALINOWSKI

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REALIGNMENT OF
COUNTY ROUTE 93
MYERS CORNERS ROAD

PIN 8755.45

MAP NO. 45
PARCEL NO. 58
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 a permanent easement, for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and Eminent Domain Procedure Law.

A PERMANENT EASEMENT TO BE EXERCISED IN, ON AND OVER THE PROPERTY ABOVE DELINEATED FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING AND MAINTAINING THEREON THE WIDENING OF COUNTY ROUTE 93 (MYERS CORNERS ROAD) FOR THE REALIGNMENT OF ROUTE 93 (MYERS CORNERS ROAD) IMPROVEMENTS, IN AND TO ALL THAT PIECE OR PARCEL OF PROPERTY DESIGNATED AS PARCEL NO. 58, SITUATE IN THE TOWN OF WAPPINGER, COUNTY OF DUTCHESS, STATE OF NEW YORK, AS SHOWN ON THE ACCOMPANYING MAP AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY BOUNDARY OF COUNTY ROUTE 93 (MYERS CORNERS ROAD), AT THE INTERSECTION OF SAID BOUNDARY WITH THE EASTERLY BOUNDARY OF DEGARMO HILLS ROAD, SAID POINT BEING 6.76±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 2+753.886± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE REALIGNMENT OF COUNTY ROUTE 93 (MYERS CORNERS ROAD); THENCE NORTH 06°-45'-49" EAST ALONG THE LAST MENTIONED EASTERLY BOUNDARY OF DEGARMO HILLS ROAD 5.48±m(18.0±FT.) TO A POINT 12.20±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 2+754.505± OF SAID BASELINE; THENCE THROUGH THE PROPERTY OF GAS LAND PETROLEUM INC. THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) SOUTH 30°-35'-50" EAST 4.84±m(15.9±FT.) TO A POINT 8.04±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 2+756.989± OF SAID BASELINE; AND (2) SOUTH 70°-49'-56" EAST 41.38±m(135.8±FT.) TO A POINT ON THE FIRST MENTIONED NORTHERLY BOUNDARY OF COUNTY ROUTE 93 (MYERS CORNERS ROAD), AT ITS INTERSECTION WITH THE DIVISION LINE BETWEEN THE PROPERTY OF JUSOMI HOLDINGS LLC (REPUTED OWNER) ON THE EAST AND THE PROPERTY OF GAS LAND PETROLEUM INC (REPUTED OWNER) ON THE WEST, THE LAST MENTIONED POINT BEING 4.42±m DISTANT NORTHEASTERLY MEASURED AT RIGHT ANGLES FROM STATION 2+796.322± OF SAID BASELINE; THENCE ALONG THE LAST MENTIONED NORTHERLY BOUNDARY OF COUNTY ROUTE 93 (MYERS CORNERS ROAD) THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) NORTH 72°-45'-11" WEST 38.83±m(127.4±FT.) TO A POINT 5.98±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 2+758.998± OF SAID BASELINE; AND (2) NORTH 81°-05'-41" WEST 5.17±m(17.0±FT.) TO THE POINT OF BEGINNING, SAID PARCEL BEING 39.47± SQUARE METERS (424.90± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE, OR INTEREST IN AND TO THE PROPERTY ABOVE DELINEATED, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHT 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 ESTABLISHED BY, THE CONSTRUCTION OR RECONSTRUCTION AND AS SO CONSTRUCTED OR RECONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

THE ABOVE MENTIONED SURVEY BASELINE IS A PORTION OF THE 2015 SURVEY BASELINE FOR THE REALIGNMENT OF COUNTY ROUTE 93 (MYERS CORNERS ROAD), AND IS DESCRIBED AS FOLLOWS:

BEGINNING AT STATION 2+595.323; THENCE SOUTH 89°-43'-39" EAST TO STATION 2+771.436; THENCE SOUTH 67°-25'-14" EAST TO STATION 2+977.038.

ALL BEARINGS REFERRED TO TRUE NORTH AT THE 74°-30' MERIDIAN OF WEST LONGITUDE.

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date_____2017

_____

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

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 _____2017

_____

Mark DeLor - Land Surveyor
P.L.S. License No. 050478

Moser Consulting P.A.
18 Computer Drive East, Suite 203
Albany, NY 12205

MAP NUMBER _____
REVISED DATE _____
DATE PREPARED _____

PREPARED BY D. COOPER CHECKED BY D. WIEDDALSKI FINAL CHECK BY J. WALIHOWSKI

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 8 - City and Town of Poughkeepsie	Brendli	absent	
District 12 - Town of East Fishkill	Metzger (C)		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato (VC)		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 24 - Towns of Dover and Union Vale	Surman	absent	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston	absent	

Present: 8 **Resolution:** ✓ **Total :** 8 (Yes) 0 (No)

Absent: 4 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018178 AUTHORIZATION TO ACQUIRE A PERMANENT EASEMENT FROM GAS LAND PETROLEUM, INC. IN CONNECTION WITH THE MYERS CORNERS ROAD (CR 93) IMPROVEMENT PROJECT, TOWN OF WAPPINGER (PIN 8755.45)

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 **Resolution:** ✓ **Total :** 24 0

Absent: 1 **Motion:** ____ Yes No

Vacant: 0 **Abstentions:** 0

2018178 AUTHORIZATION TO ACQUIRE A PERMANENT EASEMENT FROM GAS LAND PETROLEUM, INC. IN CONNECTION WITH THE MYERS CORNERS ROAD (CR 93) IMPROVEMENT PROJECT, TOWN OF WAPPINGER (PIN 8755.45)

July 9, 2018

Public Works & Capital Projects

RESOLUTION NO. 2018179

RE: AUTHORIZATION TO ACQUIRE A FEE ACQUISITION FROM REMARKABLE PAPER, LLC, IN CONNECTION WITH THE PROJECT KNOWN AS THE REPLACEMENT OF CULVERT RH-13 TURKEY HILL ROAD (CR 56), TOWN OF RED HOOK, NEW YORK

Legislators METZGER, PULVER, SAGLIANO, and BOLNER offer the following and move its adoption:

WHEREAS, the Department of Public Works has proposed the improvement and replacement of culvert RH-13 located on Turkey Hill Road (CR 56) in the Town of Red Hook, which project includes the acquisition of certain portions of real property; and

WHEREAS, the Department of Public Works has determined that the improvement project (1) constitutes a Type II Action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and (2) will result in no significant adverse impact on the environment, and

WHEREAS, the Department of Public Works has made a determination that in order to complete the improvement and replacement project referenced above, it is necessary to acquire in fee a portion of real property as follows: real property shown on Map No. 1, Parcel No. 1, (approximately 4,580.31± square feet), located at 307 Spring Lake Road, Town of Red Hook, Dutchess County, described as Parcel Identification Number 134889-6373-00-890737-0000, presently owned by Remarkable Paper, LLC., and

WHEREAS, the proposed Agreement to Purchase Real Property between the County and the property owner are annexed hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the subject property be purchased for the total sum of $1,930, plus an authorization to spend up to an additional $1,000 in related expenses, if necessary, and

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

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

RESOLVED, that on the receipt from the property owner of the executed deed to the aforementioned land, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, the County shall pay to the property owner the sum of $1,930 plus an additional $1,000 in related expenses, if necessary, in connection with the acquisition of this property.

CA-111-18
AMS/kvh/R-0978-F
06/07/18
Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/18/2018

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 9th day of July 2018, 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 9th day of July 2018.

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 $ 2,930

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):
H0384.5110.3009 Roads ISTEA

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): $2,930
Over Five Years: _____

Additional Comments/Explanation:
This Fiscal Impact Statement Pertains to:

RESOLUTION REQUEST TO ACQUIRE A FEE ACQUISITION FROM REMARKABLE PAPER LLC, IN CONNECTION WITH THE REPLACEMENT OF CULVERT RH-13, TURKEY HILL ROAD (CR 56) TOWN OF RED HOOK, DUTCHESS COUNTY, NEW YORK.
Request authorization to acquire in fee a 4,580.31 square foot parcel as shown on accompanying Map 1, Parcel 1 for the purchase price of $1,930.00.

Related expenses in the amount of $1,000 are included in the Total Current Year Cost.

Prepared by: Matthew W. Davis 2929

AGREEMENT TO PURCHASE REAL PROPERTY

Project: Replacement of Culvert RH-13, Turkey Hill Road (CR 56).

Map: 1 Parcels: 1 & 2

This Agreement by and between REMARKABLE PAPER LLC, with offices at 475 Route 25A, Rocky Point, NY 11778 hereinafter referred to as "Seller", and the COUNTY OF DUTCHESS, with offices at 22 Market Street, Poughkeepsie, New York, 12601 hereinafter referred to as "Buyer.

1. PROPERTY DESCRIPTION. The Seller agrees to sell, grant, convey:

   ☒ *all right title and interest* to 4,580.31± square feet of real property. Purchase price is $1,930.00

   ☒ a *temporary easement* to 984.53± square feet of real property. Purchase price is $100.00

   Located at 307 Spring Lake Road, Town of Red Hook, Dutchess County, and is further described as parcels 1 & 2 on Exhibit "A", attached hereto.

   Being a portion of those same lands described in that certain deed dated September 1, 2004 and recorded October 21, 2004 in Document # 02 2004 11244 in the Office of the County Clerk for Dutchess County (re: Grid #134889-6373-00-890737-0000),

2. IMPROVEMENTS INCLUDED IN THE PURCHASE. The following improvements, if any, now in or on the property are included in this Agreement: None

3. PURCHASE PRICE. The total purchase price is TWO THOUSAND THIRTY AND 00/100 DOLLARS ($ 2,030.00). This price includes the real property described in paragraph 1 and the improvements described in paragraph 2, if any.

4. CLOSING DATE AND PLACE. Transfer of Title shall take place through the mail or at a mutually acceptable location, on or about March 15, 2018. This Agreement may be subject to the approval of the Dutchess County Legislature.

5. BUYER'S POSSESSION OF THE PROPERTY. For fee simple acquisitions and permanent easements, the Buyer shall have possession of the property rights on the day payment is received by the Seller. Any closing documents received by the Buyer prior to payment pursuant to paragraph 4 above, shall be held in escrow until such payment has been received by the Seller or the Seller's agent. The term of the temporary easement shall be for one (1) year.

6. TITLE DOCUMENTS. Buyer shall provide the following documents in connection with the sale:

   A. Deed. Buyer will prepare and deliver to the Seller for execution at the time of closing all documents required to convey the real property interest(s) described in paragraph 1 above. Buyer will pay for a title search.

7 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. Seller agrees to cooperate with Buyer in its curative action activities. 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. In the alternative, the Seller may elect to satisfy the liens and encumbrances from another source of funds.

8. RECORDING COSTS AND CLOSING ADJUSTMENTS. Buyer will pay all recording fees, if any. 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 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 when signed by both the Buyer and the Seller will be the record of the complete agreement between the Buyer and Seller concerning the purchase and sale of the property. No verbal agreements or promises will be binding.

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.

IN WITNESS WHEREOF, on this _____ day of _____, 2018, the parties have entered into this Agreement.

APPROVED AS TO FORM:

_____
Department of Law

SELLER: PRESIDENT
Authorized Member

APPROVED AS TO CONTENT:

_____
Department of Public Works

COUNTY OF DUTCHESS:

_____

Print Name: _____

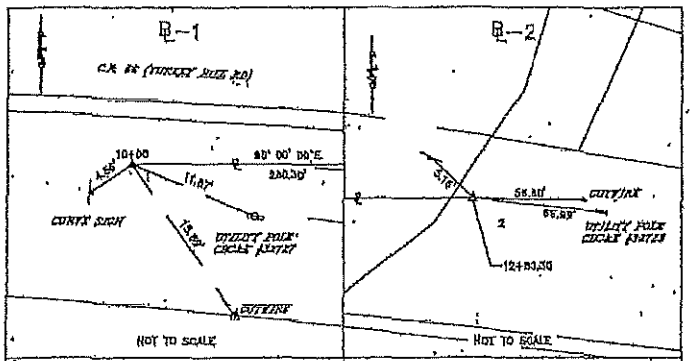
Title: _____

EXHIBIT A
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS
ACQUISITION MAP

MAP NO. 1
PARCEL NO. 1
SHEET 1 OF 2

CR 68 (TURKEY HILL RD.)
CULVERT RH-13 REPLACEMENT

DCH-2017-XX



R-1 STA. 101+00
DESC: SPIKE DRIVEN INTO SHOULDER
COORDINATE LOCAL SYSTEM
N: 10000.0000
E: 10000.0000

R-2 STA. 124+80.30
DESC: PK NAIL DRIVEN INTO PAVEMENT
COORDINATE LOCAL SYSTEM
N: 9959.9999
E: 10280.3017

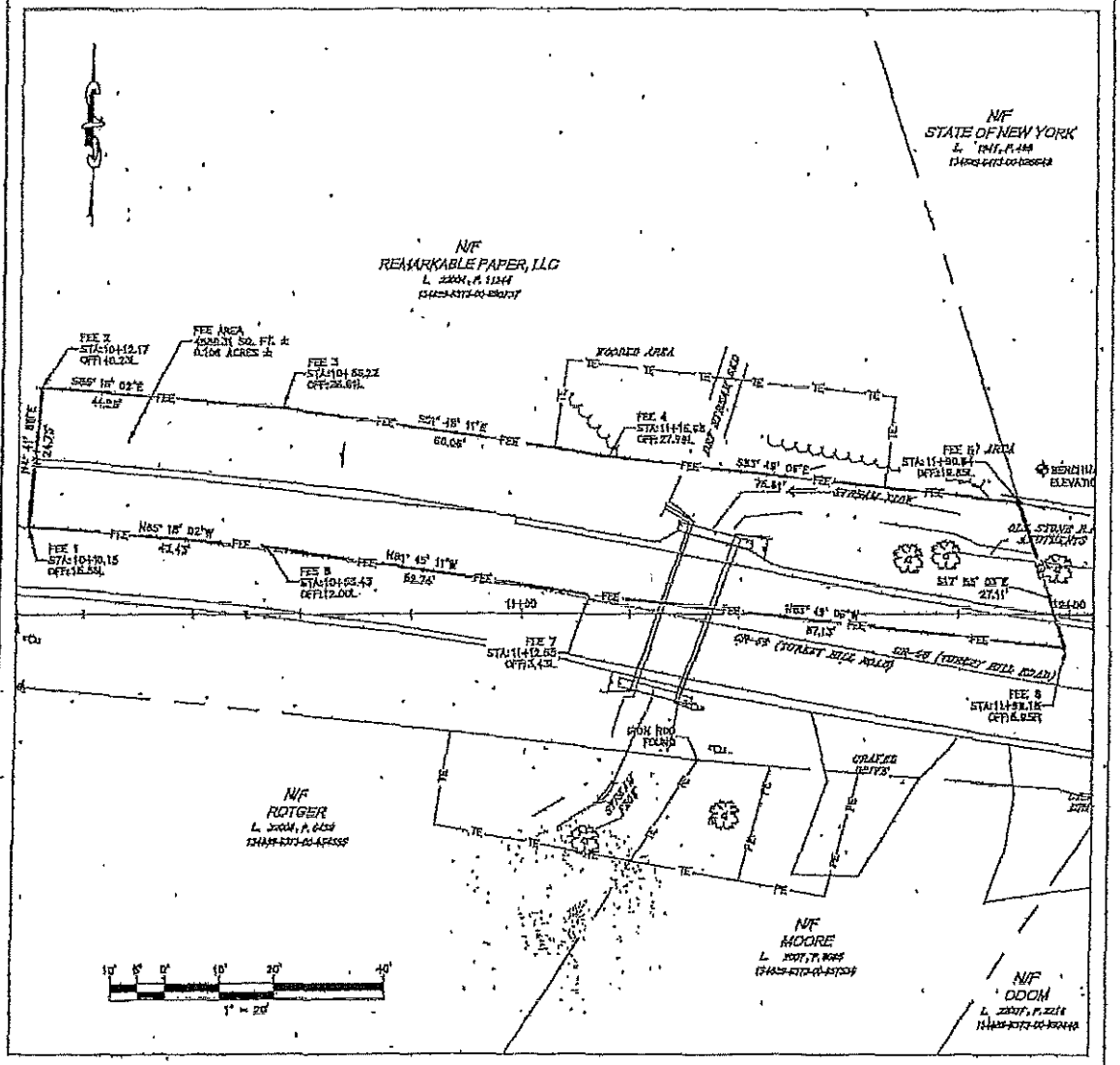
ACQUISITION DESCRIPTION:

Type: FEE TAKING
Portion of Real Property Tax
Parcel ID No. 134889-6373-00-690737-0000

Town of Red Hook
County of Dutchess
State of New York

REPUTED OWNER:

REMARKABLE PAPER
307 SPRING LAKE ROAD
RED HOOK, NY 12571



ORIGINAL OF THIS MAP (SHEETS 1 & 2)
ARE ON FILE AT THE OFFICES OF THE DUTCHESS
COUNTY DEPARTMENT OF PUBLIC WORKS

MAP NUMBER _____
REVISED DATE _____
DATE PREPARED 10-08-2017

PREPARED BY KKB CHECKED BY JM FINAL CHECK BY JM

EXHIBIT A
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS
ACQUISITION MAP

MAP NO. 1
PARCEL NO. 1
SHEET 2 OF 2

CR 56 (TURKEY HILL RD.)
CULVERT RH-13 REPLACEMENT

DCH-2017-XX

All that certain piece, or parcel of land situate in the Town of Red Hook, County of Dutchess, State of New York, being more particularly bounded and described as follows:

Beginning at a point on the center line of County Road 56 (A.K.A. Turkey Hill Road), said point being 15.56 feet ± distant northerly, measured at right angle from Sta. 10+10.16 of the hereinafter described baseline; thence running northerly through the lands Now or Formerly of Remarkable Paper, LLC, N 4° 41' 58" E 24.75 feet to a point, said point being 40.23 feet ± distant northerly, measured at right angle from Sta. 10+12.17 of the aforementioned baseline; Thence running easterly through the lands of Remarkable Paper, LLC the following (3) three courses and distances, S 85° 18' 02" E 44.20 feet to a point, said point being 36.61 feet ± distant northerly, measured right angle from Sta. 10+56.22 of the aforementioned baseline; Thence S 81° 45' 11" E 60.06 feet to a point, said point being 27.99 feet ± distant northerly, measure at right angle from Sta. 11+15.66 of the aforementioned baseline; Thence S 83° 49' 06" E 75.61 feet to a point at the westerly line of lands Now or Formerly of State of New York, said point being 19.85 feet ± distant northerly, measured at right angle from Sta. 11+90.84 of the aforementioned baseline; Thence running southerly along the easterly line of lands of Remarkable Paper, LLC., S 17° 55' 03" E 27.11 feet to a point at the center line of C.R. 56, said point being 5.95 feet ± distant southerly, measured at right angle from Sta. 11+99.18 of the aforementioned baseline; Thence running westerly along the southerly line of Remarkable Paper and centerline of C.R. 56 as per deed Liber 22004, Page 11244 the following (3) three courses and distances, N 83° 49' 06" W 87.13 feet to a point, said point being 3.43 feet ± distant northerly, measured at right angle from Sta. 11+12.55 of the aforementioned baseline; Thence N 81° 45' 11" W 59.74 feet to a point, said point being 12.00 feet ± distant northerly, measured at right angle from Sta. 10+53.43 of the aforementioned baseline; Thence N 85° 18' 02" W 43.43 feet to a point of place of beginning.

Containing 0.108 acres more or less.

The above mentioned survey baseline is a portion of the survey baseline for the CR-56 culvert RH-13 replacement project, and is described as follows:

Beginning at Sta. 10+00 (℄-1); Thence N 90° 00' 00" E 280.30 feet to Sta. 12+80.30 (℄-2).

"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 the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date October 10 2017

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

I hereby certify that this map is an accurate description and map made from an accurate survey, prepared under my direction.

Date October 10th 2017

Jonathan J. Verderber, Land Surveyor
P.L.S. License No. 050912

MORRIS ASSOCIATES
ENGINEERING AND SURVEYING CONSULTANTS, PLLC
9 ELKS LANE
POUGHKEEPSIE, NY 12601

MAP NUMBER
REVISED DATE
DATE PREPARED 10-06-2017

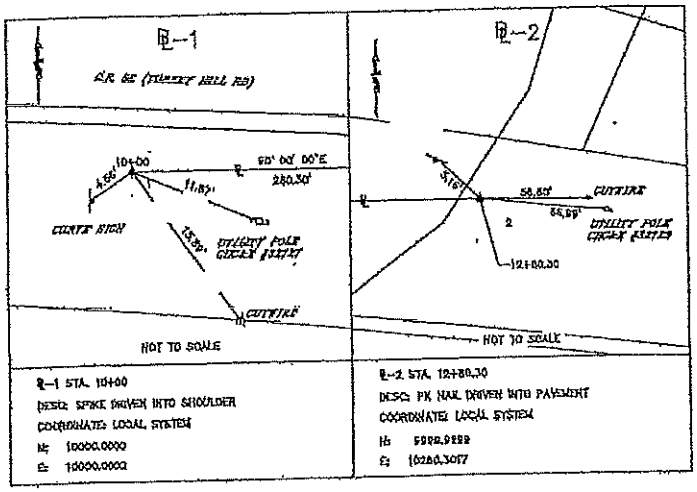
PREPARED BY JKS CHECKED BY JJV FINAL CHECK BY JJV

EXHIBIT A
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS
ACQUISITION MAP

MAP NO. 1
PARCEL NO. 2
SHEET 1 OF 2

CR 56 (TURKEY HILL RD.)
CULVERT RH-13 REPLACEMENT

DCH-2017-XX



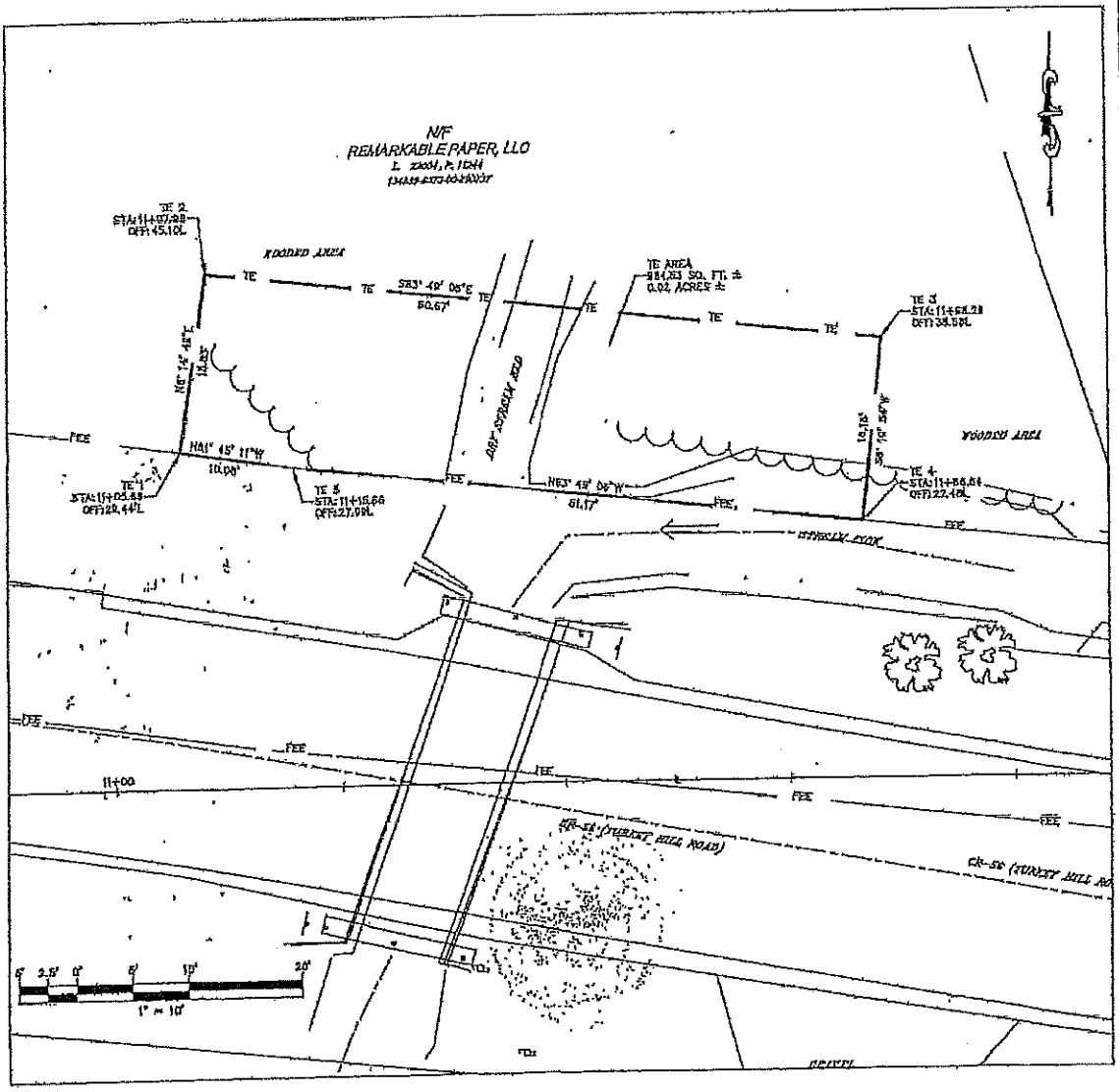
ACQUISITION DESCRIPTION:

Type: TEMPORARY EASEMENT
Portion of Real Property Tax
Parcel ID No. 134889-6373-00-890737-0000

Town of Red Hook
County of Dutchess
State of New York

REPUTED OWNER:

REMARKABLE PAPER
307 SPRING LAKE ROAD
RED HOOK, NY 12571



ORIGINAL OF THIS MAP (SHEETS 1 & 2) ARE ON FILE AT THE OFFICES OF THE DUTCHESS COUNTY DEPARTMENT OF PUBLIC WORKS

MAP NUMBER _____
REVISED DATE _____
DATE PREPARED 10-02-2017

PREPARED BY JKS CHECKED BY JW FINAL CHECK BY JW

EXHIBIT A
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS
ACQUISITION MAP

MAP NO. 1
PARCEL NO. 2
SHEET 2 OF 2

CR 56 (TURKEY HILL RD.)
CULVERT RH-13 REPLACEMENT

DCH-2017-XX

A TEMPORARY EASEMENT to be exercised for the purpose of replacing the culvert RH-13 under County Road 56 (A.K.A. Turkey Hill Road), situate in the Town of Red Hook, County of Dutchess, State of New York, being more particularly bounded and described as follows:

Beginning at a point on northerly line of C.R. 56, said point being 29.44 feet ± distant northerly, measured at right angle from Sta. 11+05.69 of the hereinafter described baseline; Thence running northerly through the lands Now or Formerly of Remarkable Paper, LLC, N 8° 14' 49" E 15.83 feet to a point, said point being 45.10 feet ± distant northerly, measured at right angle from Sta. 11+07.96 of the aforementioned baseline; Thence running easterly through the lands of Remarkable Paper, LLC., S 83° 49' 06" E 60.67 feet to a point, said point being 38.56 feet ± distant northerly, measured right angle from Sta. 11+68.29 of the aforementioned baseline; Thence running southerly through the lands of Remarkable Paper, LLC., S 06° 10' 54" W 16.18 feet to a point at the northerly line of C.R. 56, said point being 22.48 feet ± distant northerly, measured at right angle from Sta. 11+66.54 of the aforementioned baseline; Thence running westerly along the northerly line of C.R. 56 the following (2) two courses and distances, N 83° 49' 06" W 51.17 feet to a point, said point being 27.99 feet ± distant northerly, measured at right angle from Sta. 11+15.66 of the aforementioned baseline; Thence N 81° 45' 11" W 10.08 feet to a point of place of beginning.

Containing 0.02 acres more or less.

The above mentioned survey baseline is a portion of the survey baseline for the CR-56 culvert RH-13 replacement project, and is described as follows:

Beginning at Sta. 10+00 (℄-1); Thence N 90° 00' 00" E 280.30 feet to Sta. 12+80.30 (℄-2).

"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 the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date October 10 20 17

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

STATE OF NEW YORK
JONATHAN J. VERDERBER
050912
LICENSED LAND SURVEYOR

I hereby certify that this map is an accurate description and map made from an accurate survey, prepared under my direction.

Date October 10th 20 17

Jonathan J. Verderber, Land Surveyor
P.L.S. License No. 050912

MORRIS ASSOCIATES
ENGINEERING AND SURVEYING CONSULTANTS, PLLC
9 ELKS LANE
POUGHKEEPSIE, NY 12601

MAP NUMBER
REVISED DATE
DATE PREPARED 10-06-2017

PREPARED BY JVB CHECKED BY JW FINAL CHECK BY JW

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*		
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 8 - City and Town of Poughkeepsie	Brendli	absent	
District 12 - Town of East Fishkill	Metzger (C)		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato (VC)		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 24 - Towns of Dover and Union Vale	Surman	absent	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston	absent	

Present: 8 **Resolution:** ✓ **Total :** 8 (Yes) 0 (No)

Absent: 4 **Motion:** ____ **Abstentions:** 0

Vacant: 0

2018179 AUTHORIZATION TO ACQUIRE A FEE ACQUISITION FROM REMARKABLE PAPER, LLC, IN CONNECTION WITH THE PROJECT KNOWN AS THE REPLACEMENT OF CULVERT RH-13 TURKEY HILL ROAD (CR 56), TOWN OF RED HOOK, NEW YORK

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 **Resolution:** ✓ **Total :** 24 (Yes) 0 (No)

Absent: 1 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018179 AUTHORIZATION TO ACQUIRE A FEE ACQUISITION FROM REMARKABLE PAPER, LLC, IN CONNECTION WITH THE PROJECT KNOWN AS THE REPLACEMENT OF CULVERT RH-13 TURKEY HILL ROAD (CR 56), TOWN OF RED HOOK, NEW YORK

July 9, 2018

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2018180

RE: ACQUISITION OF PERMANENT EASEMENT FROM RONALD PETTINATI AND JACQUELINE PETTINATI IN CONNECTION WITH THE IMPROVEMENT OF A SECTION OF BEEKMAN ROAD (CR 9), IN THE TOWNS OF EAST FISHKILL AND BEEKMAN (PIN 8755.38) AUTHORIZING

Legislators METZGER, PULVER, SAGLIANO, HORTON, and BOLNER offer the following and move its adoption:

WHEREAS, the Department of Public Works has proposed the improvement of a section of Beekman Road, C.R. 9, in the Towns of East Fishkill and Beekman, which project includes the acquisition of certain portions of real property and permanent easements, and

WHEREAS, this Legislature by Resolution No. 2014271, approved and adopted the Full Environmental Assessment Form and Notice of Determination which stated that Beekman Road Improvement Project was a Type I Action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR (SEQR) and would not have a significant effect on the environment, and

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

WHEREAS, a proposed Agreement to Purchase Real Property ("the Agreement") between the County and the property owners is annexed hereto, and

WHEREAS, the property is described as 440.13 +/- square feet more or less as shown on Map 13, Parcel 13, identified as Parcel Number 132800-6558-04-880247-0000, a copy of which is annexed hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the permanent easement be purchased for the sum of $800 plus up to $1,000 in 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 in substantially the same form as annexed hereto along with any other necessary documents in connection with this permanent easement, and be it further

RESOLVED, that on the submission by the property owner of an executed Permanent Easement to the aforementioned land, which shall include the terms and conditions of the Agreement 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 $800 plus up

to $1,000 in related expenses, if necessary, in connection with the acquisition of the permanent easement, and

RESOLVED, that the terms and conditions of the aforementioned Agreement to Purchase Real Property be carried out by the Dutchess County Department of Public Works.

CA-122-18
AMS/sc/R-0934-Q
6/13/18
Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/12/2018

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 9th day of July 2018, 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 9th day of July 2018.

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 $ 1,800

Total Current Year Revenue $ 1,710
and Source

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

Identify Line Items(s):
H0384.5110.3008 Roads ISTEA

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:
This Fiscal Impact Statement Pertains to:
RESOLUTION REQUEST TO ACQUIRE A PERMANENT EASEMENT
FROM RONALD PETTINATI AND JACQUELINE PETTINATI, IN CONNECTION WITH PIN 8755.38: BEEKMAN ROAD (CR 9) IMPROVEMENTS, TOWNS OF EAST FISHKILL AND BEEKMAN, DUTCHESS COUNTY

Request authorization to acquire a permanent easement to a 40.89+/- square meter, (440.13+/- square foot) parcel as shown on (Map 13, Parcel 13) for the purchase price of $800.00

Related expenses in the amout of $1,000 are included in the Total Current Year Cost.

Prepared by: Matthew W. Davis 2929

AGREEMENT TO PURCHASE REAL PROPERTY

Project: **Beekman Road (CR 9) Highway Improvements**
PIN OR CIN: **8755.38** Map: **13** Parcel: **13**

This Agreement by and between **RONALD PETTINATI** and **JACQUELINE PETTINATI**, residing at 556 Beekman Road, Hopewell Junction, New York 12533, hereinafter referred to as "Seller", and the **COUNTY OF DUTCHESS**, with offices at 22 Market Street, Poughkeepsie, New York 12601 hereinafter referred to as "Buyer".

1. PROPERTY DESCRIPTION. The Seller agrees to sell, grant, convey:

   ☐ *all right title and interest* to **0**± square feet of real property. Purchase price is **$0**.

   ☒ a *permanent easement* to **440.13**± square feet of real property. Purchase price is **$800.**

   ☐ a *temporary easement* to **0**± square feet of real property. Purchase price is **$0**.

   Located at **556 Beekman Road, Town of East Fishkill**, Dutchess County, New York, and is further described as parcel 13 on Exhibit "A", attached hereto.

   Being a portion of those same lands described in that certain deed dated 7/20/1982 and recorded 7/23/1982 in Liber 1583 at Page 480 in the Office of the County Clerk for Dutchess County (re: Grid # 6558-04-880247),

2. IMPROVEMENTS INCLUDED IN THE PURCHASE. The following improvements, if any, now in or on the property are included in this Agreement: **trees.**

3. PURCHASE PRICE. The total purchase price is **EIGHT HUNDRED AND 00/100 DOLLARS ($800.00).** This price includes the real property described in paragraph 1 and the improvements described in paragraph 2, if any.

4. CLOSING DATE AND PLACE. Transfer of Title shall take place through the mail or at a mutually acceptable location, on or about _____, 20_____. This Agreement may be subject to the approval of the Dutchess County Legislature.

5. BUYER'S POSSESSION OF THE PROPERTY. The Buyer shall provide full payment of the purchase price stated in paragraph 3 to the Seller prior to taking possession of the property rights. Any closing documents received by the Buyer prior to payment pursuant to paragraph 4 above, shall be held in escrow until such payment has been received by the Seller or the Seller's agent.

6. TERM OF TEMPORARY EASEMENT. The term of the Temporary Easement(s) shall be for three (3) years. The commencement date may be up to nine (9) months after the date of execution of the Temporary Easement. The Temporary Easement may be extended for two (2) additional one year terms at the option of the Buyer. Thirty (30) days prior to the expiration of the term or extended term of the Temporary Easement, the Buyer shall notify the Seller in writing of its intention to exercise its option of extending the term of the Temporary Easement for an additional one year. The Buyer shall include a check for the sum of $_____ with said written notification to the Seller.

7. TITLE DOCUMENTS. Buyer shall provide the following documents in connection with the sale:

A. Deed. Buyer will prepare and deliver to the Seller for execution at the time of closing all documents required to convey the real property interest(s) described in paragraph 1 above. Buyer will pay for a title search.

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. Seller agrees to cooperate with Buyer in its curative action activities. 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. In the alternative, the Seller may elect to satisfy the liens and encumbrances from another source of funds.

9. RECORDING COSTS AND CLOSING ADJUSTMENTS. Buyer will pay all recording fees, if any. 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 closing: 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 stipulations aforesaid shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.

11. ENTIRE AGREEMENT. This agreement when signed by both the Buyer and the Seller will be the record of the complete agreement between the Buyer and Seller concerning the purchase and sale of the property. No verbal agreements or promises will be binding.

12. 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.

IN WITNESS WHEREOF, on this _____ day of _____, 20_____, the parties have entered into this Agreement.

APPROVED AS TO FORM:

_____
Department of Law

Seller: _____
Ronald Pettinati

Seller: _____
Jacqueline Pettinati

APPROVED AS TO CONTENT:

_____
Department of Public Works

COUNTY OF DUTCHESS

_____

Print Name: _____

Title: _____

'EXHIBIT A'

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

COUNTY ROUTE 9 (BEEKMAN ROAD) TACONIC STATE PARKWAY TO COUNTY ROUTE 10 (SYLVAN LAKE ROAD)

PIN 8755.38

MAP NO. 13
PARCEL NO. 13
SHEET 1 OF 2

Originals of this map (sheets 1 & 2) are on file at the offices of the Dutchess County Department of Public Works.

RONALD PETTINATI
& JACQUELINE PETTINATI
(REPUTED OWNERS)

CCD L. 1583 P. 480

Town of East Fishkill
County of Dutchess
State of New York

ACQUISITION DESCRIPTION:

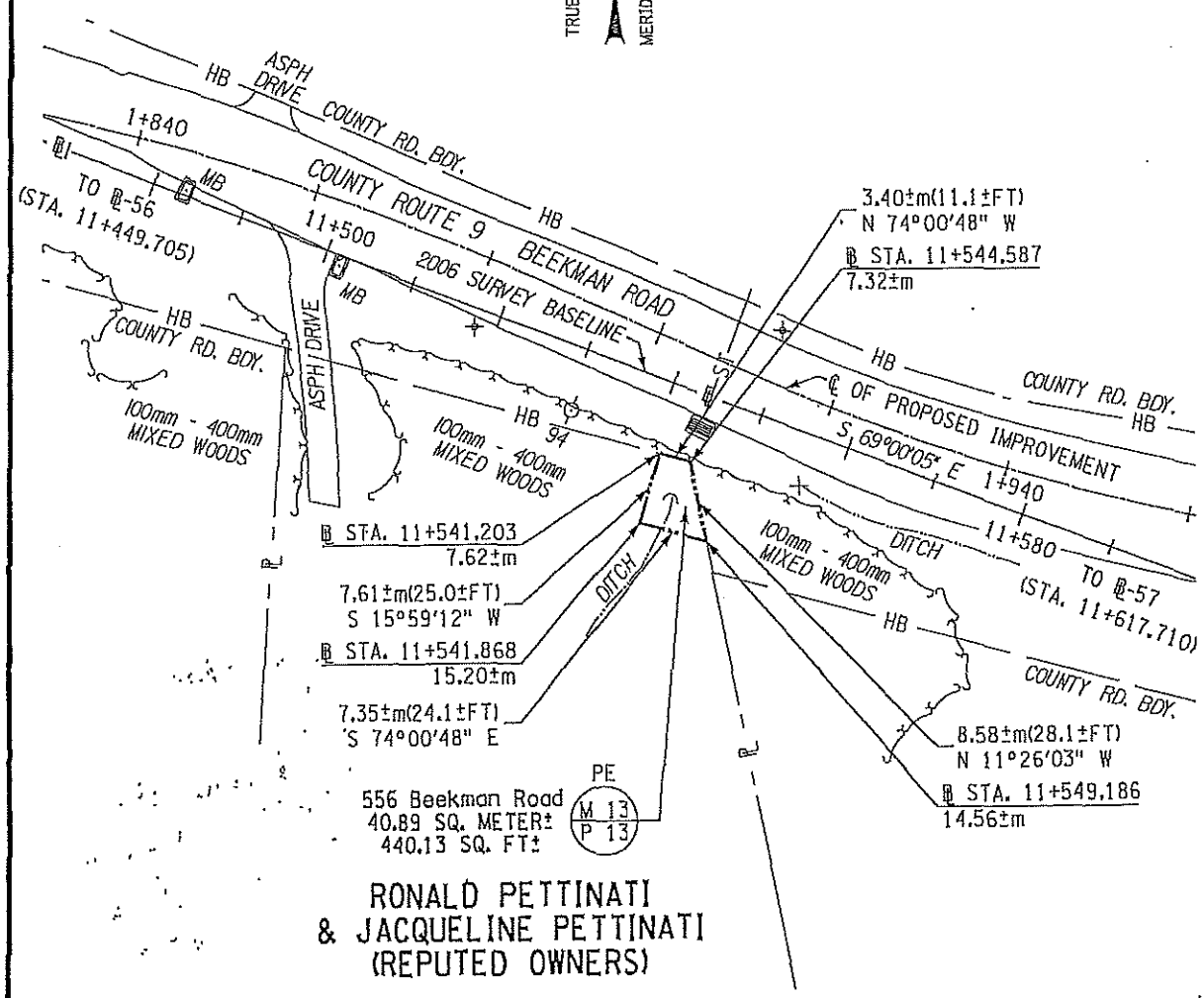
Type: PERMANENT EASEMENT
Portion of Real Property Tax
Parcel ID No.
132800-6558-04-880247-0000

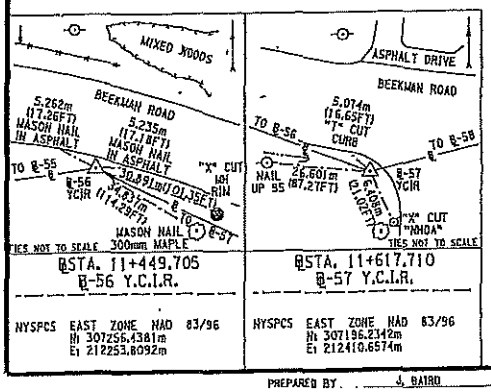
MAP REFERENCE:

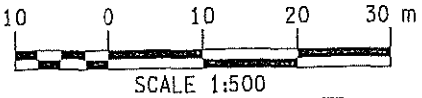
Lot No.4 on a map entitled "Subdivision Plat of R&H Kupetz" and filed in the Dutchess County Clerk's Office on August 25, 1981 as Filed Map#6184.

REPUTED OWNERS:
RONALD PETTINATI
& JACQUELINE PETTINATI
556 Beekman Road
Hopewell Junction, NY 12533

TRUE NORTH AT THE 74°30' MERIDIAN OF WEST LONGITUDE







SCALE 1:500
ONE METER EQUALS 3.28083333333 FEET.
ONE SQUARE METER EQUALS 10.7638673611 SQUARE FEET.

MAP NUMBER _____
REVISED DATE _____
DATE PREPARED _____

FILE NAME = G:\ev3-802\ROW\dcp Maps\M13P13.dgn

PREPARED BY J. BAIRD CHECKED BY R. DIENL FINAL CHECK BY J. MALINOWSKI

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

COUNTY ROUTE 9 (BEEKMAN ROAD) TACONIC STATE PARKWAY TO COUNTY ROUTE 10 (SYLVAN LAKE ROAD)

PIN 8755.38

MAP NO. 13
PARCEL NO. 13
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 a permanent easement acquisition, for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and Eminent Domain Procedure Law.

A PERMANENT EASEMENT TO BE EXERCISED IN, ON AND OVER THE PROPERTY ABOVE DELINEATED FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING AND MAINTAINING THEREON A DRAINAGE DITCH AND APPURTENANCES FOR THE COUNTY ROUTE 9 (BEEKMAN ROAD) IMPROVEMENTS, IN AND TO ALL THAT PIECE OR PARCEL OF PROPERTY DESIGNATED AS PARCEL NO. 13, SITUATE IN THE TOWN OF EAST FISHKILL, COUNTY OF DUTCHESS, STATE OF NEW YORK, AS SHOWN ON THE ACCOMPANYING MAP AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY BOUNDARY OF COUNTY ROUTE 9 (BEEKMAN ROAD), SAID POINT BEING 7.62±m DISTANT SOUTHERLY MEASURED AT RIGHT ANGLES FROM STATION 11+541.203± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF A PORTION OF COUNTY ROUTE 9 (BEEKMAN ROAD); THENCE THROUGH THE PROPERTY OF RONALD PETTINATI AND JACQUELINE PETTINATI (REPUTED OWNERS) THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) SOUTH 15°-59'-12" WEST 7.61±m(25.0±FT.) TO A POINT 15.20±m DISTANT SOUTHERLY MEASURED AT RIGHT ANGLES FROM STATION 11+541.868± OF SAID BASELINE; AND (2) SOUTH 74°-00'-48" EAST 7.35±m(24.1±FT.) TO A POINT ON THE FIRST MENTIONED SOUTHERLY BOUNDARY OF COUNTY ROUTE 9 (BEEKMAN ROAD), THE LAST MENTIONED POINT BEING 14.56±m DISTANT SOUTHERLY MEASURED AT RIGHT ANGLES FROM STATION 11+549.186± OF SAID BASELINE; THENCE ALONG THE LAST MENTIONED SOUTHERLY BOUNDARY OF COUNTY ROUTE 9 (BEEKMAN ROAD) THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) NORTH 11°-26'-03" WEST 8.58±m(28.1±FT.) TO A POINT 7.32±m DISTANT SOUTHERLY MEASURED AT RIGHT ANGLES FROM STATION 11+544.587± OF SAID BASELINE; AND (2) NORTH 74°-00'-48" WEST 3.40±m(11.1±FT.) TO THE POINT OF BEGINNING, SAID PARCEL BEING 40.89± SQUARE METERS (440.13± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE, OR INTEREST IN AND TO THE PROPERTY ABOVE DELINEATED, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHT 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 ESTABLISHED BY, THE CONSTRUCTION OR RECONSTRUCTION AND AS SO CONSTRUCTED OR RECONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

THE ABOVE MENTIONED SURVEY BASELINE IS A PORTION OF THE 2006 SURVEY BASELINE FOR THE RE-CONSTRUCTION OF COUNTY ROUTE 9 (BEEKMAN ROAD) AS SHOWN ON THE MAP AND DESCRIBED AS FOLLOWS:

BEGINNING AT STATION 11+449.705; THENCE SOUTH 69°-00'-05" EAST TO STATION 11+617.710.

ALL BEARINGS REFERRED TO TRUE NORTH AT THE 74°-30' MERIDIAN OF WEST LONGITUDE.

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date Oct 2 2017

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

STATE OF NEW YORK
JOSEPH G. MALINOWSKI
050314
LICENSED LAND SURVEYOR

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 SEPTEMBER 15th 2017

Joseph G. Malinowski - Land Surveyor
P.L.S. License No. 050314

M.J. Engineering and Land Surveying, P.C.
1533 Crescent Road
Clifton Park, NY 12065

MAP NUMBER
REVISED DATE
DATE PREPARED

PREPARED BY J. BAIRD CHECKED BY R. DIEHL FINAL CHECK BY J. MALINOWSKI

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 8 - City and Town of Poughkeepsie	Brendli		
District 12 - Town of East Fishkill	Metzger (C)		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato (VC)		
District 16 - Town of Fishkill and City of Beacon	Zernike	absent	
District 24 - Towns of Dover and Union Vale	Surman	absent	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston	absent	

Present: 8 **Resolution:** ✓ **Total :** 8 (Yes) 0 (No)

Absent: 4 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018180 AUTHORIZING ACQUISITION OF PERMANENT EASEMENT FROM RONALD PETTINATI AND JACQUELINE PETTINATI IN CONNECTION WITH THE IMPROVEMENT OF A SECTION OF BEEKMAN ROAD (CR 9), IN THE TOWNS OF EAST FISHKILL AND BEEKMAN (PIN 8755.38)

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 **Resolution:** ✓ **Total :** 24 (Yes) 0 (No)

Absent: 1 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018180 AUTHORIZING ACQUISITION OF PERMANENT EASEMENT FROM RONALD PETTINATI AND JACQUELINE PETTINATI IN CONNECTION WITH THE IMPROVEMENT OF A SECTION OF BEEKMAN ROAD (CR 9), IN THE TOWNS OF EAST FISHKILL AND BEEKMAN (PIN 8755.38)

July 9, 2018

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2018181

RE: AUTHORIZING ACQUISITION OF A PERMANENT EASEMENT FROM GIL W. PALACIO AND SARAH F. PALACIO IN CONNECTION WITH A PROJECT FOR THE IMPROVEMENT OF A SECTION OF BEEKMAN ROAD (CR 9), TOWNS OF EAST FISHKILL AND BEEKMAN (PIN 8755.38)

Legislators METZGER, PULVER, SAGLIANO, HORTON, and BOLNER offer the following and move its adoption:

WHEREAS, the Department of Public Works has proposed a project for the improvement of a section of Beekman Road, (CR 9), in the Towns of East Fishkill and Beekman, which project includes the acquisition of certain portions of real property and permanent easements, and

WHEREAS, this Legislature by Resolution No. 2014271, approved and adopted the Full Environmental Assessment Form and Notice of Determination which stated that Beekman Road Improvement Project was a Type I Action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR (SEQR) and would not have a significant effect on the environment, and

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

WHEREAS, a proposed Advance Payment Agreement to Purchase Real Property ("the Agreement") between the County and the property owners is annexed hereto, and

WHEREAS, the property is described as 505.15 +/- square feet more or less as shown on Map 5, Parcel 5, identified as Parcel Number 132800-6558-04-709241-0000, a copy of which is annexed hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the Permanent Easement be purchased for the sum of $1,400 plus up to $1,000 in 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 in substantially the same form as annexed hereto along with any other necessary documents in connection with this acquisition, and be it further

RESOLVED, that on the submission by the property owner of a Permanent Easement to the aforementioned land, which shall include the terms and conditions of the Agreement, 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 owners in the sum of $1,400 plus up

to $1,000 in related expenses, if any, in connection with this permanent easement acquisition, and be it further

RESOLVED, that the terms and conditions of the aforementioned Agreement to Purchase Real Property be carried out by the Dutchess County Department of Public Works.

CA-125-18
AMS/sc/R-0934-AAA
6/13/18
Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/13/2018

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 9th day of July 2018, 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 9th day of July 2018.

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 $ 2,400

Total Current Year Revenue and Source $ 2,280

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

Identify Line Items(s):
H0384.5110.3008 Roads ISTEA

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): $120
Over Five Years: _____

Additional Comments/Explanation:
This Fiscal Impact Statement Pertains to:

RESOLUTION REQUEST TO ACQUIRE A PERMANENT EASEMENT
FROM GIL W. PALACIO AND SARAH F. PALACIO, IN CONNECTION WITH PIN 8755.38: BEEKMAN ROAD (CR 9) IMPROVEMENTS, TOWNS OF EAST FISHKILL AND BEEKMAN, DUTCHESS COUNTY
Request authorization to acquire a permanent easement to a 46.93+/- square meter, (505.15+/- square foot) parcel as shown on (Map 5, Parcel 5) for the purchase price of $1,400.00

Related expenses in the amout of $1,000 are included in the Total Current Year Cost.

Prepared by: Matthew W. Davis 2929

ADVANCE PAYMENT AGREEMENT TO PURCHASE REAL PROPERTY

Project: **Beekman Road (CR 9) Highway Improvements**
PIN or CIN: **8755.38** Map: **5** Parcel: **5**

This Advance Payment Agreement by and between **GIL W. PALACIO** and **SARAH F. PALACIO**, hereinafter referred to as the "Seller", residing at 25 Bannister Drive, Hopewell Junction, New York 12533; and the **COUNTY OF DUTCHESS**, with offices at 22 Market Street, Poughkeepsie, New York 12601, hereinafter referred to as the "Buyer".

1. PROPERTY DESCRIPTION. The Seller agrees to sell, grant, convey all right, title and interest to

☐ *all right title and interest* to **0**± square feet of real property. Purchase price is **$0**.

☒ a *permanent easement* to **505.15**± square feet of real property. Purchase price is **$1,400.**

☐ a *temporary easement* to **0**± square feet of real property. Purchase price is **$0**.

Located at **25 Bannister Drive, Town of East Fishkill,** Dutchess County, New York and further described as parcel **5** on Exhibit A, attached hereto.

Being a portion of those same lands described in a deed dated **8/12/2016**, and recorded on **9/2/2016**, in **Instrument # 02-2016-5925** in the Office of the County Clerk for Dutchess County, (Tax Map No. **6558-04-709241**).

2. IMPROVEMENTS INCLUDED IN THE ACQUISITION. The following improvements, if any, now in or on the property are included in this Advance Payment Agreement: **lawn and asphalt.**

3. PURCHASE PRICE. The Seller and the Buyer cannot agree upon the value of the real property interest(s) to be conveyed. The Buyer is willing to pay an amount equal to the highest approved appraisal of the just compensation for the property. This amount is **ONE THOUSAND, FOUR HUNDRED AND 00/100 DOLLARS ($1,400.00)**. This amount includes the real property interest(s) described in Paragraph 1 and the improvements described in Paragraph 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 documents which the Buyer, deems necessary to authorize payment and to convey to the Buyer clear title to the property described in paragraph 1 subject to the claim of the Seller. The parties agree that the Seller's right of the advance payment shall not be conditioned on the waiver of any other right.

4. CLOSING. Payment of **ONE THOUSAND, FOUR HUNDRED AND 00/100 DOLLARS ($1,400.00)** will be made by the Buyer to the Seller on or about _____, 20_____. This Agreement may be subject to the approval of the Dutchess County Legislature.

5. CLAIM. In accordance with Article 5 of the New York State Eminent Domain Procedure Law, the Seller hereby reserves the right to file a claim in the Dutchess County Supreme Court. 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 OF CLAIM. It is understood and agreed by and between the parties hereto, that if the Seller intends to file a claim for additional compensation in the Dutchess County Supreme Court, he/she/it must file the claim within one (1) year from the date of the execution of this Agreement.

7. If the Seller fails to file the claim in the time period stated, 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.

8. MARKETABILITY OF TITLE. Buyer shall pay for the costs associated with 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 agrees to cooperate with the Buyer in its curative action activities. 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. In the alternative, the Seller may elect to satisfy the liens and encumbrances from another source of funds.

9. RECORDING COSTS, & CLOSING ADJUSTMENTS. Buyer will pay all recording fees, if any. 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 acquisition 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 acquisition as a result of the **Beekman Road (CR 9) Highway Improvements** Project, PIN **8755.38**; Including, but not limited to the following:_____
_____.

IN WITNESS WHEREOF, on this _____ day of _____, 2018, the parties have entered into this Advance Payment Agreement.

APPROVED AS TO FORM:

_____
Department of Law

Seller: _____
Gil W. Palacio

Seller: _____
Sarah F. Palacio

APPROVED AS TO CONTENT:

_____
Department of Public Works

COUNTY OF DUTCHESS

Buyer: _____

Print Name: _____

Title: _____

'EXHIBIT A'

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

COUNTY ROUTE 9 (BEEKMAN ROAD) TACONIC STATE PARKWAY TO COUNTY ROUTE 10 (SYLVAN LAKE ROAD)

PIN 8755.38

MAP NO. 5
PARCEL NO. 5
SHEET 1 OF 2

Originals of this map (sheets 1 & 2) are on file at the offices of the Dutchess County Department of Public Works.

GIL W. PALACIO
& SARAH F. PALACIO
(REPUTED OWNERS)
DOCUMENT# 02-2016-5925

Town of East Fishkill
County of Dutchess
State of New York

ACQUISITION DESCRIPTION:
Type: PERMANENT EASEMENT
Portion of Real Property Tax
Parcel ID No.
132800-6558-04-709241-0000

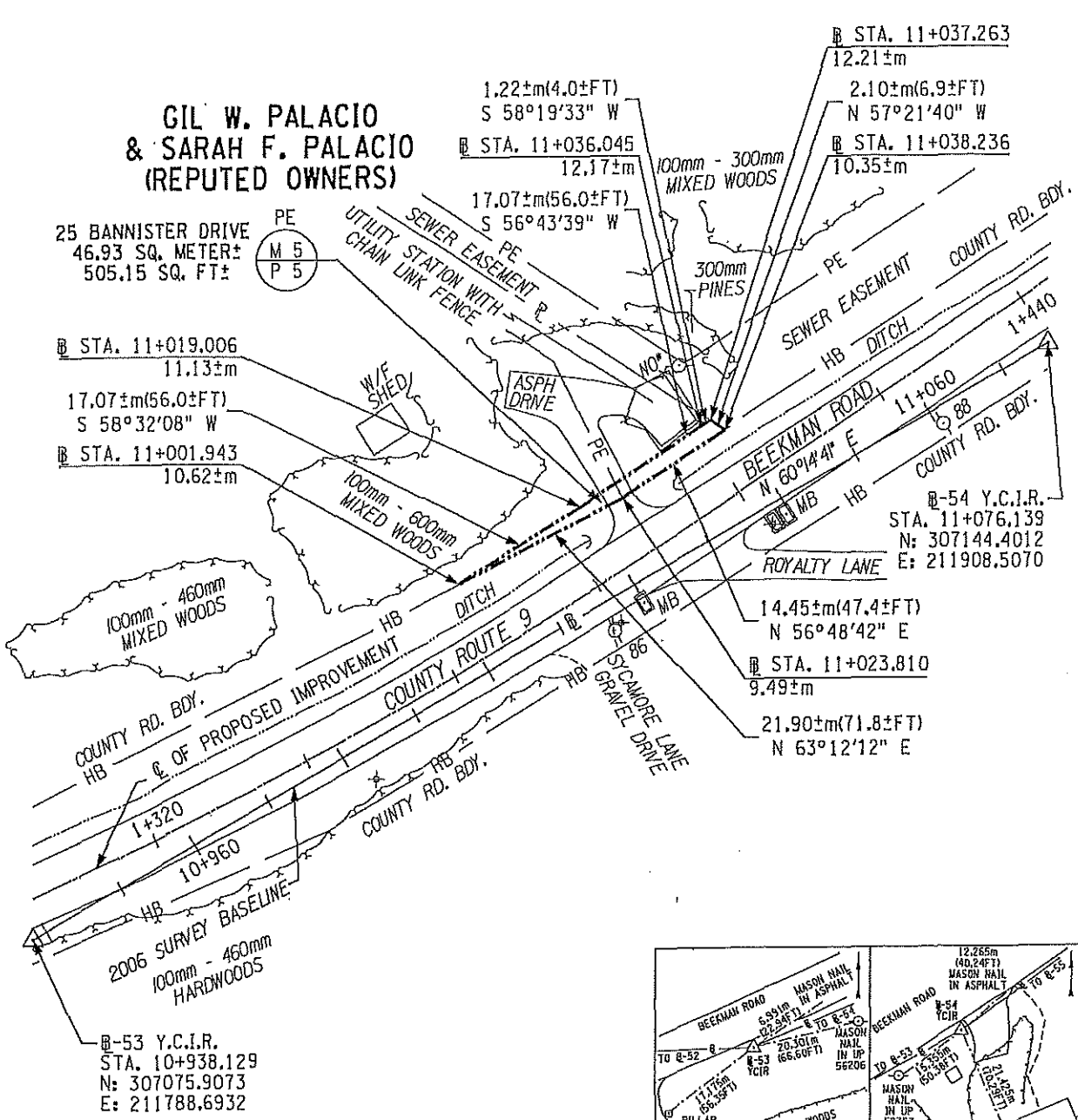
MAP REFERENCE:
Lot No.14 on certain map entitled "Final Subdivision Plat for the Sagamor Subdivision-Phase I" dated March 27, 1998 and filed in the Dutchess County Clerk's Office on September 21, 2000 as Filed Map#11065.

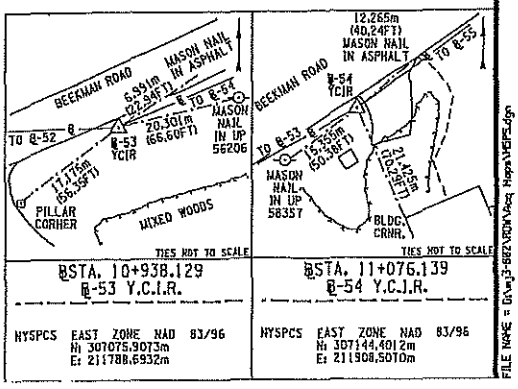
TRUE NORTH AT THE 74°30'
MERIDIAN OF WEST LONGITUDE

REPUTED OWNERS:
GIL W. PALACIO
& SARAH F. PALACIO
25 BANNISTER DRIVE
Hopewell Junction, NY 12533

ROY O. RODRIGUEZ
& ANDREA L. RODRIGUEZ
(REPUTED OWNERS)

21 BANNISTER DRIVE





10 0 10 20 30 m

SCALE 1:500
ONE METER EQUALS 3.28083333333 FEET.
ONE SQUARE METER EQUALS 10.7638673611 SQUARE FEET.

MAP NUMBER _____
REVISED DATE _____
DATE PREPARED _____

FILE NAME = G:\ag3-882\RON\Acq Maps\MSP5.dgn

'EXHIBIT A'

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

COUNTY ROUTE 9 (BEEKMAN ROAD) TACONIC STATE PARKWAY TO COUNTY ROUTE 10 (SYLVAN LAKE ROAD)

PIN 8755.38

MAP NO. 5
PARCEL NO. 5
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 a permanent easement acquisition, for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and Eminent Domain Procedure Law.

A PERMANENT EASEMENT TO BE EXERCISED IN, ON AND OVER THE PROPERTY ABOVE DELINEATED FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING AND MAINTAINING THEREON AN UTILITY STATION AND APPURTENANCES FOR THE COUNTY ROUTE 9 (BEEKMAN ROAD) IMPROVEMENTS, IN AND TO ALL THAT PIECE OR PARCEL OF PROPERTY DESIGNATED AS PARCEL NO. 5, SITUATE IN THE TOWN OF EAST FISHKILL, COUNTY OF DUTCHESS, STATE OF NEW YORK, AS SHOWN ON THE ACCOMPANYING MAP AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY BOUNDARY OF COUNTY ROUTE 9 (BEEKMAN ROAD), AT THE INTERSECTION OF SAID BOUNDARY WITH THE DIVISION LINE BETWEEN THE PROPERTY OF ROY O. RODRIGUEZ AND ANDREA L. RODRIGUEZ (REPUTED OWNERS) ON THE EAST AND THE PROPERTY OF GIL W. PALACIO AND SARAH F. PALACIO (REPUTED OWNERS) ON THE WEST, SAID POINT BEING 10.35±m DISTANT NORTHWESTERLY MEASURED AT RIGHT ANGLES FROM STATION 11+038.236 OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF A PORTION OF COUNTY ROUTE 9 (BEEKMAN ROAD); THENCE NORTH 57°-21'-40" WEST ALONG SAID DIVISION LINE 2.10±m(6.9±FT.) TO A POINT 12.21±m DISTANT NORTHWESTERLY MEASURED AT RIGHT ANGLES FROM STATION 11+037.263± OF SAID BASELINE; THENCE THROUGH THE PROPERTY OF GIL W. PALACIO AND SARAH F. PALACIO (REPUTED OWNERS) THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) SOUTH 58°-19'-33" WEST 1.22±m(4.0±FT.) TO A POINT 12.17±m DISTANT NORTHWESTERLY MEASURED AT RIGHT ANGLES FROM STATION 11+036.045 OF SAID BASELINE; (2) SOUTH 56°-43'-39" WEST 17.07±m(56.0±FT.) TO A POINT 11.13±m DISTANT NORTHWESTERLY MEASURED AT RIGHT ANGLES FROM STATION 11+019.006 OF SAID BASELINE; AND (3) SOUTH 58°-32'-08" WEST 17.07±m(56.0±FT.) TO A POINT ON THE FIRST MENTIONED NORTHERLY BOUNDARY OF COUNTY ROUTE 9 (BEEKMAN ROAD), THE LAST MENTIONED POINT BEING 10.62±m DISTANT NORTHWESTERLY MEASURED AT RIGHT ANGLES FROM STATION 11+001.943 OF SAID BASELINE; THENCE ALONG THE LAST MENTIONED NORTHERLY BOUNDARY OF COUNTY ROUTE 9 (BEEKMAN ROAD) THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) NORTH 63°-12'-12" EAST 21.90±m(71.8±FT.) TO A POINT 9.49±m DISTANT NORTHWESTERLY MEASURED AT RIGHT ANGLES FROM STATION 11+023.810± OF SAID BASELINE; AND (2) NORTH 56°-48'-42" EAST 14.45±m(47.4±FT.) TO THE POINT OF BEGINNING, SAID PARCEL BEING 46.93± SQUARE METERS (505.15± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE, OR INTEREST IN AND TO THE PROPERTY ABOVE DELINEATED, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHT 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 ESTABLISHED BY, THE CONSTRUCTION OR RECONSTRUCTION AND AS SO CONSTRUCTED OR RECONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

THE ABOVE MENTIONED SURVEY BASELINE IS A PORTION OF THE 2006 SURVEY BASELINE FOR THE RE-CONSTRUCTION OF COUNTY ROUTE 9 (BEEKMAN ROAD) AS SHOWN ON THE MAP AND DESCRIBED AS FOLLOWS:

BEGINNING AT STATION 10+938.129; THENCE NORTH 60°-14'-41" EAST TO STATION 11+076.139.

ALL BEARINGS REFERRED TO TRUE NORTH AT THE 74°-30' MERIDIAN OF WEST LONGITUDE.

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 _____ 2018

_____

Joseph C. Malinowski - Land Surveyor
P.L.S. License No. 050314

M.J. Engineering and Land Surveying, P.C.
1533 Crescent Road
Clifton Park, NY 12065

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date _____ 2018

_____

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

MAP NUMBER _____
REVISED DATE _____
DATE PREPARED _____

FILE NAME = G:\mj3-082\BDV\Acq Maps\MEPSudgn

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*		
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 8 - City and Town of Poughkeepsie	Brendli		
District 12 - Town of East Fishkill	Metzger (C)		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato (VC)		
District 16 - Town of Fishkill and City of Beacon	Zernike	absent	
District 24 - Towns of Dover and Union Vale	Surman	absent	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston	absent	

Present: 8 **Resolution:** ✓ **Total :** 8 (Yes) 0 (No)

Absent: 4 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018181 AUTHORIZING ACQUISITION OF A PERMANENT EASEMENT FROM GIL W. PALACIO AND SARAH F. PALACIO IN CONNECTION WITH A PROJECT FOR THE IMPROVEMENT OF A SECTION OF BEEKMAN ROAD (CR 9), TOWNS OF EAST FISHKILL AND BEEKMAN (PIN 8755.38)

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
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District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
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District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
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District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 **Resolution:** ✓ **Total :** 24 (Yes) 0 (No)

Absent: 1 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018181 AUTHORIZING ACQUISITION OF A PERMANENT EASEMENT FROM GIL W. PALACIO AND SARAH F. PALACIO IN CONNECTION WITH A PROJECT FOR THE IMPROVEMENT OF A SECTION OF BEEKMAN ROAD (CR 9), TOWNS OF EAST FISHKILL AND BEEKMAN (PIN 8755.38)

July 9, 2018

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2018182

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

Legislators METZGER, PULVER, BOLNER, and TRUITT offer the following and move its adoption:

WHEREAS, a Project for Emergency Repair Work caused by Hurricane Irene at various locations in Dutchess County, PIN 8702.00 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 100% Federal funds and 0% non-federal funds, and

WHEREAS, Resolution No. 2014125 adopted by this Legislature on June 10, 2014, approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of costs of construction, work, and

WHEREAS, it was subsequently found necessary to undertake additional construction work not contemplated in the original agreement authorized by the previous Resolution, and

WHEREAS, it has been found necessary to increase the federal and non-federal share of costs for the additional construction work for the Project, and

WHEREAS, the County desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the additional construction work for the Project or portions thereof, now therefore, be it

RESOLVED, that this Legislature hereby approves the above subject Project, and it is further

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

RESOLVED, that the sum of $51,945.11 ($242,008.11 minus the previous $190,063.00) is hereby appropriated from D5110.45890.17 and E5130.45890.17 and made available to cover the cost of participation in the above phases of the Project, and it is further

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

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

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

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

CA-108-18
AMS/kvh/G-0188
05/14/18
Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/18/2018

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 9th day of July 2018, 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 9th day of July 2018.

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 $ 0

Total Current Year Revenue and Source $ 51,945

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

Identify Line Items(s):
D.5110.45890.17 & E.5130.45890.17

Related Expenses: Amount $ 0
Nature/Reason:

Anticipated Savings to County:

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

Additional Comments/Explanation:
The purpose of this resolution is to authorize acceptance of additional Federal Funds and allow the County Executive to sign the Supplemental Agreement # 1 for PIN 8702.00 Emergency Repairs of Various Locations in Dutchess County caused by Hurricane Irene August 2011. These expenses were already paid out in 2011.

Prepared by: Rosanne M. Pinto Prepared On: 05/10/2018

Supplemental Agreement Cover for Local Agreements (11/12)
MUNICIPALITY/SPONSOR: Dutchess County
PIN: 8702.00
BIN: N/A
Comptroller's Contract No: D034757
Supplemental Agreement No. 1
Date Prepared & By: 4/24/18 mg

SUPPLEMENTAL AGREEMENT NO 1 to D034757

This Supplemental Agreement is by and between:

the New York State Department of Transportation ("NYSDOT"), having its principal office at 50 Wolf Road, Albany, New York, 12232, on behalf of New York State ("State");

And

Dutchess County (the Municipality/Sponsor)
Acting by and through the **County Executive**
With its office at **22 Market Street, City of Poughkeepsie, Dutchess County, New York**

This amends the existing Agreement between the parties in the following respects only:

X Amends a previously adopted Schedule A by:

- ☐ amending a project description
- ☐ amending the contract end date
- X amending the scheduled funding by:
  - X adding additional funding:
    - X adding DDIR 11 which covers eligible costs incurred on/after _____
    - ☐ adding 1,2,3 phase which covers eligible costs incurred on/after xxxxxx
  - ☐ increasing funding for a project phases(s)
  - ☐ adding a pin extension
  - ☐ change from Non-Marchiselli to Marchiselli
  - ☐ deleting/reducing a project phase(s)
  - ☐ other (xxxxx)

☐ Amends a previously adopted Schedule "B"

☐ Amends a previously adopted agreement by adding Appendix 2-S – Iran Divestment Act

☐ Amends the Text of the Agreement as follows:

Supplemental Agreement Cover for Local Agreements (11/12)
MUNICIPALITY/SPONSOR: Dutchess County
PIN: 8702.00
BIN: N/A
Comptroller's Contract No: D034757
Supplemental Agreement No. 1
Date Prepared & By: 4/24/18 mg

IN WITNESS WHEREOF, the parties have caused this agreement to be executed by its duly authorized officials as of the date first above written.

Approved for the Municipality/Sponsor

By: _____

Print Name: _____

Title: _____

Municipality/Sponsor Attorney:

By: _____

Print Name: _____

APPROVED AS TO CONTENT:

_____
DEPARTMENT OF PUBLIC WORKS

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

On this _____ day of _____, 2018 before me personally came _____ to me known, who, being by me duly sworn did depose and say that he/she resides at _____; that he/she is the _____ of the Municipal/Sponsor Corporation described in and which executed the above instrument; that it was executed by order of the _____of said Municipal/Sponsor Corporation pursuant to a resolution or other authorization which was duly adopted on _____ and which a certified copy is attached and made a part hereof, and that he/she signed his/her name thereto by like order.

_____
Notary Public

By: _____
For Commissioner of Transportation

Agency Certification: In addition to the Acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this Contract.

APPROVED AS TO FORM:
STATE OF NEW YORK ATTORNEY GENERAL

By: _____
Assistant Attorney General

COMPTROLLER'S APPROVAL:

By: _____
For the New York State Comptroller
Pursuant to State Finance Law§ 112

SCHEDULE A – Description of Project Phase, Funding and Deposit Requirements
NYSDOT/ State-Local Agreement - Schedule A for PIN 8702.00

OSC Municipal Contract #: 34757

Contract Start Date: 8/26/2011 (mm/dd/yyyy) **Contract End Date:** 9/30/2018 (mm/dd/yyyy)
☐ *Check, if date changed from the last Schedule A*

Purpose: ☐ Original Standard Agreement ☒ Supplemental Schedule A No. 1

Agreement Type: ☐ Locally Administered Municipality/Sponsor (Contract Payee): Dutchess County
Other Municipality/Sponsor (if applicable):

☐ State Administered *List participating Municipality(ies) and the % of cost share for each and indicate by checkbox which Municipality this Schedule A applies.*
☐ Municipality: % of Cost share
☐ Municipality: % of Cost share
☐ Municipality: % of Cost share

Authorized Project Phase(s) to which this Schedule applies: ☐ PE/Design ☐ ROW Incidentals ☐ ROW Acquisition ☒ Construction/CI/CS

Work Type: OTHER (See Footnotes) **County** (If different from Municipality): Dutchess County

Marchiselli Eligible ☐ Yes ☒ No *(Check, If Project Description has changed from last Schedule A):* ☐
Project Description: Emergency Repairs at various locations in Dutchess County caused by Hurricane Irene August 2011

Marchiselli Allocations Approved FOR All PHASES *All totals will calculate automatically.*

Check box to indicate change from last Schedule A	State Fiscal Year(s)	Project Phase			TOTAL
		PE/Design	ROW (RI & RA)	Construction/CI/CS	
☐	Cumulative total for all prior SFYs	$	$	$0.00	$ 0.00
☐	Current SFY	$0.00	$	$0.00	$ 0.00
	Authorized Allocations to Date	$ 0.00	$ 0.00	$ 0.00	$ 0.00

A. Summary of allocated MARCHISELLI Program Costs FOR ALL PHASES *For each PIN Fiscal Share below, show current costs on the rows indicated as "Current.". Show the old costs from the previous Schedule A on the row indicated as "Old." All totals will calculate automatically.*

PIN Fiscal Share	"Current" or "Old" entry indicator	Federal Funding	Total Costs	FEDERAL Participating Share	STATE MARCHISELLI Match	LOCAL Matching Share	LOCAL DEPOSIT AMOUNT (Required only if State Administered)
	Current		$ 0.00	$	$	$	$0.00
	Old		$ 0.00	$0.00	$0.00	$0.00	$0.00
	Current		$ 0.00	$	$	$	$0.00
	Old		$ 0.00	$0.00	$0.00	$0.00	$0.00
	Current		$ 0.00	$0.00	$0.00	$0.00	$0.00
	Old		$ 0.00	$0.00	$0.00	$0.00	$0.00
	Current		$ 0.00	$0.00	$0.00	$0.00	$0.00
	Old		$ 0.00	$0.00	$0.00	$0.00	$0.00
	Current		$ 0.00	$0.00	$0.00	$0.00	$0.00
	Old		$ 0.00	$0.00	$0.00	$0.00	$0.00
	Current		$ 0.00	$0.00	$0.00	$0.00	$0.00
	Old		$ 0.00	$	$0.00	$0.00	$0.00
TOTAL CURRENT COSTS:			$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00

NYSDOT/State-Local Agreement – Schedule A

B. Summary of Other (including Non-allocated MARCHISELLI) Participating Costs FOR ALL PHASES *For each PIN Fiscal Share, show current costs on the rows indicated as "Current.". Show the old costs from the previous Schedule A on the row indicated as "Old." All totals will calculate automatically.*

Other PIN Fiscal Shares	'Current' or 'Old' entry indicator	Funding Source	TOTAL	Other FEDERAL	Other STATE	Other LOCAL
8702.00.321	Current	ER	$242,008.11	$242,008.11	$0.00	$0.00
	Old	ER	$190,063.00	$190,063.00	$0.00	$0.00
	Current		$ 0.00	$0.00	$0.00	$0.00
	Old		$ 0.00	$0.00	$0.00	$0.00
	Current		$ 0.00	$0.00	$0.00	$0.00
	Old		$ 0.00	$0.00	$0.00	$0.00
	Current		$ 0.00	$0.00	$0.00	$0.00
	Old		$ 0.00	$0.00	$0.00	$0.00
	Current		$ 0.00	$0.00	$0.00	$0.00
	Old		$ 0.00	$0.00	$0.00	$0.00
	Current		$ 0.00	$0.00	$0.00	$0.00
	Old		$ 0.00	$0.00	$0.00	$0.00
	Current		$ 0.00	$0.00	$0.00	$0.00
	Old		$ 0.00	$0.00	$0.00	$0.00
TOTAL CURRENT COSTS:			$242,008.11	$242,008.11	$ 0.00	$ 0.00

C. Local Deposit(s) from Section A:	$ 0.00
Additional Local Deposit(s)	$
Total Local Deposit(s)	$ 0.00

D. Total Project Costs *All totals will calculate automatically.*

Total FEDERAL Cost	Total STATE MARCHISELLI Cost	Total OTHER STATE Cost	Total LOCAL Cost	Total ALL SOURCES Cost
$242,008.11	$ 0.00	$ 0.00	$ 0.00	$242,008.11

Point of Contact for Questions Regarding this Schedule A (Must be completed)	Name: Doreen Holsopple Phone No: 845-431-5977

See Agreement (or Supplemental Agreement Cover) for required contract signatures.

NYSDOT/State-Local Agreement – Schedule A

Footnotes: (See LPB's website for link to sample footnotes)

- Work Type: Corrective Highway Maintenance
- DDIR #2 - CR 49(Titusville Rd) @ Old Manchester Rd, Town LaGrange - $6,822
- DDIR #3 - CR 100 (Creek Rd) near Cream Street, Town Poughkeepsie - $11,788
- DDIR #4 - CR 72 (North Ave) near CR 72 (Sherow Rd), Town Pleasant Valley - $5,280
- DDIR #5 - CR 28 (Old Hopewell Rd) @ Spook Hill Rd, Town Wappingers - $6,429
- DDIR #6 - CR 37 (N Cross Rd) @Box 6 Culvert, Town Hyde Park - $27,184
- DDIR #7 - CR 47 (Freedom Plains Rd): Ryan Rd - Plass Rd, Town Pleasant Valley - $30,760
- DDIR #8 - CR 19 (Slate Quarry Rd): White Schoolhouse Rd - Eighmyville Rd, Town Rhinebeck - $82,824
- DDIR #9 - CR 93 (Meyers Corners Rd), Culvert Repair, Town of Wappingers - $6,542
-
- DDIR #10 - CR 16 (North Quaker Lane), Culvert Repair, Town of Hyde Park - $12,434
- Emergency Relief is funded at 100% federal aid
- This Schedule A adds the Final Approved DDIR #11:
- DDIR #11 - CR 14 (Hollow Road) at Sunset Trail, Hacket Hill Road, and Sodom Road, T/O Clinton - $51,945.11
- Final Total all DDIR's = $242,008.11
-
- PIN 8702.00; 4/24/2018mg

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*		
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 8 - City and Town of Poughkeepsie	Brendli		
District 12 - Town of East Fishkill	Metzger (C)		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato (VC)		
District 16 - Town of Fishkill and City of Beacon	Zernike	absent	
District 24 - Towns of Dover and Union Vale	Surman	absent	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston	absent	

Present: 8 **Resolution:** ✓ **Total :** 8 (Yes) 0 (No)

Absent: 4 **Motion:** ____ **Abstentions:** 0

Vacant: 0

2018182 AUTHORIZING THE IMPLEMENTATION, AND FUNDING, IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 Resolution: ✓ Total : 24 0

Absent: 1 Motion: ___ Yes No

Vacant: 0 Abstentions: 0

2018182 AUTHORIZING THE IMPLEMENTATION, AND FUNDING, IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE

July 9, 2018

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2018183

RE: AUTHORIZING CONDEMNATION PROCEEDING FOR FEE ACQUISITION AGAINST JAYNE R. MORGAN IN CONNECTION WITH THE OLD HOPEWELL ROAD (CR 28)/ALL ANGELS HILL ROAD (CR 94) INTERSECTION IMPROVEMENTS PROJECT IN THE TOWN OF WAPPINGER, DUTCHESS COUNTY, NEW YORK (PIN 8758.71)

Legislators METZGER, PULVER, and BOLNER offer the following and move its adoption:

WHEREAS, the Department of Public Works has proposed the improvement of Old Hopewell Road (CR 28)/All Angels Hill Road (CR 94) intersection in the Town of Wappinger, a project (PIN 8758.71) which includes the acquisition of portions of certain properties, and

WHEREAS, this Legislature by Resolution No. 2014272, adopted the findings of the Dutchess County Department of Public Works that the construction of the subject project (1) constitutes a Type I action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR ("SEQRA"), and (2) will not have a significant impact on the environment, and

WHEREAS, the Department of Public Works has made a determination that in order to facilitate the improvement of Old Hopewell Road (CR 28)/All Angels Hill Road (CR 94) intersection in the Town of Wappinger, it is necessary to acquire a fee acquisition over a portion of real property as follows: a 481.04+/- square foot parcel as shown on Map 10, Parcel 10 in the Town of Wappinger, Dutchess County, described as Parcel Identification Number 135689-6257-04-983444-0000, presently owned by Jayne R. Morgan, and

WHEREAS, negotiations to acquire such fee acquisition have reached an impasse in that the owner has not responded to repeated attempts by the Department to contact her to negotiate the required fee acquisition to facilitate the improvements of the subject project, and authorization is hereby requested to begin Eminent Domain Proceedings to acquire such acquisition from Jayne R. Morgan, and

WHEREAS, it is now necessary for this Legislature to authorize the commencement of proceedings pursuant to NYS Eminent Domain Procedure Law for the acquisition in fee as follows:

Name	Map No.	Parcel No.	Area Sq. Ft.	Proffered Amount
Jayne R. Morgan	10	10	481.04±	$275

now therefore, be it

RESOLVED, that the Commissioner of Public Works on behalf of Dutchess County be and is hereby authorized and empowered to commence proceedings against Jayne R. Morgan pursuant to the Eminent Domain Procedure Law for the acquisition in fee on the above property in furtherance of the improvement to Old Hopewell Road (CR 28)/All Angels Hill Road (CR 94) intersection in the Town of Wappinger, Dutchess County, New York.

CA-118-18
AMS/kvh/R-0931-O
06/13/18
Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/18/2018

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 9th day of July 2018, 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 9th day of July 2018.

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 $ 275

Total Current Year Revenue and Source $ 261

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

Identify Line Items(s):
H0384.5110.3007 Roads ISTEA

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): $14
Over Five Years: _____

Additional Comments/Explanation:
This Fiscal Impact Statement Pertains to:
RESOLUTION REQUEST TO BEGIN CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF REAL PROPERTY OWNED BY JAYNE R. MORGAN, IN CONNECTION WITH PIN 8758.71: OLD HOPEWELL ROAD (CR 28)/ALL ANGELS HILL ROAD (CR 94) INTERSECTION IMPROVEMENTS, TOWN OF WAPPINGER, DUTCHESS COUNTY

Acquisition Type:	Map No.:	Parcel No.:	Area sq.ft.:	Proffered Amount:
Temporary Easement	10	10	481.04	$275.00

Prepared by: Matthew W. Davis 2929

BECKMANN APPRAISALS, Inc.

67 MAIN STREET
TAPPAN, NEW YORK 10983
REAL PROPERTY APPRAISERS, ANALYSTS AND CONSULTANTS

William R. Beckmann, MAI, CRE, FRICS, Certified General Real Estate Appraiser
Mona Parker, Certified General Real Estate Appraiser
Ann Marie Mulholland, Certified General Real Estate Appraiser
Poh Sim Lim Png, Certified General Real Estate Appraiser

(845) 359-0070
fax (845) 359-3652
www.beckmannappraisals.com

March 22, 2016

Robert H. Balkind, P.E.
Deputy Commissioner
Dutchess County Dept. of Public Works-Engineering Division
626 Dutchess Turnpike
Poughkeepsie, NY 12603

Re: Property owned by: Jayne R. Morgan
Identified as: Town of Wappinger Parcel ID# 135689-6257-04-983444-0000
Project: 8758.71 intersection improvements of Old Hopewell Road (CR 28) and All Angels Hill Road (CR 94)
Map # 10 Parcel # 10

Dear Mr. Balkind:

In accordance with the NYS EDPL, the compensation to the owner of Map 10 Parcel 10 must be the highest approved/appraised amount for the current market value of the rights in that property being acquired/condemned. The independent appraisal has concluded a total value of these rights at TWO HUNDRED SEVENTY FIVE ($275, which was endorsed by a third party appraisal review. Thus, it is our recommendation that the compensation amount to the owners Jayne R. Morgan, for Map 10 Parcel 10 be $275.

Please countersign below with your approval to make this offer amount to the owner on behalf of Dutchess County as the acquiring/condemning authority.

Very truly yours,

William Beckmann

William R. Beckmann, MAI, CRE

I concur with the recommended amount of $275.

Robert H. Balkind, P.E., Deputy Commissioner

3/25/16
Date

S:

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

COUNTY ROUTE 28 (OLD HOPEWELL ROAD) / COUNTY ROUTE 94 (ALL ANGELS HILL ROAD) CAPACITY IMPROVEMENTS

PIN: 8758.71

MAP NO. 10
PARCEL NO. 10
SHEET 1 OF 2

Originals of this map (sheets 1 & 2) are on file at the offices of the Dutchess County Department of Public Works.

ACQUISITION DESCRIPTION:
Type: TEMPORARY EASEMENT
Portion of Real Property Tax Parcel ID No.
135689-6257-04-983444-0000

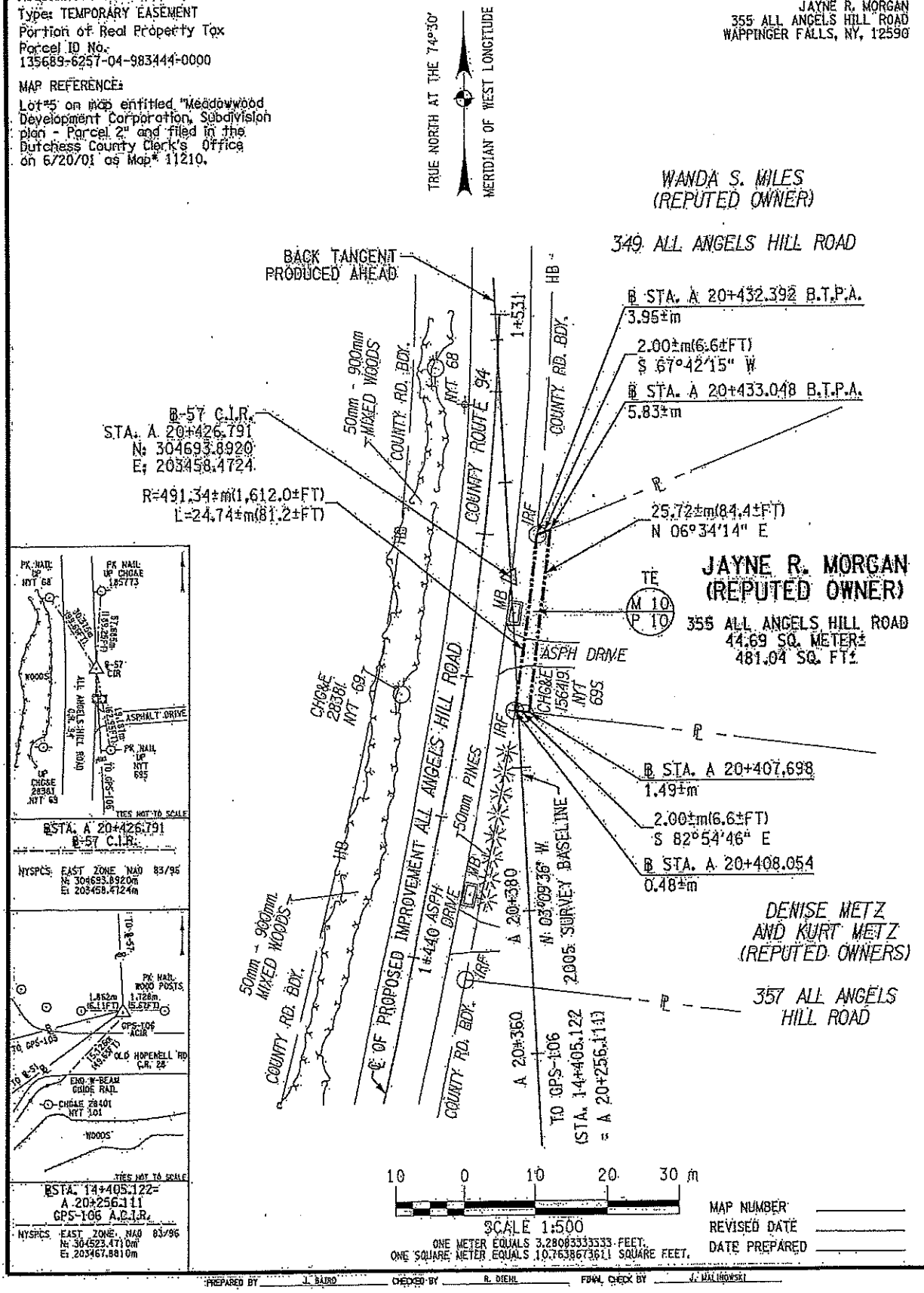
MAP REFERENCE:
Lot #5 on map entitled "Meadowwood Development Corporation, Subdivision plan - Parcel 2" and filed in the Dutchess County Clerk's Office on 6/20/01 as Map# 11210.

JAYNE R. MORGAN
(REPUTED OWNER)

DOCUMENT# 02-2007-2036

Town of Wappinger
County of Dutchess
State of New York

REPUTED OWNER:
JAYNE R. MORGAN
355 ALL ANGELS HILL ROAD
WAPPINGER FALLS, NY, 12590



PREPARED BY J. BAIRD CHECKED BY R. DIEHL FINAL CHECK BY J. MALINOWSKI

COUNTY ROUTE 28 (OLD HOPEWELL ROAD) / COUNTY ROUTE 94 (ALL ANGELS HILL ROAD) CAPACITY IMPROVEMENTS

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

PIN 8758.71

MAP NO. 10
PARCEL NO. 10
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 temporary easement acquisition, 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 NO. 10, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF A WORK AREA IN CONNECTION WITH THE REHABILITATION OF COUNTY ROUTE 28 (OLD HOPEWELL ROAD) TO GRADE THE SIDE SLOPES TO MEET THE EXISTING GROUND, RECONSTRUCT THE DRIVEWAY, SEEDING, TO RE-ESTABLISH A GRASS SURFACE, AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT; DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY BOUNDARY OF COUNTY ROUTE 94 (ALL ANGELS HILL ROAD), AT THE INTERSECTION OF SAID BOUNDARY WITH THE DIVISION LINE BETWEEN THE PROPERTY OF DENISE METZ AND KURT METZ (REPUTED OWNERS) ON THE SOUTH AND THE PROPERTY OF JAYNE R. MORGAN (REPUTED OWNER) ON THE NORTH, SAID POINT BEING 0.48±m DISTANT WESTERLY MEASURED AT RIGHT ANGLES FROM STATION A 20+408.054± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE COUNTY ROUTE 28 (OLD HOPEWELL ROAD) / COUNTY ROUTE 94 (ALL ANGELS HILL ROAD) CAPACITY IMPROVEMENTS; THENCE SOUTH 82°-54'-46" EAST ALONG SAID DIVISION LINE 2.00±m(6.6±FT.) TO A POINT 1.49±m DISTANT EASTERLY MEASURED AT RIGHT ANGLES FROM STATION A 20+407.698± OF SAID BASELINE; THENCE NORTH 06°-34'-14" EAST THROUGH THE PROPERTY OF JAYNE R. MORGAN (REPUTED OWNER) 25.72±m(84.4±FT.) TO A POINT ON THE DIVISION LINE BETWEEN THE PROPERTY OF WANDA S. MILES (REPUTED OWNER) ON THE NORTH AND THE PROPERTY OF JAYNE R. MORGAN (REPUTED OWNER) ON THE SOUTH, THE LAST MENTIONED POINT BEING 5.83±m DISTANT EASTERLY MEASURED AT RIGHT ANGLES FROM STATION A 20+433.048± OF THE BACK TANGENT PRODUCED AHEAD OF SAID BASELINE; THENCE SOUTH 67°-42'-15" WEST ALONG THE LAST MENTIONED DIVISION LINE 2.00±m(6.6±FT.) TO ITS INTERSECTION WITH THE FIRST MENTIONED EASTERLY BOUNDARY OF COUNTY ROUTE 94 (ALL ANGELS HILL ROAD), THE LAST MENTIONED POINT BEING 3.95±m DISTANT EASTERLY MEASURED AT RIGHT ANGLES FROM STATION A 20+432.392± OF THE BACK TANGENT PRODUCED AHEAD OF SAID BASELINE; THENCE SOUTHERLY ALONG THE LAST MENTIONED EASTERLY BOUNDARY OF COUNTY ROUTE 94 (ALL ANGELS HILL ROAD) ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 491.34±m(1,612.0±FT.), A DISTANCE OF 24.74±m (81.2±FT.) TO THE POINT OF BEGINNING, SAID PARCEL BEING 44.69± SQUARE METERS (481.04± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE, OR INTEREST IN AND TO THE PROPERTY ABOVE DELINEATED, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHT 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 ESTABLISHED BY, THE CONSTRUCTION OR RECONSTRUCTION AND AS SO CONSTRUCTED OR RECONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

THE ABOVE MENTIONED SURVEY BASELINE IS A PORTION OF THE 2005 SURVEY BASELINE FOR THE RE-CONSTRUCTION OF COUNTY ROUTE 28 (OLD HOPEWELL ROAD) / COUNTY ROUTE 94 (ALL ANGELS HILL ROAD) CAPACITY IMPROVEMENTS, AND IS DESCRIBED AS FOLLOWS:

BEGINNING AT STATION 14+405.122 = A 20+256.111; THENCE NORTH 03°-09'-36" WEST TO STATION A 20+426.791.

ALL BEARINGS REFERRED TO TRUE NORTH AT THE 74°-30' MERIDIAN OF WEST LONGITUDE.

I hereby certify that the property mapped above is necessary for this project, and the acquisition thereof is recommended.

Date 12-14 2015

Noel H. S. Knille, AIA, ASLA
Commissioner of Public Works

Recommended by:

Date 12/14 2015

Robert H. Balkind, P.E.
Deputy Commissioner

STATE OF NEW YORK
JOSEPH G. MALINOWSKI
050314
LICENSED LAND SURVEYOR

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 December 7th 2015

Joseph G. Malinowski - Land Surveyor
P.L.S. License No. 050314

M.J. Engineering and Land Surveying, P.C.
1533 Crescent Road
Clifton Park, NY 12065

MAP NUMBER
REVISED DATE
DATE PREPARED

PREPARED BY J. BAIRD CHECKED BY R. DIEHL FINAL CHECK BY J. MALINOWSKI

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 8 - City and Town of Poughkeepsie	Brendli	absent	
District 12 - Town of East Fishkill	Metzger (C)		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato (VC)		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston	absent	

Present: 9 **Resolution:** ✓ **Total :** 9 (Yes) 0 (No)

Absent: 3 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018183 AUTHORIZING CONDEMNATION PROCEEDING FOR FEE ACQUISITION AGAINST JAYNE R. MORGAN IN CONNECTION WITH THE OLD HOPEWELL ROAD (CR 28)/ALL ANGELS HILL ROAD (CR 94) INTERSECTION IMPROVEMENTS PROJECT IN THE TOWN OF WAPPINGER, DUTCHESS COUNTY, NEW YORK (PIN 8758.71)

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 **Resolution:** ✓ **Total :** 24 0

Absent: 1 **Motion:** ____ Yes No

Vacant: 0 **Abstentions:** 0

2018183 AUTHORIZING CONDEMNATION PROCEEDING FOR FEE ACQUISITION AGAINST JAYNE R. MORGAN IN CONNECTION WITH THE OLD HOPEWELL ROAD (CR 28)/ALL ANGELS HILL ROAD (CR 94) INTERSECTION IMPROVEMENTS PROJECT IN THE TOWN OF WAPPINGER, DUTCHESS COUNTY, NEW YORK (PIN 8758.71)

July 9, 2018

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2018184

RE: AUTHORIZATION TO RESERVE FUNDS RECEIVED IN 2017 FROM A SETTLEMENT TO PAY FOR REPAIRS TO HANGAR DOORS AT THE HUDSON VALLEY REGIONAL AIRPORT

Legislators METZGER, PULVER, SAGLIANO, BOLNER and INCORONATO offer the following and move its adoption:

WHEREAS, after negotiating a settlement with Richmor Aviation, a former tenant, of the Hudson Valley Regional Airport (Airport), the sum of $200,000 was received as revenue in 2017 by the County, and

WHEREAS, $55,132.06 was applied to an outstanding accounts receivable balance for monies due from Richmor Aviation for unpaid sales tax on fuel sales, and

WHEREAS, the Department of Public Works is requesting to reserve and appropriate $144,867.94 from the settlement to fund the needed hangar door rehabilitation at the airport, which was originally the former tenant's responsibility, and

WHEREAS, the Department of Public Works is in the process of locating and hiring a vendor to provide the services necessary to rehabilitate or repair said hangar door, the cost of which is estimated to be $144,867.94, and

WHEREAS, it is now necessary to reclassify monies received in 2017 to reserve $144,867.94 from the settlement proceeds received in 2017, and amend the 2018 Adopted County Budget to appropriate $144,867.94, which will allow for the work to be performed in 2018, now therefore, be it

RESOLVED, that the Commissioner of Finance is hereby authorized, empowered and directed to reclassify 2017 funds and amend the 2018 Adopted County Budget as follows:

<u>2017 RECLASSIFICATION</u>:

Decrease:		
EA.5610.27700.02	Miscellaneous revenues	$144,868
Increase		
EA.5610.26900.00	Other compensation for loss	$144,868
Decrease		
EA.909	Net Assets – unrestricted	$144,868
Increase:		
EA.923	Net Assets – restricted	$144,868

2018 BUDGET AMENDMENTS

Increase Appropriations:

EA.5610.2800	Building Improvements	$144,868

Increase Revenues:

EA.5610.95110.10	Appropriated reserve, Airport restricted reserve	$144,868

CA-131-18
AMS/sc G-0103 06/18/18
Fiscal Impact: See attached statements

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 7/18/2018

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 9th day of July 2018, 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 9th day of July 2018.

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 $ 144,686

Total Current Year Revenue and Source $ 144,686

EA.5610.26900.00 - Claims for Loss General

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): $0

Over Five Years: _____

Additional Comments/Explanation:

Proceeds from a financial settlement with Richmor Aviation received in 2017 shall be deferred and booked as revenue in 2018 to be appropriated by this resolution to fund the needed hangar door repair per the settlement agreement.

Prepared by: David C. Whalen

Prepared On: 6/12/18

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*		
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 8 - City and Town of Poughkeepsie	Brendli	absent	
District 12 - Town of East Fishkill	Metzger (C)		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato (VC)		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston	absent	

Present: 9 **Resolution:** ✓ **Total :** 9 Yes 0 No

Absent: 3 **Motion:** ___

Vacant: 0 **Abstentions:** 0

2018184 AUTHORIZATION TO RESERVE FUNDS RECEIVED IN 2017 FROM A SETTLEMENT TO PAY FOR REPAIRS TO HANGAR DOORS AT THE HUDSON VALLEY REGIONAL AIRPORT

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 **Resolution:** ✓ **Total :** 24 (Yes) 0 (No)

Absent: 1 **Motion:** ___

Vacant: 0 **Abstentions:** 0

2018184 AUTHORIZATION TO RESERVE FUNDS RECEIVED IN 2017 FROM A SETTLEMENT TO PAY FOR REPAIRS TO HANGAR DOORS AT THE HUDSON VALLEY REGIONAL AIRPORT

July 9, 2018

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2018185

RE: AUTHORIZATION TO USE CURRENT FUNDS TO PAY A 2017 DEPARTMENT OF PUBLIC WORKS - PUBLIC TRANSIT DIVISION INVOICE

Legislators METZGER, PULVER, SAGLIANO, and BOLNER offer the following and move its adoption:

WHEREAS, the Department of Public Works - Public Transit Division, upon receiving several outstanding 2017 invoices for bus repair work from Brega D.O.T. Maintenance Corp., ("Brega"), paid the invoices with 2017 funds, and

WHEREAS, in late 2017, because three buses were still at Brega undergoing repairs, Public Transit reserved funds to pay for said repairs in an amount based upon the estimates provided by Brega, and

WHEREAS, invoices in excess of above estimates were later submitted by Brega after the 2017 fiscal year was closed, and

WHEREAS, the charges reflected by said invoices remain unpaid, and

WHEREAS, it is necessary to use current 2018 year funds to pay the prior year bill in the amount of $34,516 to Brega for bus repair services, and

WHEREAS, the State Comptroller has, pursuant to County Law Section 362, expressed the opinion that claims for services rendered to a county in an earlier year may be paid in a later year if the contracts were valid when made and if there are moneys legally available to be used for such purposes (Opinion 69-686), now, therefore, be it

RESOLVED, the Department of Public Works - Public Transit Division is hereby authorized, empowered and directed to use the 2018 funds in the amount of $34,516 to pay the 2017 Brega invoices.

CA-130-18
AMS/kvh G-1523-R
06/08/18
Fiscal Impact: None. Reduction of 2018 appropriations in amounts indicated. See attached statements

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/18/2018

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 9th day of July 2018, 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 9th day of July 2018.

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 $ 34,516

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): $34,516
Over Five Years: _____

Additional Comments/Explanation:

Requesting to use current year fund to pay a prior year bill in the amount of $34,516, Brega Transport, for bus repair services.

In January Public Transit reached out to Brega for any outstanding 2017 invoices and paid the associated invoices that were received with 2017 funds. During year end, 3 buses were at Brega undergoing repairs, DPW reserved funds to pay for these repairs based on the estimates provided by the company. Invoices in excess of the estimates were later submitted by the company after the 2017 fiscal year was closed. DPW is now seeking authorization to pay these invoices with 2018 budgeted funds.

Prepared by: David C. Whalen, Deputy Commissioner Prepared On: 6/15/18

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 8 - City and Town of Poughkeepsie	Brendli	absent	
District 12 - Town of East Fishkill	Metzger (C)		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato (VC)		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston	absent	

Present: 9 **Resolution:** ✓ **Total :** 9 (Yes) 0 (No)

Absent: 3 **Motion:** ____ **Abstentions:** 0

Vacant: 0

2018185 AUTHORIZATION TO USE CURRENT FUNDS TO PAY A 2017 DEPARTMENT OF PUBLIC WORKS - PUBLIC TRANSIT DIVISION INVOICE

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 **Resolution:** ✓ **Total :** 24 (Yes) 0 (No)

Absent: 1 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018185 AUTHORIZATION TO USE CURRENT FUNDS TO PAY A 2017 DEPARTMENT OF PUBLIC WORKS - PUBLIC TRANSIT DIVISION INVOICE

July 9, 2018

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2018186

RE: AMENDING THE 2018 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS - PUBLIC TRANSIT DIVISION

Legislators METZGER, PULVER, SAGLIANO, and BOLNER offer the following and move its adoption:

WHEREAS, the Dutchess County Department of Public Works – Public Transit Division provides public transportation services to Dutchess County, with management, operations, and maintenance staff for said services provided through a private management contract with Transit Management of Dutchess County (First Transit), and

WHEREAS, the collective bargaining agreement between First Transit and Teamsters Local 445 expired on January 31, 2018, and the parties negotiated a new agreement (the "Agreement") with a two year term, effective February 1, 2018, and

WHEREAS, the new Agreement includes: (i) a standard wage rate for drivers, eliminating the three year rate progression, and instituting a one year salary progression with 90% of full pay for new hires in their first year, (ii) employees, except mechanics, shall receive hourly wage increases of $2.27 effective retroactively to February 1, 2018, and $1.27 effective February 1, 2019, and (iii) all mechanics shall receive hourly wage increases of $4.27 effective retroactively to February 1, 2018 and $1.77 effective February 1, 2019, all of which changes are at an estimated two-year cost of $1,447,000, and

WHEREAS, in response to feedback from First Transit employees, the Agreement also includes a change in the overtime policy to provide drivers with an overtime rate of pay rather than a straight time rate of pay for all hours worked on a sixth day, at an estimated two-year cost of $217,000, and

WHEREAS, the Agreement includes continuation of the company's contribution to healthcare, absorbing cost increases and doubling (100%) the company's Health Reimbursement Account contribution amounts for single, two-person, and family plans, at an estimated two-year cost of $327,000, and

WHEREAS, the Agreement includes a new Teamster-based 401K plan with a 2.75% company match effective June 1, 2018 and 3.62% match effective February 1, 2019, and increases in hourly pension contributions by the company from $1.96 per hour in 2017, to $2.21 effective upon ratification, and $2.46 effective February 1, 2019, at an estimated two-year cost of $219,000, and

WHEREAS, the Agreement also includes increased tool allowances for mechanics, safety shoe reimbursement, the addition of one Holiday, and an additional sick day, at an estimated two-year cost of $26,000, and

WHEREAS, this Agreement seeks to acknowledge and reward the hard work and dedication of First Transit employees, while remaining respectful of County taxpayers, and

WHEREAS, the cost to the County of this Agreement shall be partially offset by State and Federal revenue sources, and

WHEREAS, it is necessary to amend the 2018 Adopted County Budget to implement the changes included in the agreement, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to amend the 2018 Adopted County Budget, in accordance with the terms of the Agreement, and as set forth on the attached budget amendments.

CA-132-18
06/13/18
RK/AMS/kvh/sc
G-0930-C
Fiscal Impact: See attached

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/18/2018

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 9th day of July 2018, 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 9th day of July 2018.

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 $ 846,913

Total Current Year Revenue and Source $ 435,000

5307 Operating Assistance Revenue & Preventative Maintenance

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): $411,913

Over Five Years: _____

Additional Comments/Explanation:

The total cost of this contract over the two year term February 1, 2018 through February 1, 2020, will be approximately $2.27 million, with 5307 Operating Assistance funds and Preventative Maintenance offsetting a portion of this cost. The resulting net to county impact of the agreement over two years is approximately $1.13 million.

Prepared by: Rachel Kashimer, Budget Office

Prepared On: 6/7/18

Teamsters Collective Bargaining Agreement

APPROPRIATIONS

Increase

ET.5680.4401.106	Professional Services Program	$651,753
ET.5680.4755	Non-Employee Benefits	$192,785
ET.5680.4654	Reimb of Exp - Non-Employee	$2,375
A.9901.63.9850	ET Fund Contribution	$411,913
		$1,258,826

REVENUES

Increase

ET.5680.45890.11	Other Transp. 5307 Operating Assistance	$400,000
ET.5680.35890.02	Other Transp. Preventative Maint. - State	$4,000
ET.5680.45890.05	Other Transp. Preventative Maint. - Federal	$31,000
A.9998.95990	Appropriated Fund Balance	$411,913
ET.5680.50310	Interfund Transfers	$411,913
		$1,258,826

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*		
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 8 - City and Town of Poughkeepsie	Brendli	absent	
District 12 - Town of East Fishkill	Metzger (C)		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato (VC)		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston	absent	

Present: 9 **Resolution:** ✓ **Total :** 9 (Yes) 0 (No)

Absent: 3 **Motion:** ___ **Abstentions:** 0

Vacant: 0

2018186 AMENDING THE 2018 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS - PUBLIC TRANSIT DIVISION

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 **Resolution:** ✓ **Total :** 24 (Yes) 0 (No)

Absent: 1 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018186 AMENDING THE 2018 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS - PUBLIC TRANSIT DIVISION

July 9, 2018

PUBLIC WORKS & CAPITAL PROJECTS
Amended on floor 7-9-18

RESOLUTION NO. 2018187

RE: AMENDING THE 2018 ADOPTED COUNTY BUDGET TO CREATE A CAPITAL PROJECT ACCOUNT LINE AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS

Legislators METZGER, PULVER, ROMAN, SAGLIANO, TRUITT, BOLNER, and INCORONATO offer the following and move its adoption:

WHEREAS, the Commissioner of the Department of Public Works advises that it is necessary to purchase commercial kitchen equipment, technology equipment, security equipment and furnishings to be installed at the new building and community center to be leased by the Office for the Aging (OFA), and

WHEREAS, the equipment will furnish the new OFA office building and community center, as well as the OFA commercial kitchen where meals are prepared for the Home Delivery program, and

WHEREAS, the County has applied for and received a State and Municipal Facilities Program (SAM) grant for this project in the amount of $1,000,000, see attached letter, and

WHEREAS, the County is seeking to purchase the aforementioned equipment and furnishings for approximately, $1,000,000, and

WHEREAS, it is necessary to establish a capital account to provide for the purchase of the equipment and furnishings, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to accept and receive the funding and establish the capital project as follows:

APPROPRIATIONS:
Increase

H0519.1620.2700	Fixtures Furnishing and Equipment	$1,000,000
		$1,000,000

REVENUES:
Increase

H0519.1620.30890.20	Other State Aid, Capital Project Grant	$1,000,000
		$1,000,000

CA-128-18
AMS/kvh/G-0188
06/13/18
Fiscal Impact: See attached statement

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/18/2018

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 9th day of July 2018, 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 9th day of July 2018.

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 $ 1,000,000

Total Current Year Revenue $ 1,000,000

and Source

State and Municipal Facilities Program (SAM) grant - $1,000,000 (see attached letter)
If SAM grant is not recived the source of funding will be Fund Balance

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

Identify Line Items(s):

Related Expenses: Amount $ 0

Nature/Reason:

Anticipated Savings to County:

Net County Cost (this year): $0

Over Five Years: $0

Additional Comments/Explanation:

Request funding to purchase commercial kitchen equipment, technology equipment, security equipment and furnishings to be installed at new Office for the Aging building. The equipment will furnish the new OFA office building and community center, as well as the OFA commercial kitchen where meals are prepared for the Home Meal Delivery program. The cost of this equipment is estimated at $1,000,000. The County has applied for, and received a State and Municipal Facilities Program (SAM) grant for $1,000,000 (see attached letter from DASNY.) If the grant revenue is ultimately not received by the County, the cost of the equipment shall be expensed against Fund Balance.

Prepared by: Robert H. Balkind, P.E. Prepared On: 6/11/18

NEW YORK STATE OF OPPORTUNITY. | DASNY

ANDREW M. CUOMO
Governor

ALFONSO L. CARNEY, JR.
Chair

GERRARD P. BUSHELL, Ph.D.
President & CEO

February 13, 2018

VIA REGULAR MAIL

Ms. Jessica White
Budget Director
Dutchess County
22 Market Street, 6th Floor
County Executive's Office
Poughkeepsie, NY 12601

Re: State and Municipal Facilities Program ("SAM")
Purchase and Installation of Furniture and Equipment for the New Office for the Aging Building
Project ID: #12788

Dear Ms. White:

As you know, the State has awarded Dutchess County ("Grantee") a State and Municipal Facilities Program ("SAM") grant for the above-referenced project in the amount of $1,000,000 (the "Grant").

DASNY will be undertaking a number of reviews as outlined in the attached Frequently Asked Questions (FAQs). ***Please read the FAQs. They provide information you will need throughout the grant administration process.***

This letter explains the documentation you will need to complete and return to DASNY. ***Please return the completed documentation described below within thirty days or send an email to*** grants@dasny.org ***to let us know when you anticipate being able to return the information.***

To initiate the review process, enclosed you will find the "**Project Information Sheet**" for your SAM Grant. Please complete the four (4) sections in the attached Project Information Sheet, sign and date the Project Information Sheet certifying that the information you provided to DASNY is true and correct. Even if some of the information has been submitted to other parties previously, the enclosed Project Information Sheet and attachments must be provided to DASNY.

In addition, as part of the legal review of your Grant, DASNY will need you to complete and return the following documents. The documents and their purposes are summarized below.

Note: **An Authorized Officer is someone who can bind the Grantee to a contract. Please contact the Grantee's attorney if there are any questions as to who can sign on behalf of the Grantee. By signing these documents, the person signing is certifying that they are authorized to bind the Grantee to the terms of the documents.**

Grantee Certification

- Certain laws prohibit the use of public funds to finance religious programs or programs that may favor one religion over another. As the issuer of the bonds that will finance the project to be funded with Grant funds, DASNY must verify that it is in compliance with all applicable Federal and State laws and regulations.

  Accordingly, please review the attached Grantee Certification (at the end of this letter) to ensure it accurately states the purposes for which the Grant funds will be used. Please arrange for two Authorized Officers of your organization to sign the Grantee Certification.

Project Certification

- As the issuer of the bonds that will finance the project to be funded with Grant funds, DASNY must verify that it is in compliance with all applicable Federal and State laws and regulations. This includes verifying that Grant funds will not be used for a project that was previously funded with Grant proceeds, administered by DASNY, for substantially the same project at the same location as described in a Preliminary Application or Project Information Sheet DASNY processed within the last six (6) years.

  Accordingly, please review the attached Project Certification (at the end of this letter) and arrange for an Authorized Officer of your organization to sign the Project Certification.

W-9 Form

- This form is utilized to set up the Grantee as a vendor in the DASNY's financial system. The Grantee's Federal Employer Identification Number (FEIN) or Taxpay Identification Number (TIN) is required to make payment. Please be sure that the FEIN number and Legal Organization name (as well as any d/b/a) is accurately reflected on the W-9. The Legal Organization name and FEIN should match the Legal Organization name and FEIN that the Internal Revenue Service has on file for the Grantee which should also correspond with the Grantee's Incorporation Papers.

Grantee Questionnaire (GQ)

- As the trustee of public funds, DASNY needs to be certain that bond proceeds are paid only to organizations that are deemed to be responsible entities. Full and accurate responses on the GQ will help to achieve this goal. The GQ must be completed, signed by an Authorized Officer of the Grantee, Chair of the Board (or other Authorized Officer) and each signature must be notarized by a New York State Notary Public before DASNY can process the grant. Please be advised that the GQ will be incorporated into the Grant Disbursement Agreement (the contract between DASNY and the Grantee) and that the submission of false information on the GQ could be a violation of Federal and State Penal Laws.

Evidence of Site Control

- Site control is required to evidence that the Grantee has sufficient authorization and control to undertake the project at the project location. In order to verify the Grantee owns, leases, or otherwise has control over the site where the project will be located, please provide a copy of the deed, lease, or other document evidencing site control by the Grantee. In the case of a vehicle purchase, title and registration will be needed at the time that requisitions for Grant funds are submitted. DASNY will also need to know the location for where the vehicle will be kept

Financial Documentation

- Please send a copy of quotes, proposals, cost estimates or any other document that will justify the overall project value. As part of DASNY's financial review of the project, we must receive an estimate setting forth the projects costs necessary to complete the project. If the cost estimate is higher than the value of the grant, DASNY will need to see evidence of the other source(s) of funding for the project. Please see the attached checklist as a reference for what is needed for the financial review.

In addition to the above, an Environmental Manager from DASNY's Office of Environmental Affairs (OEA) will be contacting you regarding the environmental review required pursuant to the State Environmental Quality Review Act (SEQRA). If another agency, such as a municipality, has previously undertaken an environmental review for this project, you will be asked to set forth the lead agency for the review and provide a copy of its SEQR determination. If DASNY is the lead agency for the review, or the project to be funded with the grant is a Type II project, OEA will work with you to complete the required documentation.

For your convenience, we have enclosed a form cover letter for you to use when you return the completed documents to DASNY. Emailing your documents to Grants Administration staff will not expedite the process, so please send the package as directed to the address noted in the template cover letter. **Incomplete documents will delay the processing of your Grant application.** You will be contacted during the review process if additional information is needed.

In the meantime, please review the enclosed list of **Frequently Asked Questions**. This list was designed to answer many of the questions that you may have about the Grant process. **Please keep this document to use as a reference during the administration of the Grant.**

Should you have any questions concerning the enclosed documentation, please email grants@dasny.org and someone from Grants Administration will contact you.

Sincerely,

Sarah D. Antonacci
Assistant Director, Grants Administration

Enc.
cc (w/out enc.): Mr. Shawn MacKinnon, NYS Senate Finance Committee
Sara Richards, Esq., DASNY

H0519 - 2018 OFA Building Equipment

APPROPRIATIONS			
Increase			
	H0519.1620.2700	Fixtures Furnishing and Equipment	$1,000,000
			$1,000,000
REVENUES			
Increase			
	H0519.1620.30890.20	Other State Aid, Capital Project Grant	$1,000,000
			$1,000,000

MARCUS J. MOLINARO
COUNTY EXECUTIVE

JESSICA A. WHITE
BUDGET DIRECTOR

COUNTY OF DUTCHESS
BUDGET OFFICE

MEMO

DATE: January 2, 2019

TO: James J. Miccio, Chair Public Works and Capital Projects
A. Gregg Pulver, Chairman of the Legislature

FROM: Jessica White, Budget Director

SUBJECT: Office for the Aging Capital Project

In July, the Legislature adopted resolution 2018187 which created capital project H0521 to purchase furniture and equipment for the new Office for the Aging Senior Center. The Capital project was funded by a $1 million-dollar State and Municipal Facilities Program ("SAM") grant (see attached resolution and award letter).

All the paperwork was submitted to DASNY as required, however, on November 30, we were notified that this is the only DASNY program that requires all facilities receiving funding to be owned or leased from an "eligible entity". Private companies are not eligible under this program; therefore, the grant will not be realized for capital project H0521. However, DASNY also indicated that the funding was still allocated for Dutchess, and we can submit another project that was supported with County funding that could now be funded with this SAM grant to offset the unrealized revenue on H0521.

In working with Senator Sue Serino's Office, we have identified $1 million dollars' worth of capital equipment that is eligible for funding under this program which was approved by the Legislature through resolution 2018129 capital project H0516. We will hold off on borrowing for the capital equipment in project H0516 and instead project to realize revenue from the SAM grant to fund this project. We will provide you with updates on this grant as we move through the process and will wait to close out H0521 at the same time as H0516 so there will be no overall financial impact.

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

Assistant Majority Leader Sagliano, duly seconded by Legislator Miccio, moved the foregoing resolution. Discussion on Resolution No. 2018187 proceeded as follows:

Assistant Minority Leader Munn, duly seconded by Minority Leader Black, made a motion to delete the fifth and sixth WHEREAS and first RESOLVED.

Roll call on the foregoing motion resulted as follows:

AYES:	24	Amparo, Black, Borchert, Brendli, Edwards, Garito, Horton, Houston, Incoronato, Jeter-Jackson, Johnson, Llaverias, Metzger, Miccio, Munn, Page, Pulver, Roman, Sagliano, Surman, Thomes, Truitt, Tyner, Zernike
NAYS:	0	
ABSENT:	1	Bolner

Motion adopted.

Roll call on the foregoing resolution resulted as follows:

AYES:	24	Amparo, Black, Borchert, Brendli, Edwards, Garito, Horton, Houston, Incoronato, Jeter-Jackson, Johnson, Llaverias, Metzger, Miccio, Munn, Page, Pulver, Roman, Sagliano, Surman, Thomes, Truitt, Tyner, Zernike
NAYS:	0	
ABSENT:	1	Bolner

Resolution adopted.

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*		1
District 5 - Town of Poughkeepsie	Roman*		2
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		3
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*	1	
District 8 - City and Town of Poughkeepsie	Brendli	2	
District 12 - Town of East Fishkill	Metzger (C)		4
District 14 - Town of Wappinger	Amparo	3	
District 15 - Town of Wappinger	Incoronato (VC)		5
District 16 - Town of Fishkill and City of Beacon	Zernike	absent	
District 24 - Towns of Dover and Union Vale	Surman		6
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston	absent	

Present: (a) 09
Absent: 23
Vacant: 0

Resolution: ___
Motion: ✓

Total : 3 Yes, 6 No
Abstentions: 0

KM/FA

strike 5th + 6th Whereas +
1st Resolved

2018187
7.2.18

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	1	
District 5 - Town of Poughkeepsie	Roman*	2	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*	3	
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*	4	
District 8 - City and Town of Poughkeepsie	Brendli	5	
District 12 - Town of East Fishkill	Metzger (C)	6	
District 14 - Town of Wappinger	Amparo	7	
District 15 - Town of Wappinger	Incoronato (VC)	8	
District 16 - Town of Fishkill and City of Beacon	Zernike	absent	
District 24 - Towns of Dover and Union Vale	Surman	9	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston	absent	

Present: 9 **Resolution:** ✓ **Total :** 9 Yes 0 No

Absent: 03 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018187 AMENDING THE 2018 ADOPTED COUNTY BUDGET TO CREATE A CAPITAL PROJECT ACCOUNT LINE AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	1	
District 5 - Town of Poughkeepsie	Roman	2	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	3	
District 4 - Town of Hyde Park	Black	4	
District 20 - Town of Red Hook/Tivoli	Munn	5	
District 1 - Town of Poughkeepsie	Llaverias	6	
District 3 - Town of LaGrange	Borchert	7	
District 6 - Town of Poughkeepsie	Edwards	8	
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt	9	
District 8 - City and Town of Poughkeepsie	Brendli	10	
District 9 - City of Poughkeepsie	Johnson	11	
District 10 - City of Poughkeepsie	Jeter-Jackson	12	
District 11 - Towns of Rhinebeck and Clinton	Tyner	13	
District 12 - Town of East Fishkill	Metzger	14	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo	15	
District 15 - Town of Wappinger	Incoronato	16	
District 16 - Town of Fishkill and City of Beacon	Zernike	17	
District 17 - Town and Village of Fishkill	Miccio	18	
District 18 - City of Beacon and Town of Fishkill	Page	19	
District 21 - Town of East Fishkill	Horton	20	
District 22 - Towns of Beekman and Union Vale	Garito	21	
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes	22	
District 24 - Towns of Dover and Union Vale	Surman	23	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston	24	

Present: 24 Resolution: ____ Total : 24 (Yes) 0 (No)

Absent: 1 Motion: ✓

Vacant: 0 Abstentions: 0

KM / HB

5th + 6th Whereas + 1st Resolved

2018187

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 **Resolution:** ✓ **Total :** 24 (Yes) 0 (No)

Absent: 1 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018187 AMENDING THE 2018 ADOPTED COUNTY BUDGET TO CREATE A CAPITAL PROJECT ACCOUNT LINE AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS

July 9, 2018

PUBLIC SAFETY

RESOLUTION NO. 2018188

RE: APPOINTMENTS TO STOP DWI POLICY PLANNING BOARD

Legislators PULVER, ROMAN, SAGLIANO, THOMES, HORTON, BOLNER and TRUITT offer the following and move its adoption:

WHEREAS, by Resolution No. 503 of 1985 the Dutchess County Legislature did approve a plan for the Stop DWI Program, and

WHEREAS, said plan provided for a Policy Planning Board of up to fifteen (15) members, six (6) of which shall be appointed by the County Executive and six (6) of which shall be appointed by the County Legislature, and

WHEREAS, the County Legislature adopted Resolution No. 23 of 1986 amending said plan so as to provide for a policy planning board of up to sixteen (16) members, six (6) of which shall be appointed by the County Executive and seven (7) which shall be appointed by the County Legislature, and

WHEREAS, vacancies exist on the Stop DWI Policy Planning Board, and

WHEREAS, Shawn Barry, Joanne Nellis, Angela Flesland, and Faye Garito have expressed interest in being appointed to the Stop DWI Policy Planning Board, now, therefore, be it

RESOLVED, that Shawn Barry, Joanne Nellis, Angela Flesland, and Faye Garito are hereby appointed to the Stop DWI Policy Planning Board:

Appointment	
Shawn Barry 53 Pendell Road Poughkeepsie, NY 12601	Dutchess Drinking Driver Program
Joanne Nellis 86 Jameson Hill Road Clinton Corners, NY 12514	Treatment/Rehabilitation
Angela Flesland 15 Locust Road Poughkeepsie, NY 12603	Public at Large
Faye Garito 2618 Route 55 Poughquag, NY 12570	County Legislator

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/18/2018

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 9th day of July 2018, 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 9th day of July 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Shawn J. Barry

53 Pendell Road
Poughkeepsie, NY 12601

Objective: To expand upon my training, education and experiences and in turn, impart my knowledge onto others.

Dutchess County Impaired Driver Program **(April 2018 - Present)**
53 Pendell Rd.
Poughkeepsie, NY 12601
(845) 431-8903

Title: Director

Duties: Oversee the NYS DMV Impaired Driver Program, Alive@25 educational program and the Ignition Interlock Program. Schedule training, monitor participants treatment and compliance with statutory requirements. Provide instruction, testimony and guidance as a subject matter expert in breath analysis.

Dutchess County Impaired Driver Program **(December 2012 – April 2018)**
53 Pendell Rd.
Poughkeepsie, NY 12601
(845) 431-8903

Title: Coordinator

Duties: Manage and oversee offenders who have been convicted of DWI and sentenced to have an Ignition Interlock Installed in a vehicle. Prepare reports and monitor offenders progress while under court oversight. Prepare accusatory documents and provide courtroom testimony. Oversee the Alive@25 educational program for offenders under the age of 25. Instruct the NSC Alive@25 program and the NYS DMV Drinking Driver Program.

Kahr Firearms Group **(March 2012 – Present)**
105 Kahr Ave.
Greeley, PA 18425
Frank Harris, VP Sales & Marketing
(845) 652-8535
Title: Shooting Team / Professional Consultant / Instructor

Duties: Perform tests and evaluations on products. Prepare detailed reports on T&E evaluations. Develop new products. Provide firearms training and develop range exercises to promote product line. Consult on new product and design elements. Represent Kahr at trade shows, shooting competitions and promotions. Participate in shooting sport competitions representing Kahr Firearms. Design, oversee and run "Kahr Challenge" shooting events.

Ulster County Law Enforcement Training Group **(2001 – Present)**
SUNY Ulster
94 Mary's Avenue
Kingston, N.Y. 12401
(845) 687-5278
Lt. Mike Bonse
Title: Instructor

Duties: Prepare lesson plans and Instruct police academy recruits and in-service personnel in general police topics and specialized fields including: SFST, BAO, EVOC, Firearms, Defensive Tactics, Physical Fitness, Crowd Control and Bike Patrol. Provide training to new instructor candidates.

Practical Training Solutions, LLC **(July 2012 – Present)**
P.O. Box 11164.
Newburgh, NY 12552
(845) 522-9905

Title: Director / Master Instructor

Duties: Operate as Chief Operating Officer of corporation. Prepare lesson plans and curriculum, organize training events, promotions, establish business relationships, oversee training, manage instructional cadre and course rosters, maintain professional database, serve as lead instructor and Chief Range Safety Officer. Conduct range development, establish range rules and guidelines, ensure range safety and conduct range safety training. File lesson plans and course documentation with NYSDCJS. Conduct firearm Product Testing for Kahr Arms Inc. This includes test and evaluation of firearms as well as documenting the results through data collection, photos and written reports. Registered NYSDCJS Security & Armed Guard training school. Provide HR218 training and certification to retired law enforcement officers. Evaluate training curriculum for the NRA Outdoors division (2016).

Questar III BOCES **(August 2014 – June 2016)**
10 Empire State Boulevard
Castleton, NY 12033
Principal Heather Lansing
(518) 719-1440

Title: Criminal Justice Teacher

Duties: Review and develop curriculum, prepare lesson plans, complete budgets, oversee class activities, evaluate student performance, maintain compliance with state education requirements and oversee student behavior and safety.

Village of Walden Police Department **(October 2005- December 2011 (Ret.)**
1 Municipal Square.
Walden, NY 12586
(845)-778-2177
Manager: John Revella

Title: Police Officer / Field Training Officer

Duties:
- Worked 40+ hours a week.
- Patrol of geographical area of jurisdiction.
- Enforcement of NYS and Local laws
- Conduct Investigations, interviewed witnesses and operated undercover operations
- Served in supervisory role of Field Training Officer
- Assigned Bike Patrol Unit (instructor)
- Departmental instructor (Firearms, Use of Force, Defensive Tactics, DWI, etc.)
- Adjunct Instructor for Ulster County Law Enforcement Academy
- Adjunct Instructor for Orange County Law Enforcement Academy
- PBA President in 2008.
- Retired 12/2011

City of Beacon Police Department **(September 1996-October 2005)**
#1 Municipal Plaza
Beacon, NY 12508
(845)-831-4111
Lieutenant: Matt Dondero (Ret)

Title: Police Officer / Field Training Officer / Lead Instructor Firearms Training Unit

Duties:
- Prepare Lesson Plans for in-service firearms training.

- Conduct incident evaluations and current trends in law enforcement to maintain current training standards.
- Maintain records of training in accordance with NYSDCJS accreditation requirements.
- Prepared work schedules for officers attending training.
- Compiled personnel and equipment budgets for specialized units (FTU/Traffic/Bike Patrol)
- Served in the supervisory role of Field Training Officer / Acting Sergeant
- Served as senior member of Traffic Safety Unit
- Conducted investigations, interview of witnesses and defendants.
- Secured evidence, prepared accusatory instruments.
- Testified as an Expert Witness.
- Certified Drug Recognition Expert.
- Served on Dutchess County's Victim Impact Panel.

Village of Walden Police Department **(July 1991-September1996)**
1 Municipal Square.
Walden, NY 12586
(845)-778-2177

Title: Police Officer

Duties:
- Worked 40+ hours wk.
- Established a reporting and filing system for warrant control.
- Lead department in DWI arrests for five years.
- Awarded Excellent Performance of Duty by the Newburgh Elks Club.
- Compiled and established a DWI Standardized Field Sobriety Exam and Investigative notes form.

Associations:

Law Enforcement Bicycle Association **(1998 to 2013)**
204 Willow Bend Drive
Clermont, FL 34711
www.leba.org

Executive Board Member

Duties:
- Appointed to the Executive Board in 2007
- Review general organization business
- Assist in preparing and rewriting curriculums
- Organize training events (logistics, registrations, payments)
- Instruct police officers in basic course, public order and instructor training.
- Prepare new curriculums.
- Maintain website, memberships and general organizational management.
- Maintain organizational operations / management
- 05/12 Trained 300+ officers in Public Order Bike patrol response, Charlotte NC
- 05/12 Trained Police Officers at Charlotte-Mecklenburg Police Academy, NC
- 07/12 Trained 200+ officers in Public Order Bike patrol response, Tampa, FL

National Rifle Association (NRA)
Firearms Instructor:
First Steps
Home Firearm Safety
Basic Pistol
Advanced Pistol
Personal Protection Inside the Home
Personal Protection Outside the Home
Chief Range Safety Officer
Law Enforcement – "Tactical shooting Instructor"

Training:

12/89 - Firefighting Essentials.
02/90 - Rescue Skills and Techniques.
12/90 - NYSDCJS Basic Police Officer Course
12/90 - NYSDCJS Doppler Radar Operator / Speed Estimator
12/91 - Incident Command.
12/93 - Report Writing (Finest Consultants)
01/94 - Robbery Investigation (Finest Consultants)
01/94 - Burglary Investigation (Finest Consultants)
01/94 - Interview and Interrogation Techniques (Finest Consultants)
09/94 - High Risk Building Techniques (Finest Consultants)
01/95 - High Risk Building Techniques II (Finest Consultants)
04/95 - Crime Scene Response (Finest Consultants)
07/95 - NYSDCJS Breath Analysis Operator
08/95 - NYSDCJS Standardized Field Sobriety Training
08/95 - NYSDCJS Criminal Investigator / Case Manager Course
03/96 - Drug Identification & NIK Certification Course.
05/98 - Basic Mountain Bike Officers Course (LEBA)
03/99 - Bicycle Maintenance Officer Course (LEBA).
03/99 - NYSDCJS Datamaster Operators Course
04/99 - NYSDCJS Commercial Vehicle Enforcement Course
09/99 - NYSDCJS Drug Recognition Expert Pre-School (IACP).
10/99 - NYSDCJS Drug Recognition Expert (IACP).
05/00 - 6th Annual IACP DRE Drugs, Alcohol and Impaired Driving Training Conf.
08/00 - NYSDCJS General Topics Instructor
08/01 - NYSDCJS Standardized Field Sobriety Instructor
09/01 - Train / Bus accident investigators seminar (NYSTARS)
11/01 - NYSDCJS Police Instructor Observer
02/02 - NYSDCJS Inhalant Drugs Seminar
02/02 - NYSDCJS Drug Recognition Expert Recertification (IACP)
03/02 - Train Accident Investigation Course (CSX, Amtrak, NYSP, CTSP, FTA).
03/02 - Police Mt. Bike Instructor School (LEBA / Orlando Fl. PD).
05/02 - NYSDCJS Certified Breath Analysis Instructor
06/02 - Basic Tactical Operations Course (N.T.O.A. / Yonkers NY PD).
04/03 - I.A.C.P. / Dutchess County STOP D.W.I. 8Hr. Rave Drug Seminar.
10/03 - N.H.T.S.A. Community Bicycle Safety Instructor (NHTSA / Albany, NY)
10/03 - NYSDCJS Standardized Field Sobriety Inst. Recert./Upgrade
11/03 - L.E.B.A. Advanced Riders Course / Valencia Comm. College (Orlando FL)
05/04 - NYSDCJS Breath Analysis Instructor Mentor (1 of 9 in NYS)
05/04 - F.B.I. Firearms Instructor
06/04 - L.E.B.A. National Advanced Course & Instructor Update
09/04 - TASER International Instructor
03/05 - Glock Armorers Course
05/05 - Remington Armorers Course
08/05 - F.B.I. Tactical Carbine Instructor
10/05 - N.Y.S. G.T.S.C. / I.A.C.P. DRE Recertification Training
02/06 - F.B.I. Hostage Negotiation Course
04/06 - F.B.I. Defensive Tactics Instructor Course
04/06 - Mobile Video Instructors Course (Law Enforcement Mobile Video Institute)
06/06 - NYSDCJS Firearms Instructor
08/06 - NYSDCJS Interview & Interrogation seminar
09/06 - NYSDCJS E.V.O.C. Instructor
09/06 - NYSDCJS Defensive Tactics Instructor
02/07 - Advanced Roadside Impaired Driver Instructor (NYSGTSC & NHTSA)
03/07 - ASP Tactical Baton Instructor (ASP)
03/07 - ASP Tactical Handcuffing Instructor (ASP)
03/07 - NYSDCJS Field Training Officer
05/07 - NYSDCJS Master Instructor
06/07 - N.Y.S. G.T.S.C. / I.A.C.P. DRE Recertification Training
06/07 - L.E.B.A. National Advanced Course & Instructor Update.
08/07 - A.T.V. Operator / Instructor Course (NYS DEC)

10/07 - NYSDCJS Accreditation Managers Workshop
05/08 - Glock Armorers course (recertification)
04/09 - Orange County Stop DWI Conference (Legal Updates / Pursuit Liability)
04/09 - NYSDCJS Breath Analysis Instructor Update
04/09 - NYSDCJS Standardized Field Sobriety Instructor Update
10/09 - NYSDCJS Crime Scene Photography
10/09 - NYSDCJS Crime Scene Technician
03/11 - Bike Patrol Instructor training, Charleston County SC
06/11 - Bike Patrol Instructor Training, Philadelphia Police Academy, PA
11/11 - Bike Patrol Instructor Training, Hillsborough County Police Academy, FL
03/12 - NRA Certified Firearms Instructor
03/12 - NRA Personal Protection Inside The Home Instructor
04/12 - NIMS IS-700.a (FEMA)
04/12 - NIMS IS-800.b (FEMA)
08/12 - NRA Certified Chief Range Safety Officer Instructor
08/12 - NRA Personal Protection Outside the Home Instructor
06/13 - NRA Certified "Advanced Pistol Instructor"
08/12 - Kahr Arms – Armorers Course
02/13 - Sig Sauer Law Enforcement Academy – Active Shooter Instructor
04/13 - MLSS – Immediate Medical Treatment Of Gun Shot Wounds
04/13 - NRA Law Enforcement "Tactical Shooting Instructor"
07/13 - IALEFI Master Instructor Training Course
01/14 - NYSDCJS Standardized Field Sobriety refresher training.
04/14 - NYSDCJS Human Trafficking Course
04/14 - NYSDCJS Distracted Driving Enforcement Course
05/14 - NYSDCJS Lost Person Behavior
05/14 - NYSDCJS Basic Wildland Search Skills
06/14 - NYSDCJS Opioid Overdose and Intranasal Naloxone Instructor Course
12/14 - NYSDCJS / ALERTT Int. Civilian Response to Active Shooter Events
05/15 - Google Apps for Educators Workshop
07/15 - NYSDCJS Physical Fitness Instructor
07/15 - SREB High Schools That Work Staff Development Conference
02/16 - NYS CRJE Professional Development workshop
10/16 - Tactical Medicine Instructors Course (NRA LE Div. & Trilogy Training)
08/17 - NYSDCJS Breath Analysis Operator / Instructor Recertification
10/17 - NYS DMV Impaired Driver Program - Instructor Certification
11/17 - National Safety Council – Alive@25 Instructor

Education:

11/12 – 07/15	M.S. Legal Studies - Southern New Hampshire University (SNHU)
11/12 - 03/14	Masters Certificate "Terrorism & Homeland Security" (SNHU)
08/10 - 07/12	B.S. Justice Studies - SUNY Empire State College
07/08 - 05/10	AAS Criminal Justice w/ Distinction - SUNY Ulster
09/09	Inducted into Phi Theta Kappa National Honors Society
06/09	Awarded to the Dean's List at SUNY Ulster

Awards:

05/96 - Excellent Performance of Duty V/O Walden PD / Elks Lodge.
11/98 - Award of Merit, Governors Traffic Safety Comm. / MADD / NYSDCJS.
11/98 - Dutchess County Stop DWI Enforcement Award.
11/99 - Dutchess County Stop DWI Enforcement Award.
11/99 - TOP COP award, Governors Traffic Safety Comm. / MADD / NYSDCJS.
05/00 - Honorable Mention award, City of Beacon Police Department.
11/00 - Dutchess County Stop DWI Enforcement Award.
05/01 - Medal of Valor C/O Beacon PD / Dutchess County Elks Lodge.
11/02 - Dutchess County Stop DWI Enforcement Award.
05/03 - Meritorious Service award, City of Beacon Police Department
05/03 - Exemplary Duty Award, City of Beacon Police Department

References:

Gregory Wagler
Director (retired)
Dutchess County Impaired Driver Program
(845) 629-6890

Frank Harris
V.P. Sales & Marketing
Kahr Firearms Group
105 Kahr Ave.
Greeley, PA 18425
(845) 652-8535

Heather Lansing
Principal
Questar III
341 West Main St.
Catskill, NY 12414
(518) 461-7436

Egidio Tinti
Chief
City of Kingston Police Department
1 Garraghan Dr.
Kingston, NY 12401
(845) 331-1671

Mike Bonse
Lieutenant / Director
City of Kingston Police Department
Ulster County Law Enforcement Training Group
1 Development Ct.
Kingston, NY 12401
(845) 331-1671

Joanne Nellis

86 Jameson Hill Road, Clinton Comers New York 12514
Home: 845-266-5358 Cell: 845-625-8615
jonellis140@gmail.com

Professional Summary

Experienced Probation professional with strong leadership skills. Successful in developing and motivating dynamic Probation professionals. Cultivates a culture in which staff members feel comfortable voicing questions and concerns, as well as contributing new ideas that drive evidenced based department/agency wide growth.

Core Qualifications

- Supervision and training
- Cognitive behavioral training
- Strong leadership skills
- Detail oriented
- Staff development
- Sound judgment
- Operations management
- Solution focused

Professional Experience

Dutchess County Office of Probation and Community Corrections

Principal Probation Officer August 2016 to Present

Assist the Director and Deputy Director in planning, organizing and supervising the activities of the probation agency. Assist in the formation and implementation of agency policies and procedures. Supervising 8 Unit Administrators, assisting them in the implementation of department policy to insure operational consistency. Work as Staff Development Officer, planning and overseeing the training of staff. Confer with Judges, court personnel, attorneys, police, educational and social agencies on matters of common interest.

Unit Administrator General/DWI Unit December 2009 to August 2016

Poughkeepsie, NY

Supervising 10 probation officers and a case manager aide who monitor both General and DWI offenders with a total case count of 665. Biggest in the department by 1/3. Maintain the smooth functioning of the unit, staff development, general supervision, case conferencing, case assignment, development and implementation of case plans and review of periodic supervision reports. Maintain positive relationships and ensure lawful exchange of information within the department and other agencies, including law enforcement and community agencies. Review and implement department policy, prepare various reports for submission to the State Division of Probation and to Dutchess County agencies.

Unit Administrator Investigations Unit December 2004 to June 2009

Supervised 11 officers, reviewing and managing pre-sentence investigations assignment, and submission for approximately 35 Dutchess County courts and those received from other counties. Proofread and reviewed all reports for correct grammar and adherence to State regulations and law. Implemented the revised regulations put forth by the State office.

May 2004 to December 2004

Senior Probation Officer Investigation Unit

Provided assistance to Unit Administrator, reviewing investigation, and other administrative duties. Implemented use of the LSI assessment tool and developed training program for all staff. Liaison to jail for LSI.

January 1988 to May 2004

Probation Officer (various assignments)

During my first 16 years with the department I was assigned to all units within the department. I began in 1988 as an officer in the Family Court Unit supervising JD Diversion County wide.

In 1990 I was assigned to the Investigations Unit, which conducted both Family Court and Criminal Investigations.

In 1992 I sought work in the Pretrial Unit and worked as a court liaison for the Honorable John King and the Honorable George Marlow. I also worked ROR at the jail and office reports.

In 1999 I tackled the challenge of working in the Sex Offender Unit, where I supervised a caseload and then became specialized in SO investigations and worked on the implementation of the CSOM Grant.

In 2001 began work in the STOP-DWI unit.

In 2002 I returned to the Pretrial Unit as Liaison to Judge Gerald Hayes.

Professional Development

General Topic Instructor
OC Spray Instructor
Defensive Tactics Instructor
Officer Safety Instructor
COMPAS Trainer

State Division of Probation Committee Participation

Revision of Pre-sentence Investigation Rules and Regulations
Development of 3 day Officer Safety and Survival Training Program
Development of Risk Assessment Tool for Statewide Use

Dutchess County Committee Participation

DV Bench Manual Development
CSOM Grant Implementation
Revamping of Personnel Evaluations
Investigation Consolidation
Compas/LSI Quality Assurance
StaffDevelopment
Workplace Violence/Office
Safety
Contact Team

Program Development

LSI Implementation and Staff Training
Call-In Center
County Ignition Interlock Program and Update
Staff Training on Updated Supervision Rule

Education

Marist College 1985
Bachelor of Arts: Psychology

Public Safety Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner (VC)		
District 21 - Town of East Fishkill	Horton (C)		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		

Present: 11 **Resolution:** ✓ **Total :** 11 (Yes) 0 (No)

Absent: 1 **Motion:** ___

Vacant: 0 **Abstentions:** 0

2018188 APPOINTMENTS TO STOP DWI POLICY PLANNING BOARD

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 **Resolution:** ✓ **Total :** 24 0

Absent: 1 **Motion:** ____ Yes No

Vacant: 0 **Abstentions:** 0

2018188 APPOINTMENTS TO STOP DWI POLICY PLANNING BOARD

July 9, 2018

Environment

RESOLUTION NO. 2018189

RE: ADOPTION OF NEGATIVE DECLARATION WITH RESPECT TO LANDOWNER REQUESTS TO INCLUDE PROPERTY WITHIN AN EXISTING DUTCHESS COUNTY AGRICULTURAL DISTRICT

Legislators BORCHERT, PULVER, and BOLNER offer following and move its adoption:

WHEREAS, this Legislature is considering Landowner requests to include their property within existing Dutchess County Agriculture Districts and the recommendations of the Dutchess County Agricultural and Farmland and Protection Board with respect thereto all pursuant to Section 303-b of the Agriculture Markets Law, and

WHEREAS, approval of such, constitutes an action subject to the State Environmental Quality Review Act, and

WHEREAS, the Dutchess County Legislature has attached a Short Environmental Assessment Form which concludes that the proposed Program constitutes: (1) an Unlisted Action pursuant to Article VIII of the New York State Environmental Quality Review Act and Part 617 of the NYCRR (SEQR); and (2) will not have a significant effect on the environment, and

WHEREAS, the purpose of this Legislature in adopting this resolution is to adopt and confirm those findings, and

WHEREAS, a true copy of the Short Environmental Assessment Form and the Negative Declaration reflecting the finding of non-significance are annexed hereto and made a part hereof, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby adopts and confirms the Short Environmental Assessment Form and Negative Declaration concluding action on Landowners requests to include their land within existing Dutchess County Agricultural Districts will not have a significant effect on the environment.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7-18-2018

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 9th day of July 2018, 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 9th day of July 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information

Dutchess County Agriculture and Farmland Protection Board

Name of Action or Project:

NYS Agricultural Districts Annual Inclusion, Section 303-B

Project Location (describe, and attach a location map):

Multiple Municipalities (Maps of tax parcels are attached to the Project Application)

Brief Description of Proposed Action:

Inclusion of 9 parcels into existing Certified Dutchess County Agricultural Districts 20, 21, 22, and 23 per Section 303-b of the NYS Agriculture and Markets Law.

Name of Applicant or Sponsor:	Telephone: 845-677-3002
Dutchess Ag. and Farmland Protection Board (Art Collings, Vice Chair)	E-Mail: artc@dutchessland.org

Address:

P.O. Box 138

City/PO:	State:	Zip Code:
Millbrook	NY	12545

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:	☑	☐

3.a. Total acreage of the site of the proposed action? 170.12 acres

b. Total acreage to be physically disturbed? 0 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 170.12 acres

4. Check all land uses that occur on, adjoining and near the proposed action.

☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)

☑ Forest ☑ Agriculture ☐ Aquatic ☐ Other (specify): _____

☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☑	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO ☑	YES ☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO ☑	YES ☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☑	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☑	☐	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO ☑	YES ☐	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: n/a	NO ☑	YES ☐	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: n/a	NO ☑	YES ☐	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO ☑	YES ☐	
b. Is the proposed action located in an archeological sensitive area?	☑	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO ☐	YES ☑	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☑	☐	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☑ Forest ☑ Agricultural/grasslands ☑ Early mid-successional ☑ Wetland ☐ Urban ☑ Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO ☑	YES ☐	
16. Is the project site located in the 100 year flood plain?	NO ☑	YES ☐	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☐ NO ☐ YES	NO ☑	YES ☐	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES _____			

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size:	✓	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	✓	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	✓	

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Art Collings, Dutchess Ag. and Farmland Protection Board Date: 6/13/2018

Signature: Arthur M Collings III

PRINT FORM

Agency Use Only [If applicable]	
Project:	
Date:	

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.
Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☑	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☑	☐
3. Will the proposed action impair the character or quality of the existing community?	☑	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☑	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☑	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☑	☐
7. Will the proposed action impact existing: a. public / private water supplies?	☑	☐
b. public / private wastewater treatment utilities?	☑	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☑	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☑	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☑	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☑	☐

PRINT FORM

Agency Use Only [If applicable]

Project:	
Date:	

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Enrolling 9 parcels consisting of 170.12 acres in respective Agricultural Districts 20, 21, 22, or 23 will result in no adverse environmental impact to these parcels. Such enrollment will increase the likelihood that these properties remain in ongoing agricultural use, assisting in the short- and long-term conservation of these agricultural parcels.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☑ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Dutches County Legislature	
Name of Lead Agency	Date
Gregg A. Pulver	Chairman
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

Environment Committee Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*		
District 20 - Town of Red Hook/Tivoli	Munn*		
District 3 - Town of LaGrange	Borchert (C)		
District 6 - Town of Poughkeepsie	Edwards		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 22 - Towns of Beekman and Union Vale	Garito		
District 24 - Towns of Dover and Union Vale	Surman (VC)		

Present: 12 **Resolution:** ✓ **Total :** 12 (Yes) 0 (No)

Absent: 0 **Motion:** ___ **Abstentions:** 0

Vacant: 0

2018189 ADOPTION OF NEGATIVE DECLARATION WITH RESPECT TO LANDOWNER REQUESTS TO INCLUDE PROPERTY WITHIN AN EXISTING DUTCHESS COUNTY AGRICULTURAL DISTRICT

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 **Resolution:** ✓ **Total :** 24 (Yes) 0 (No)

Absent: 1 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018189 ADOPTION OF NEGATIVE DECLARATION WITH RESPECT TO LANDOWNER REQUESTS TO INCLUDE PROPERTY WITHIN AN EXISTING DUTCHESS COUNTY AGRICULTURAL DISTRICT

July 9, 2018

Environment
Tabled on floor 7/9/18
Amended on floor 8/20/18

RESOLUTION NO. 2018190

RE: PROPERTY OWNER REQUESTS TO BE INCLUDED WITHIN DUTCHESS COUNTY'S CERTIFIED AGRICULTURAL DISTRICTS 20, 21, 22, AND 23

Legislators BORCHERT, PULVER, and BOLNER offer the following and move its adoption:

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law establishes a mechanism on an annual basis for parcels of land comprised of predominately viable agricultural land to be included within the state's Agricultural Districts, and

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law sets forth the requirement that the Legislative Body in every county in New York State with existing Agricultural Districts must designate an annual 30-day period during which landowners may apply for inclusion of their agriculturally viable land in the Agricultural Districts, and

WHEREAS, Dutchess County Legislative Resolution 204098 established an annual thirty-day period extending from April 15 to May 14 during which landowners may summit such requests to the Legislature to include their properties in the Agricultural Districts, and

WHEREAS, during the one-month period extending from April 15, 2018, to May 14, 2018, the Dutchess County Farmland Protection Board received such applications on behalf of the Legislature, and

WHEREAS, subsequently the Agricultural and Farmland Protection Board submitted its report with recommendation as to those requests to the Legislature, and

WHEREAS, after proper Notice of Public Hearing, this Legislature held a public hearing on July 9, 2018, with respect to the above and heard all those wishing to address the matter at said public hearing, and

WHEREAS, New York State Agriculture and Markets Law Section 303-b requires the County Legislature, following such public hearing to adopt or reject the proposed requests for inclusion of land within an existing Agricultural District, and

WHEREAS, the report and recommendations of the Agricultural Farmland Protection Board are on file with the Clerk of the Dutchess County Legislature, and

WHEREAS, the Legislature has considered the matter including the report and recommendation of the Agricultural Farmland Protection Board at the public hearing, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby adopts the recommendations of the Agricultural and Farmland Protection Board and adopts the requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Landowner	Town	SWIS Code	Parcel Number	Acres	District
James Enkler	Clinton	132400	6267-00-820205	3.7	20
James Enkler	Clinton	132400	6267-00-865205	3.1	20
James Vitiello	Clinton	132400	6267-00-787124	13.44	20
Heidi Myers	Washington	135889	6765-00-048708	21.1	21
Robert Behring	LaGrange	133400	6462-02-675824	31	22
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-167790	1.3	23
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-062777	60.4	23
Sally Raphael	Pawling	134089	7156-00-400973	25.5	23
Heidi Myers	UnionVale	135400	6663-00-653092	10.58	23
Juliette Landi	LaGrange	133400	6462-03-172062	2.1	22

and, be it further

RESOLVED, that the Dutchess County Legislature herby adopts the recommendations of the Agricultural and Farmland Protection Board and rejects the requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Maria Fitzgibbon	Milan	133800	6671-00-042265	140.2	20
Kerrie Abela	Rhinebeck	135089	6371-00-600224	50.55	20
Michael Lancto	Rhinebeck	135089	6269-00-232404	40.74	20
Edward Russell	Rhinebeck	135089	6371-00-423606	5.93	20
Thomas Sanford	LaGrange	133400	6560-01-060861	13.03	22

and, be it further

RESOLVED, that the Clerk of the Legislature shall submit a copy of this Resolution together with the report of the Dutchess Agricultural and Farmland Protection Board, and the tax map identification numbers and tax maps for each parcel of land to be included in an Agricultural District, to the New York State Commissioner of Agriculture and Markets.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date _____

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 20th day of August 2018, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 20th day of August 2018.

Carolyn Morris

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Dutchess County Agriculture and Farmland Protection Board

Meeting Minutes

June 5, 2018

Present: Eric Axelson, Peter Coon, Eoin Wrafter, Brian Scoralick, Ed Hackett, Gregg Pulver, Ken Migliorelli, Jennifer Fimbel, Art Collings, Doug Giles, Will Truitt
Advisors: Harry Baldwin, Dave Tetor, Shelby Frangk
Public Present: Ed Russell

****

The Meeting was called to order by Mr. Pulver at 7:03 pm

A motion was made by Eoin Wrafter to accept the minutes of February 12th, 2018 as amended. Jennifer Fimbel Seconded. Motion carried unanimously.

Communication-

1. A letter was issued from Michael Latham, Ag and Markets outlining the Ag District Inclusion Process under AML § 303-b.
2. A letter from Commissioner Ball, Ag and Markets, awarding $32,759 to Dutchess Land Conservancy from the new Land Trusts Grants program.

Annual Agriculture District Inclusion Process-

The Chair announced to the Board that July 3rd, 2018 will be committee day at the Legislature from 5:30 on. July 9th, 2018 meeting will be open for public comment for interested parties to speak to the Legislature about their applications, starting at 7pm. A review of the Law pertaining to the inclusion process was read. Also, as Mr. Russell is present, the Chair asked all questions to him be presented to the Chair to relay. The Board was reminded of the two primary questions, in addition to the guideline packet, to consider while considering a parcel-

1. Is the parcel "highly viable agricultural land- highly suitable for a farm operation. (§301 (7-11)
2. Does inclusion in the Ag District serve the public interest?

Checklist of Criteria includes:

1. Is there a major farm operation on the property?
2. Is there a major farm operation that is significant but does not gross 10K?
3. Is the property farmed by a major farm operation?
4. Is the property viable farm af land consisting of a,b,c, or d?
5. Is the property other woodlands… a or b?
6. Livestock A or B?
7. Farm Stands, Orchards or Specialty Operations a or b?

Annual Agriculture District Applications and Inclusions

District 20
Town of Clinton

Hollow Brook Stables- 3.7 acres with adjacent parcels in District.
A motion was made by Jen Fimbel and seconded by Ed Hackett to approve the application for inclusion in the Ag District.
Owner: James Enkler Parcel Number : 6267-00-820205
Discussion: Property meets criteria for inclusion under section 4a, 4b, and 4c as well as 6b.
Art Collings abstained, all other members voted unanimously in favor.

Hollow Brook Stables - 3.1 acres with adjacent parcels in District.
A motion was made by Jen Fimbel and seconded by Will Truitt to approve the application for inclusion in the Ag District.
Owner: James Enkler Parcel Number : 6267-00-865205
Discussion: Property meets criteria for inclusion under section 4a, 4b, and 4c as well as 6b.
Art Collings abstained, all other members voted unanimously in favor

Lazy Neighbor Farm- 13.44 acres with adjacent parcels in District.
Owner: James Vitiello Parcel Number : 6267-00-787124
A motion was made by Brian Scoralick and seconded by Jen Fimbel to approve the application for inclusion in the Ag District.
Discussion: **Property meets criteria for inclusion under section 4a, 4b, and 4c** as well as 6b.
All members voted unanimously in favor.

Town of Milan

Fitzgibbons property on South Road- 140.2 acres with adjacent parcels in District.
Owner: Maria Fitzgibbons Parcel Number: 6671-00-042265
A motion was made by Jen Fimbel and seconded by Doug Giles to approve the application for inclusion in the Ag District.
Discussion: Property does not meet criteria for inclusion in the Ag District.
All members voted unanimously to deny inclusion.

Town of Rhinebeck

Abela property on Old Farm Road- 50.55 acres with no adjacent parcels in District.
Owner: Kerrie Abela Parcel Number: 6371-00-600224
A motion was made by Will Truitt and seconded by Jen Fimbel to approve the application for inclusion in the Ag District.

Discussion: Property does not meet criteria for inclusion in the Ag District.
All members voted unanimously to deny inclusion.

Lancto property on Vlei Road- 40.74 acres with adjacent parcels in District.
Owner: Michael Lancto Parcel Number: 6269-00-232404
A motion was made by Jen Fimbel and seconded by Doug Giles to approve the application for inclusion in the Ag District.
Discussion: Property does not meet criteria for inclusion in the Ag District.
All members voted unanimously to deny inclusion.

Russell property on 308- 5.93 acres with adjacent parcels in District.
Owner: Edward Russell Parcel Number: 6371-00-423606
A motion was made by Jen Fimbel and seconded by Peter Coon to approve the application for inclusion in the Ag District.
Public Comment: The Chairman opened the floor for Mr. Russell to answer questions from Board members about his property and intended use.
Discussion: Property does not meet criteria for inclusion in the Ag District.
All members voted unanimously to deny inclusion.

District 21
Town of Washington

The Myers Family Hoofprint Farm- 21.1 acres with adjacent parcels in the District.
A motion was made by Jen Fimbel and seconded by Eoin Wrafter to approve the application for inclusion in the Ag District.
Owner: Heidi Meyers Parcel Number: 6765-00-048708
Discussion: Property meets criteria 4a and 4b for inclusion.
All members voted unanimously in favor.

District 22
Town of LaGrange
Behring Family- 31 acres.
Owner: Robert Behring Parcel Number: 6462-02-675824
A motion was made by Eoin Wrafter and seconded by Brian Scoralick to approve the application for inclusion in the Ag District.
Discussion: Property meets criteria 2, 4b, and 6b for inclusion.
All members voted unanimously in favor.

Remsburger Honey and Maple- 2.1 acres with nearby parcels in the District
Owner: Juliette Landi Parcel Number: 6462-03-172062
A motion was made by Doug Giles and seconded by Will Truitt to approve the application for inclusion in the Ag District.
Discussion: Property does not meet criteria for inclusion in the Ag District.
All members voted unanimously to deny inclusion.

Sanford property on Velie Road- 13.03 acres
Owner: Thomas Sanford Parcel Number: 6560-01-060861
A motion was made by Jen Fimbel and seconded by Brian Scoralick to approve the application for inclusion in the Ag District.
Discussion: Property does not meet criteria for inclusion in the Ag District.
All members voted unanimously to deny inclusion.

District 23
Town of Dover
Nonno's Garden LLC- 1.3 acres with adjacent parcels in the District
Owner: James Lauria- Parcel Number: 7260-00-167790
A motion was made by Jen Fimbel and seconded by Ed Hackett to approve the application for inclusion in the Ag District.
Discussion: Property meets criteria 4a and 5a and is contiguous to larger operation.
Art Collings recused himself, all other members voted unanimously in favor.

Nonno's Garden LLC- 60.4 acres with adjacent parcels in the District
Owner: Nonno's Garden LLC- Parcel Number: 7260-00-062777
A motion was made by Jen Fimbel and seconded by Will Truitt to approve the application for inclusion in the Ag District.
Discussion: Property meets criteria 1, 4a, and 4b for inclusion.
Art Collings recused himself, all other members voted unanimously in favor.

Town of Pawling
Elmwood Farm- 25.5 acres with adjacent parcels in the District
Owner: Sally Raphael Parcel Number: 7156-00-400973
A motion was made by Jen Fimbel and seconded by Will Truitt to approve the application for inclusion in the Ag District.
Discussion: Property meets 4a and 4b for inclusion.
All members voted unanimously in favor.

Town of Union Vale
The Myers Family Hoofprint Farm - 10.58 acres with adjacent parcels in the District
Owner: Heidi Myers Parcel Number: 6663-00-653092
A motion was made by Jen Fimbel and seconded by Doug Giles to approve the application for inclusion in the Ag District.
Discussion: Property meets criteria 4a and 4b for inclusion.
All members voted unanimously in favor.

It was noted for the record that four parcels applied, but were already in the district.

Upon discussion it was concluded that a letter goes out to all applicants apprising them of Board's recommendation and presenting information about time to speak at the Legislative meeting, July 9, 2018.

Other Business:

Farmland Protection Implementation Grant- a discussion was had about the June 1st, 2018 RPQ discussing this year's FPIG program available to land conservancies, municipalities and soil & water districts. It was determined that the Board Secretary would solicit applications to the appropriate agencies and municipalities in Dutchess and Columbia Counties. Pre-applications must be endorsed and ranked by AFPB for submittal of application to the State. Pre-applications to the AFPB must be in by June 29th, 4pm.

Next Meeting: July 10, 2018 7:00pm

A motion was made by Jen Fimbel, seconded by Will Truitt and carried unanimously to adjourn at 9:15pm

Agriculture and Farmland Protection Board of Dutchess County

Gregg Pulver
Chairman
914-474-0908

Art Collings
Vice Chairman
Dutchess Land Conservancy
845/677-3002 Ext. 100

Peter Coon
Coon Brothers Partnership
845/373-8328

Doug Giles
Walbridge Farm

Ken Migliorelli
Migliorelli Farm

Agri-business
Edward C. Hackett
Hackett Farm Supply, Inc.
845/266-3494

Brian Scoralick
DC Soil & Water
Conservation District
845/677-8011 ext.3

Will Truitt
Dutchess County
Legislature

Eric Axelsen
DC Real Property Tax
845/486-2140

Eoin Wrafter
DC Acting Commissioner of
Planning and Development
845/486-3600

Jennifer Fimbel
Cornell Cooperative
Extension
845/677-8223

Harry Baldwin
Ex-Officio
845/266-5378

Resolution of the Dutchess County Farmland Protection Board

At a meeting of the Dutchess County Farmland Protection Board ("Board") held on the 5th day of June, 2015 in Millbrook, NY, the following resolution was adopted by a vote of the entire Board, to wit:

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law establishes a mechanism on an annual basis for parcels of land comprised of predominately viable agricultural land to be included within the state's Agricultural Districts; and

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law sets forth the requirement that the Legislative Body in every county in New York State with existing Agricultural Districts must designate an annual 30-day period during which landowners may apply for inclusion of their agriculturally viable land in the Agricultural Districts; and

WHEREAS, Dutchess County Legislative Resolution 204098 established an annual thirty-day period extending from April 15 to May 14 during which Landowners may summit such requests to the legislature to include their properties in the Agricultural Districts; and

WHEREAS, During the one month period extending from April 15, 2018 to May 14, 2018, the Dutchess County Farmland Protection Board received such applications on behalf of the Legislature; and

WHEREAS, The Dutchess County Soil and Water Conservation District, acting as a consultant to the Board, conducted a review of the agricultural characteristics of all such applications received by the Board; and

WHEREAS, the same Dutchess County Soil and Water Conservation District, found in the process of conducting the aforementioned review that the certain parcels itemized below are located within one of the Dutchess County's four Agricultural Districts and have present a high percentage or large acreage of viable farmland as required by Section 303-b of the Agricultural Districts Law; and

WHEREAS, the same Dutchess County Soil and Water Conservation District specifically recommended that certain parcels itemized below qualify for inclusion in the Agricultural Districts due

to the character of viable farmland found to be present on these properties; and

WHEREAS, the Board, in the context of the standards established by Section 303-b of the Agriculture Districts Law, has duly considered the merits of the each and every parcel application it has received; therefore be it

RESOLVED by a majority vote of the Dutchess County Agriculture and Farmland Protection Board on June 5th, 2018, that the Board recommends to the Dutchess County Legislature that the following nine parcels constituting a total of 170.12 acres of land to be added to the respective Agriculture Districts pursuant to Section 303-b, including three parcels comprising 20.24 acres in Agricultural District 20, one parcel comprising 21.1 acres in Agricultural District 21, one parcel comprising 31 acres in Agricultural District 22, and four parcels comprising 97.78 acres in Agricultural District 23:

Landowner	Town	SWIS Code	Parcel Number	Acres	District
James Enkler	Clinton	132400	6267-00-820205	3.7	20
James Enkler	Clinton	132400	6267-00-865205	3.1	20
James Vitiello	Clinton	132400	6267-00-787124	13.44	20
Heidi Myers	Washington	135889	6765-00-048708	21.1	21
Robert Behring	LaGrange	133400	6462-02-675824	31	22
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-167790	1.3	23
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-062777	60.4	23
Sally Raphael	Pawling	134089	7156-00-400973	25.5	23
Heidi Myers	UnionVale	135400	6663-00-653092	10.58	23

these said parcels being recommended due to the character of viable farmland documented to be present on said parcels; and be it further

RESOLVED that the Board recommends to the Dutchess County Legislature that the following six parcels totaling 252.55 acres, for which an application was received, be rejected for inclusion in the Agricultural Districts:

Maria Fitzgibbon	Milan	133800	6671-00-042265	140.2	20
Kerrie Abela	Rhinebeck	135089	6371-00-600224	50.55	20
Michael Lancto	Rhinebeck	135089	6269-00-232404	40.74	20
Edward Russell	Rhinebeck	135089	6371-00-423606	5.93	20
Juliette Landi	LaGrange	133400	6462-03-172062	2.1	22
Thomas Sanford	LaGrange	133400	6560-01-060861	13.03	22

these said parcels being recommended for rejection rather than inclusion due to fact that the character of land on said parcels does not meet the criteria of viable farmland stipulated in Section 303-b of the Agricultural Districts Law; and be it further

RESOLVED that for four parcels totaling 72.107 acres an application was received for parcels that had already been enrolled in an Agricultural District prior to April 15, 2018:

William Holman	Clinton	132400	6466-00-631439	10.007	20
William Holman	Clinton	132400	6466-00-619485	29.03	20
James Vitiello	Clinton	132400	6267-00-780038	14.07	20
Michael Wolfe	Fishkill	133089	6054-00-790825	20	22

these said parcels therefore requiring no further action by the Legislature due to their status as parcels already included in Agriculture Districts 20, 22, or 23; and be it further

RESOLVED that in support of the above recommendations, the Board shall submit to the Legislature the following materials: 1) copies of all applications received, 2) copies of the review materials prepared by the Dutchess County Soil and Water Conservation District in association with all applications received, 3) copies of the minutes of the June 5th, 2018 meeting of the Board.

IN WITNESS WHEREOF, **I, Gregg Pulver, Chairman of the Dutchess County Farmland Protection Board, certify that the foregoing resolution was adopted by Board at its June 5th, 2018 meeting.**

Date June 14th 2018

Agricultural District Applications

2018

AG DISTRICT 20

NY State Department of Agriculture and Markets

APPLICATION OF VIABLE FARM LAND FOR INCLUSION IN DUTCHESS COUNTY AGRICULTURAL DISTRICTS

Please complete this form if you are an agricultural or non-agricultural landowner. The information obtained from this form will be utilized by Dutchess County to modify agricultural district boundaries (if necessary) and determine the viability of the agricultural district as a whole.

AS PER NYS AG & MARKETS LAW 25AA SECTION 303-b

APPLICATION PERIOD IS APRIL 15 TO MAY 14

APPLICATIONS RECEIVED AFTER MAY 14 WILL NOT BE ACCEPTED

NO EXCEPTIONS

To be completed by the Landowner

LANDOWNER INFORMATION *(Please check ✓ if the landowner is the farmer)*

First Name	JAMES	Last Name	ENKLER	Corporation/Farm Name	Hollow Brook STABLES		
Street Address	308 Hollow Rd	City	STANTSBURG	State	NY	Zip	12580
Mailing Address	Same	City		State		Zip	
Phone #	845-797-8673	Email	JENKLER7@gmail.com				

PRIMARY FARMER INFORMATION

First Name		Last Name		Corporation/Farm Name			
Street Address		City		State		Zip	
Mailing Address		City		State		Zip	
Phone #		Email					

Please check one for each parcel listed

Tax Parcel Number (ex. 132000-6257-01-987436) List tax parcel identification numbers for all Parcels within the farm unit. (Complete number)	FARMER OWNED	RENTED TO A FARMER	RENTED FROM ANOTHER LANDOWNER	NOT FARMED
6267 - 00 820205 - 0000 # of Acres: 3.7	✓			
6267 - 00 865205 - 0000 # of Acres: 3.1	✓			

Please include my properties into the Dutchess County Agricultural District

Owner Name (PRINT): James Enkler

Signature: [signature]

OFFICIAL USE ONLY

DATE RECEIVED: 5-10-2018 APPROVED: yes - both DISAPPROVED:

AG DISTRICT: 20 AFPB SIGNATURE: [signature]

Clinton - Parcel # 132400-6267-00-820205-0000

0 50 100 200 Feet

1 inch = 100 feet

Produced on 5/30/2018
Map Produced by Dutchess County Soil & Water Conservation District
NOT FOR SITE SPECIFIC WORK
ALL INFORMATION MUST BE SITE VERIFIED

AG DISTRICT - Dutchess County Real Property Tax Service Agency, 2017.

SOILS - US Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Soil Survey Geographic Data Base (SSURGO), 1998.

TAX PARCELS - Dutchess County Real Property Tax Service Agency, 2018.

Aerial Photos- Dutchess County, NY. Originated by: NYS Office of Information Technology Services, GIS Program Office, Albany, NY. 2016.

NY State Department of Agriculture and Markets

APPLICATION OF VIABLE FARM LAND FOR INCLUSION IN DUTCHESS COUNTY AGRICULTURAL DISTRICTS

Please complete this form if you are an agricultural or non-agricultural landowner. The information obtained from this form will be utilized by Dutchess County to modify agricultural district boundaries (if necessary) and determine the viability of the agricultural district as a whole.

AS PER NYS AG & MARKETS LAW 25AA SECTION 303-b

APPLICATION PERIOD IS APRIL 15 TO MAY 14

APPLICATIONS RECEIVED AFTER MAY 14 WILL NOT BE ACCEPTED

"NO EXCEPTIONS"

To be completed by the Landowner

LANDOWNER INFORMATION *(Please check ✓ if the landowner is the farmer)*

First Name: JAMES Last Name: ENKLER Corporation/Farm Name: Hollow Brook Stables

Street Address: 308 Hollow Rd City: STANTSBURG State: NY Zip: 12580

Mailing Address: Same City: State: Zip:

Phone #: 845-797-8673 Email: JENKLER76@gmail.com

PRIMARY FARMER INFORMATION

First Name: Last Name: Corporation/Farm Name:

Street Address: City: State: Zip:

Mailing Address: City: State: Zip:

Phone #: Email:

Please check one for each parcel listed

Tax Parcel Number (ex. 132000-6257-01-987436) List tax parcel identification numbers for all Parcels within the farm unit. (Complete number)	FARMER OWNED	RENTED TO A FARMER	RENTED FROM ANOTHER LANDOWNER	NOT FARMED
6267 - 00 820205 - 0000 # of Acres: 3.7	/			
6267 - 00 865205 - 0000 # of Acres: 3.1	/			

Please include my properties into the Dutchess County Agricultural District

Owner Name (PRINT): James Enkler

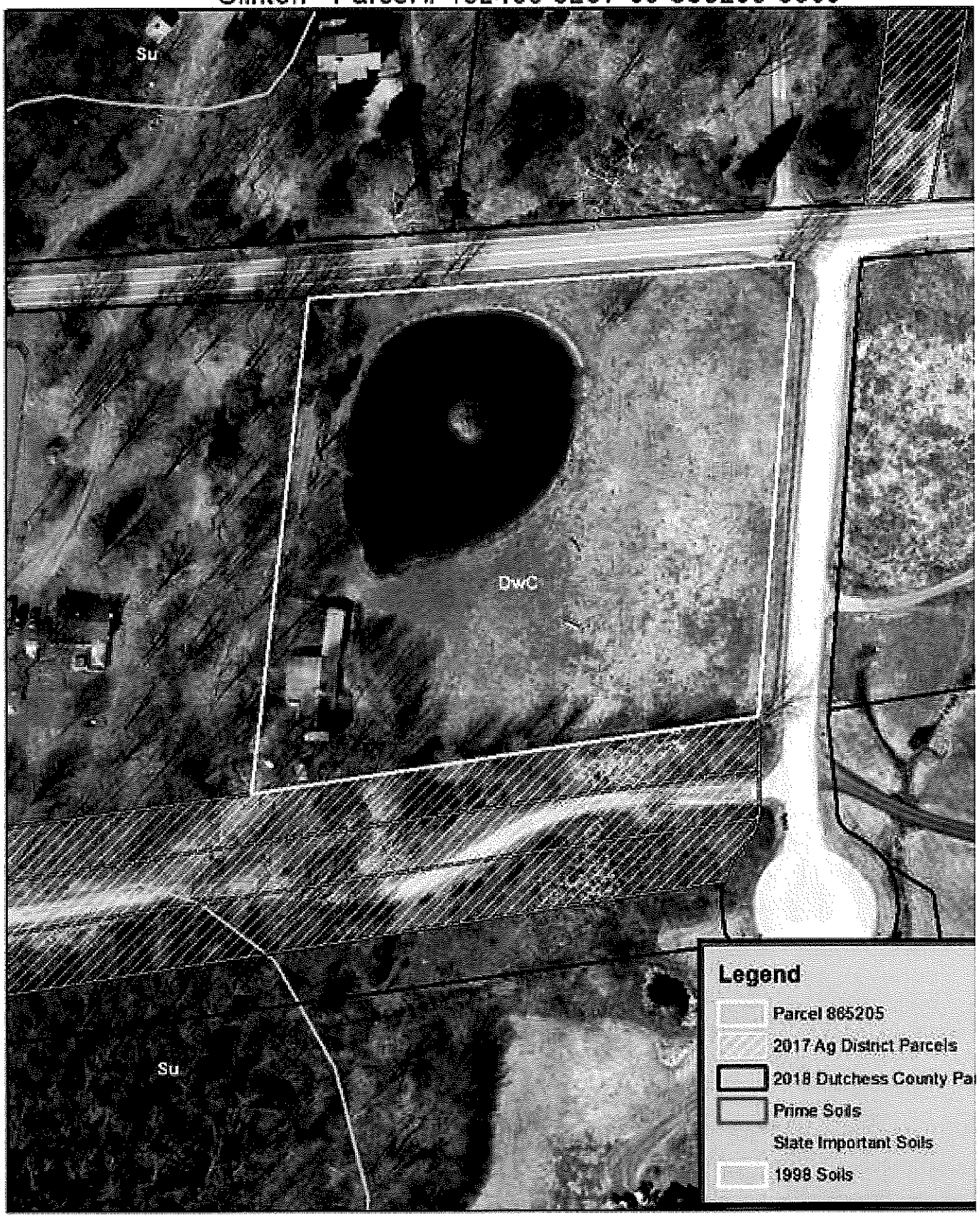
Signature:

OFFICIAL USE ONLY

DATE RECEIVED: 5-10-2018 APPROVED: yes - both DISAPPROVED:

AG DISTRICT: 20 AFPB SIGNATURE:

Clinton - Parcel # 132400-6267-00-865205-0000



0 50 100 200 Feet

1 inch = 100 feet

Produced on 5/30/2018
Map Produced by Dutchess County
Soil & Water Conservation District
NOT FOR SITE SPECIFIC WORK
ALL INFORMATION MUST BE SITE VERIFIED

AG DISTRICT - Dutchess County Real Property Tax Service Agency, 201

SOILS - US Department of Agriculture (USDA) Natural Resources Conse Service (NRCS) Soil Survey Geographic Data Base (SSURGO), 1998.

TAX PARCELS - Dutchess County Real Property Tax Service Agency, 20

Aerial Photos- Dutchess County, NY. Originated by: NYS Office of Inform Technology Services, GIS Program Office, Albany, NY. 2016.

NY State Department of Agriculture and Markets

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AS PER NYS AG & MARKETS LAW 25AA SECTION 303-b

APPLICATION PERIOD IS APRIL 15 TO MAY 14

APPLICATIONS RECEIVED AFTER MAY 14 WILL NOT BE ACCEPTED

NO EXCEPTIONS

To be completed by the Landowner

RECEIVED MAY 10 2018

LANDOWNER INFORMATION *(Please check ✓ if the landowner is the farmer)*

First Name	James	Last Name	Vitiello	Corporation/Farm Name	Lazy Neighbor Farm		
Street Address	20 Lauren Ln	City	Staatsburg	State	NY	Zip	12580
Mailing Address		City		State		Zip	
Phone #	646-258-7263	Email	JVitiello@Vitechinc.com				

PRIMARY FARMER INFORMATION

First Name		Last Name		Corporation/Farm Name			
Street Address		City		State		Zip	
Mailing Address		City		State		Zip	
Phone #		Email					

Please check one for each parcel listed

Tax Parcel Number (ex. 132000-6257-01-987436) List tax parcel identification numbers for all Parcels within the farm unit. (Complete number)	FARMER OWNED	RENTED TO A FARMER	RENTED FROM ANOTHER LANDOWNER	NOT FARMED
6267 - 00 - 787124 - 0000 # of Acres: 13.44	✓			
6267 - 00 - 780038 - 0000 # of Acres: 14.07	✓			

Please include my properties into the Dutchess County Agricultural District

Owner Name (PRINT): James Vitiello

Signature: James Vitiello

OFFICIAL USE ONLY

DATE RECEIVED: 5·10·2018 APPROVED: yes-both DISAPPROVED:

AG DISTRICT: 20 AFPB SIGNATURE:

Clinton - Parcel # 132400-6267-00-787124-0000

0 100 200 400 Feet

1 inch = 200 feet

Produced on 5/30/2018
Map Produced by Dutchess County Soil & Water Conservation District
NOT FOR SITE SPECIFIC WORK
ALL INFORMATION MUST BE SITE VERIFIED

AG DISTRICT - Dutchess County Real Property Tax Service Agency, 2017.

SOILS - US Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Soil Survey Geographic Data Base (SSURGO), 1998.

TAX PARCELS - Dutchess County Real Property Tax Service Agency, 2018.

Aerial Photos- Dutchess County, NY. Originated by: NYS Office of Information Technology Services, GIS Program Office, Albany, NY. 2016.

NY State Department of Agriculture and Markets
APPLICATION OF VIABLE FARM LAND FOR INCLUSION IN DUTCHESS COUNTY AGRICULTURAL DISTRICTS

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AS PER NYS AG & MARKETS LAW 25AA SECTION 303-b

APPLICATION PERIOD IS APRIL 15 TO MAY 14

APPLICATIONS RECEIVED AFTER MAY 14 WILL NOT BE ACCEPTED

NO EXCEPTIONS

To be completed by the Landowner

MAY 14 2018

LANDOWNER INFORMATION *(Please check if the landowner is the farmer)*

First Name	MARIA	Last Name	FITZGIBBON	Corporation/Farm Name			
Street Address	39 SOUTH RD	City	MILAN	State	NY	Zip	12571
Mailing Address	15112 PALISADES AVE	City	FORT LEE	State	NJ	Zip	07024
Phone #	201 944 9440	Email	SOCCERBOYCOACH@GMAIL.COM				

PRIMARY FARMER INFORMATION

First Name	MARIA	Last Name	FITZGIBBON	Corporation/Farm Name			
Street Address		City		State		Zip	
Mailing Address		City		State		Zip	
Phone #		Email					

Please check one for each parcel listed

Tax Parcel Number (ex. 132000-6257-01-987436) List tax parcel identification numbers for all Parcels within the farm unit. (Complete number)	FARMER OWNED	RENTED TO A FARMER	RENTED FROM ANOTHER LANDOWNER	NOT FARMED
133800 - 6671 - 00 - 042265	✓			
# of Acres:				
_____ - _____ - ___ - _____				
# of Acres:				

Please include my properties into the Dutchess County Agricultural District

Owner Name (PRINT): MARIA H FITZGIBBON

Signature: [signature]

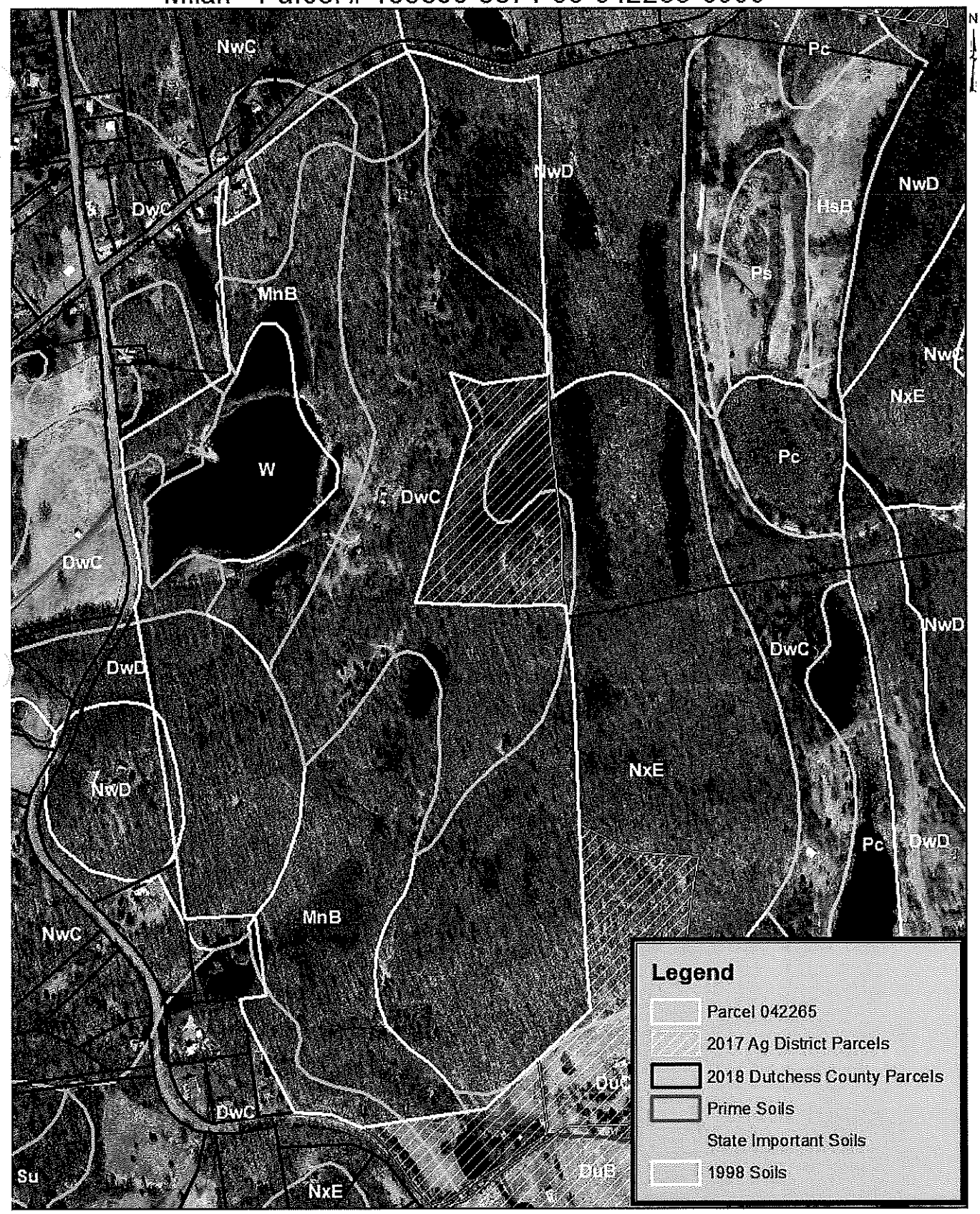
OFFICIAL USE ONLY

DATE RECEIVED: 5.14.2018 APPROVED: _____ DISAPPROVED: ✓

AG DISTRICT: 20 AFPB SIGNATURE: [signature]

Revised 4/2011

Milan - Parcel # 133600-6671-00-042265-0000



0 275 550 1,100 Feet

1 inch = 550 feet

Produced on 5/30/2018
Map Produced by Dutchess County Soil & Water Conservation District
NOT FOR SITE SPECIFIC WORK
ALL INFORMATION MUST BE SITE VERIFIED

AG DISTRICT - Dutchess County Real Property Tax Service Agency, 2017.

SOILS - US Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Soil Survey Geographic Data Base (SSURGO), 1998.

TAX PARCELS - Dutchess County Real Property Tax Service Agency, 2018.

Aerial Photos- Dutchess County, NY. Originated by: NYS Office of Information Technology Services, GIS Program Office, Albany, NY. 2016.

NY State Department of Agriculture and Markets

APPLICATION OF VIABLE FARM LAND FOR INCLUSION IN DUTCHESS COUNTY AGRICULTURAL DISTRICTS

Please complete this form if you are an agricultural or non-agricultural landowner. The information obtained from this form will be utilized by Dutchess County to modify agricultural district boundaries (if necessary) and determine the viability of the agricultural district as a whole.

AS PER NYS AG & MARKETS LAW 25AA SECTION 303-b

APPLICATION PERIOD IS APRIL 15 TO MAY 14

APPLICATIONS RECEIVED AFTER MAY 14 WILL NOT BE ACCEPTED

NO EXCEPTIONS

RECEIVED MAY 14 2018

To be completed by the Landowner

LANDOWNER INFORMATION *(Please check if the landowner is the farmer)*

First Name	Kerrie	Last Name	Abela	Corporation/Farm Name			
Street Address	28 Old Farm Rd	City	Rhinebeck	State	NY	Zip	12572
Mailing Address	Po. Box 2623	City	Germantown	State	NY	Zip	12526
Phone #	518-965-6262	Email	Pizzagal@gtel.net				

PRIMARY FARMER INFORMATION

First Name		Last Name		Corporation/Farm Name			
Street Address		City		State		Zip	
Mailing Address		City		State		Zip	
Phone #		Email					

Please check one for each parcel listed

Tax Parcel Number (ex. 132000-6257-01-987436) List tax parcel identification numbers for all Parcels within the farm unit. (Complete number)	FARMER OWNED	RENTED TO A FARMER	RENTED FROM ANOTHER LANDOWNER	NOT FARMED
135089 - 6371 - 00 - 600224 # of Acres: 50.55	X			
____ - ____ - ____ - ____ # of Acres:				

Please include my properties into the Dutchess County Agricultural District

Owner Name (PRINT): Kerrie Abela

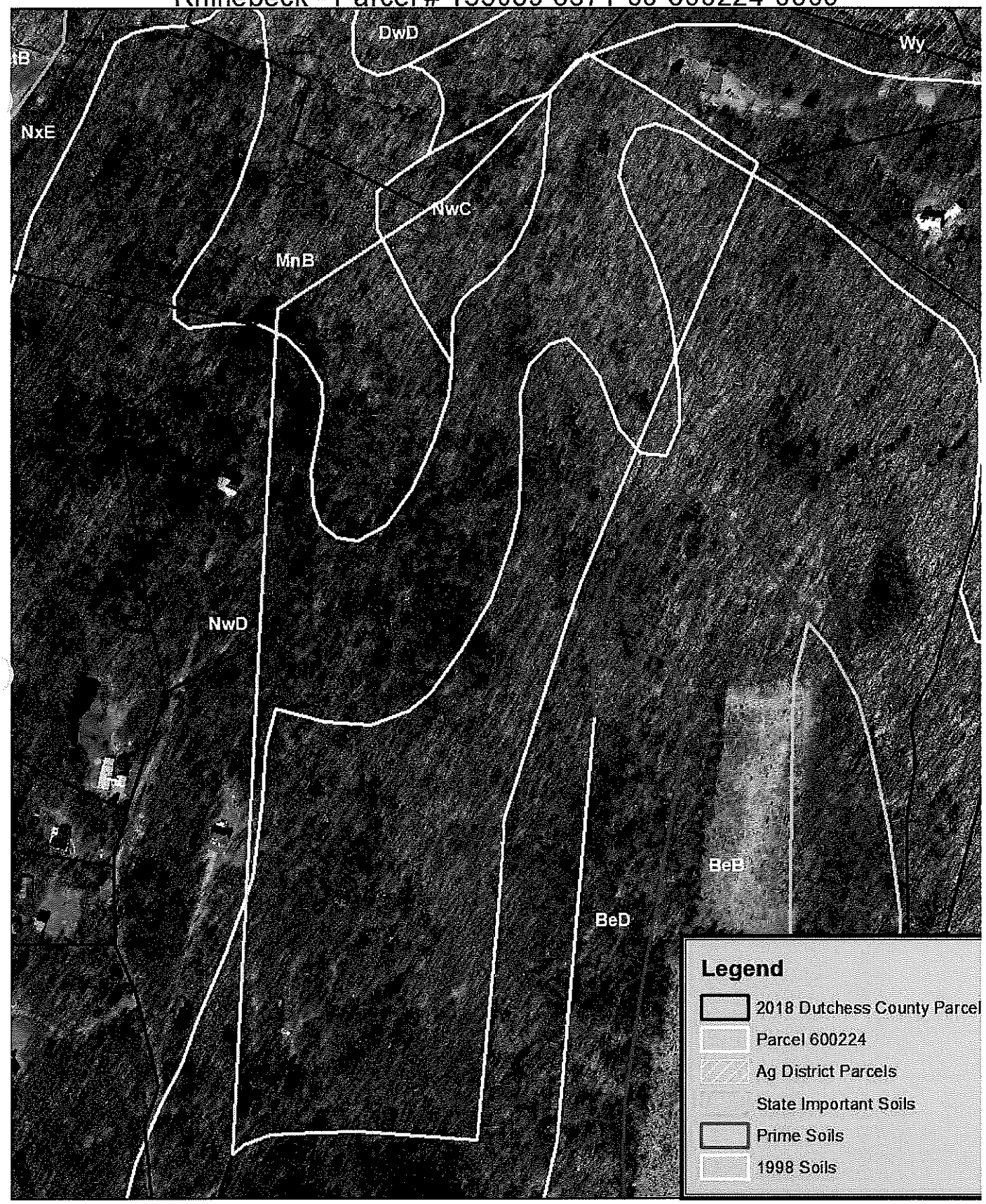
Signature: Kerrie M. T. Abela

OFFICIAL USE ONLY

DATE RECEIVED: 5.14.2018 APPROVED: DISAPPROVED: ✓

AG DISTRICT: 20 AFPB SIGNATURE:

Rhinebeck - Parcel # 135089-6371-00-600224-0000



0 175 350 700 Feet

1 inch = 350 feet

Produced on 5/29/2018
Map Produced by Dutchess County
Soil & Water Conservation District
NOT FOR SITE SPECIFIC WORK
ALL INFORMATION MUST BE SITE VERIFIED

AG DISTRICT - Dutchess County Real Property Tax Service Agency, 2018.

SOILS - US Department of Agriculture (USDA) Natural Resources Conservatio Service (NRCS) Soil Survey Geographic Data Base (SSURGO), 1998.

TAX PARCELS - Dutchess County Real Property Tax Service Agency, 2018.

Aerial Photos- Dutchess County, NY. Originated by: NYS Office of Information Technology Services, GIS Program Office, Albany, NY. 2016.

NY State Department of Agriculture and Markets

APPLICATION OF VIABLE FARM LAND FOR INCLUSION IN DUTCHESS COUNTY AGRICULTURAL DISTRICTS

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AS PER NYS AG & MARKETS LAW 25AA SECTION 303-b

APPLICATION PERIOD IS APRIL 15 TO MAY 14

APPLICATIONS RECEIVED AFTER MAY 14 WILL NOT BE ACCEPTED

NO EXCEPTIONS

To be completed by the Landowner

RECEIVED MAY 04 2018

LANDOWNER INFORMATION *(Please check if the landowner is the farmer)*

First Name	MICHAEL	Last Name	LANCTO	Corporation/Farm Name			
Street Address	220 Vlei Rd.	City	Rhinebeck	State	N.Y.	Zip	12572
Mailing Address	P.O. Box 455	City	Rhinebeck	State	N.Y.	Zip	12572
Phone #	914 474 8912	Email	snowhunter61@yahoo.com				

PRIMARY FARMER INFORMATION IN THE PROCESS OF FINDING ONE

First Name		Last Name		Corporation/Farm Name			
Street Address		City		State		Zip	
Mailing Address		City		State		Zip	
Phone #		Email					

Please check one for each parcel listed

Tax Parcel Number (ex. 132000-6257-01-987436) List tax parcel identification numbers for all Parcels within the farm unit. (Complete number)	FARMER OWNED	RENTED TO A FARMER	RENTED FROM ANOTHER LANDOWNER	NOT FARMED CURRENTLY
135089 - 6269 - 00 - 232404 # of Acres: 40.74	✓			✓
____ - ____ - ____ - ____ # of Acres:				

Please include my properties into the Dutchess County Agricultural District

Owner Name (PRINT): Michael Lancto

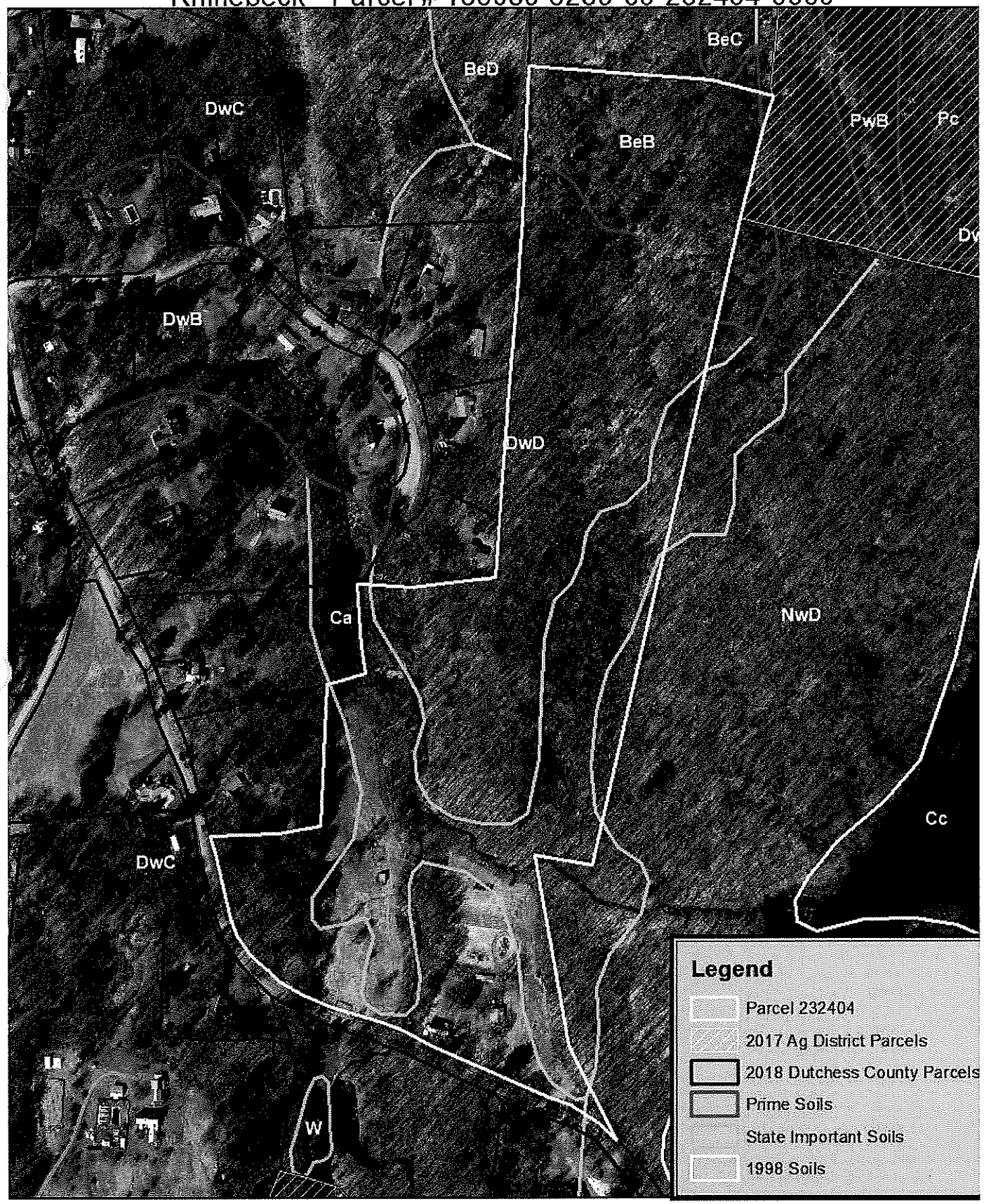
Signature: M A Lanct

OFFICIAL USE ONLY

DATE RECEIVED: May 4, 2018 APPROVED: ____ DISAPPROVED: ✓

AG DISTRICT: 20 AFPB SIGNATURE: ____

Rhinebeck - Parcel # 135089-6269-00-232404-0000



0 175 350 700 Feet

1 inch = 350 feet

Produced on 5/29/2018
Map Produced by Dutchess County Soil & Water Conservation District
NOT FOR SITE SPECIFIC WORK
ALL INFORMATION MUST BE SITE VERIFIED

AG DISTRICT - Dutchess County Real Property Tax Service Agency, 2017.

SOILS - US Department of Agriculture (USDA) Natural Resources Conservatio Service (NRCS) Soil Survey Geographic Data Base (SSURGO), 1998.

TAX PARCELS - Dutchess County Real Property Tax Service Agency, 2018.

Aerial Photos- Dutchess County, NY. Originated by: NYS Office of Information Technology Services, GIS Program Office, Albany, NY. 2016.

NY State Department of Agriculture and Markets

APPLICATION OF VIABLE FARM LAND FOR INCLUSION IN DUTCHESS COUNTY AGRICULTURAL DISTRICTS

Please complete this form if you are an agricultural or non-agricultural landowner. The information obtained from this form will be utilized by Dutchess County to modify agricultural district boundaries (if necessary) and determine the viability of the agricultural district as a whole.

AS PER NYS AG & MARKETS LAW 25AA SECTION 303-b

APPLICATION PERIOD IS APRIL 15 TO MAY 14.

APPLICATIONS RECEIVED AFTER MAY 14 WILL NOT BE ACCEPTED

NO EXCEPTIONS

To be completed by the Landowner

MAY 14 2018

LANDOWNER INFORMATION *(Please check ✓ if the landowner is the farmer)*

First Name	Edward	Last Name	Russell	Corporation/Farm Name			
Street Address	1035 RT 308	City	Rhinebeck	State	N.Y.	Zip	12572
Mailing Address	1035 RT 308	City	Rhinebeck	State	N.Y.	Zip	12572
Phone #	845-758-8799	Email	GBARFarms@GMail.com				

PRIMARY FARMER INFORMATION

First Name		Last Name		Corporation/Farm Name			
Street Address		City		State		Zip	
Mailing Address		City		State		Zip	
Phone #		Email					

Please check one for each parcel listed

Tax Parcel Number (ex. 132000-6257-01-987436) List tax parcel identification numbers for all Parcels within the farm unit. (Complete number)	FARMER OWNED	RENTED TO A FARMER	RENTED FROM ANOTHER LANDOWNER	NOT FARMED
135089-6371-00-423606 # of Acres: 5.93	✓			
____-____-____-____ # of Acres:				

Please include my properties into the Dutchess County Agricultural District

Owner Name (PRINT): Edward A. Russell SR

Signature: Edward A. Russell Sr

OFFICIAL USE ONLY

DATE RECEIVED: May 14, 2018 APPROVED: DISAPPROVED: ✓

AG DISTRICT: 20 AFPB SIGNATURE:

Rhinebeck - Parcel # 135089-6371-00-423606-0000

0 50 100 200 Feet

1 inch = 100 feet

Produced on 5/29/2018
Map Produced by Dutchess County
Soil & Water Conservation District
NOT FOR SITE SPECIFIC WORK
ALL INFORMATION MUST BE SITE VERIFIED

AG DISTRICT - Dutchess County Real Property Tax Service Agency, 2018.

SOILS - US Department of Agriculture (USDA) Natural Resources Conservatio Service (NRCS) Soil Survey Geographic Data Base (SSURGO), 1998.

TAX PARCELS - Dutchess County Real Property Tax Service Agency, 2018.

Aerial Photos- Dutchess County, NY. Originated by: NYS Office of Information Technology Services, GIS Program Office, Albany, NY. 2016.

AG DISTRICT 21

NY State Department of Agriculture and Markets

PPLICATION OF VIABLE FARM LAND FOR INCLUSION IN DUTCHESS COUNTY AGRICULTURAL DISTRICTS

ıse complete this form if you are an agricultural or non-agricultural landowner. The information obtained from this ı will be utilized by Dutchess County to modify agricultural district boundaries (if necessary) and determine the viability ıe agricultural district as a whole.

AS PER NYS AG & MARKETS LAW 25AA SECTION 303-b

APPLICATION PERIOD IS APRIL 15 TO MAY 14

APPLICATIONS RECEIVED AFTER MAY 14 WILL NOT BE ACCEPTED

NO EXCEPTIONS

To be completed by the Landowner

NDOWNER INFORMATION *(Please check ✓ if the landowner is the farmer)*

t Name: Heidi | Last Name: Myers | Corporation/Farm Name: The Myers Family Hoofprint Farm

et Address: 53 Hoofprint Rd | City: Millbrook | State: NY | Zip: 12545

ling Address: 53 Hoofprint Rd | City: Millbrook | State: NY | Zip: 12545

ne #: 914-204-1547 | Email: HeidiFMyers@gmail.com

IMARY FARMER INFORMATION

t Name: Heidi | Last Name: Myers | Corporation/Farm Name: The Myers Family Hoofprint Farm

et Address: 53 Hoofprint Rd | City: Millbrook | State: NY | Zip: 12545

ling Address: 53 Hoofprint Rd | City: Millbrook | State: NY | Zip: 12545

ne #: 914-204-1547 | Email: HeidiFMyers@gmail.com

Please check one for each parcel listed

k Parcel Number (.132000-6257-01-987436) t tax parcel identification numbers for all rcels within the farm unit. (Complete number)	FARMER OWNED	RENTED TO A FARMER	RENTED FROM ANOTHER LANDOWNER	NOT FARMED
.5889-6765-00-048708 f Acres: 21.10	yes			
.5400-6663-00-653092 f Acres: 10.58	yes			

Please include my properties into the Dutchess County Agricultural District

wner Name (PRINT): Heidi F. Myers

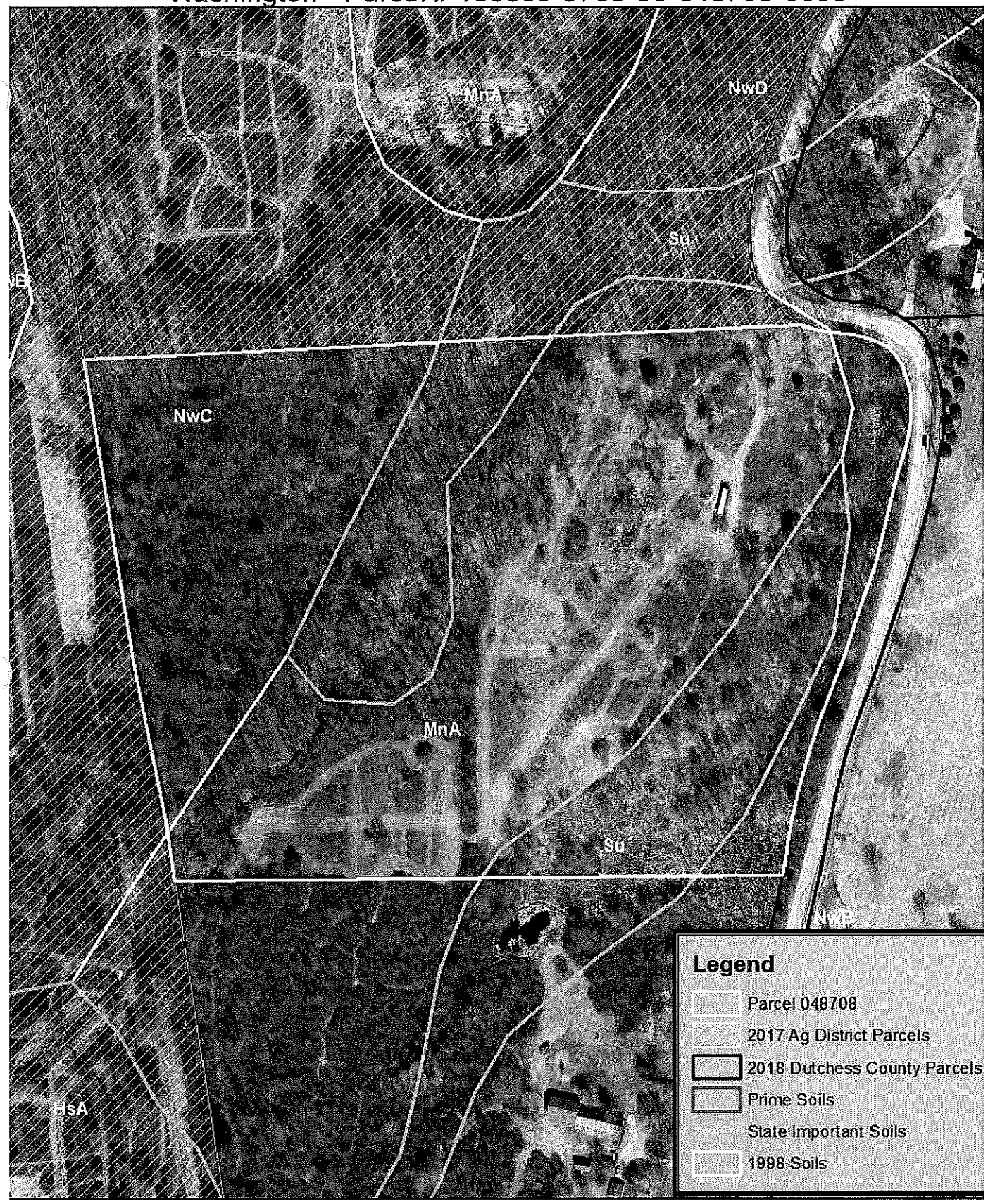
gnature: Heidi F. Myers

OFFICIAL USE ONLY

ATE RECEIVED: 5-7-2018 APPROVED: yes - both DISAPPROVED:

G DISTRICT: 21 & 23 AFPB SIGNATURE:

Washington - Parcel # 135889-6765-00-048708-0000



0 100 200 400 Feet

1 inch = 200 feet

Produced on 5/29/2018
Map Produced by Dutchess County Soil & Water Conservation District
NOT FOR SITE SPECIFIC WORK
ALL INFORMATION MUST BE SITE VERIFIED

AG DISTRICT - Dutchess County Real Property Tax Service Agency, 2017.

SOILS - US Department of Agriculture (USDA) Natural Resources Conservatio Service (NRCS) Soil Survey Geographic Data Base (SSURGO), 1998.

TAX PARCELS - Dutchess County Real Property Tax Service Agency, 2018.

Aerial Photos- Dutchess County, NY. Originated by: NYS Office of Information Technology Services, GIS Program Office, Albany, NY. 2016.

AG DISTRICT 22

NY State Department of Agriculture and Markets

ICATION OF VIABLE FARM LAND FOR INCLUSION IN DUTCHESS COUNTY AGRICULTURAL DISTRICTS

omplete this form if you are an agricultural or non-agricultural landowner. The information obtained from this be utilized by Dutchess County to modify agricultural district boundaries (if necessary) and determine the viability ricultural district as a whole.

AS PER NYS AG & MARKETS LAW 25AA SECTION 303-b

APPLICATION PERIOD IS APRIL 15 TO MAY 14

APPLICATIONS RECEIVED AFTER MAY 14 WILL NOT BE ACCEPTED

NO EXCEPTIONS

To be completed by the Landowner

RECEIVED MAY 09 2018

WNER INFORMATION *(Please check ✓ if the landowner is the farmer)*

ne: Robert Last Name: Behring Corporation/Farm Name: Behring Family

ddress: 64 Meddaugh Rd City: Pleasant Valley State: NY Zip: 12569

Address: 64 Meddaugh Rd City: Pleasant Valley State: NY Zip: 12569

317-490-7384 Email: bobbehring@gmail.com

RY FARMER INFORMATION

ne: Last Name: Corporation/Farm Name:

ddress: City: State: Zip:

Address: City: State: Zip:

Email:

Please check one for each parcel listed

cel Number (2000-6257-01-987436) parcel identification numbers for all within the farm unit. (Complete number)	FARMER OWNED	RENTED TO A FARMER	RENTED FROM ANOTHER LANDOWNER	NOT FARMED
0000-6462-(000)-(2675824)0000 s: 31	✓			
___-___-___-___ s:				

Please include my properties into the Dutchess County Agricultural District

r Name (PRINT): Robert Behring

ure: RNT Behring

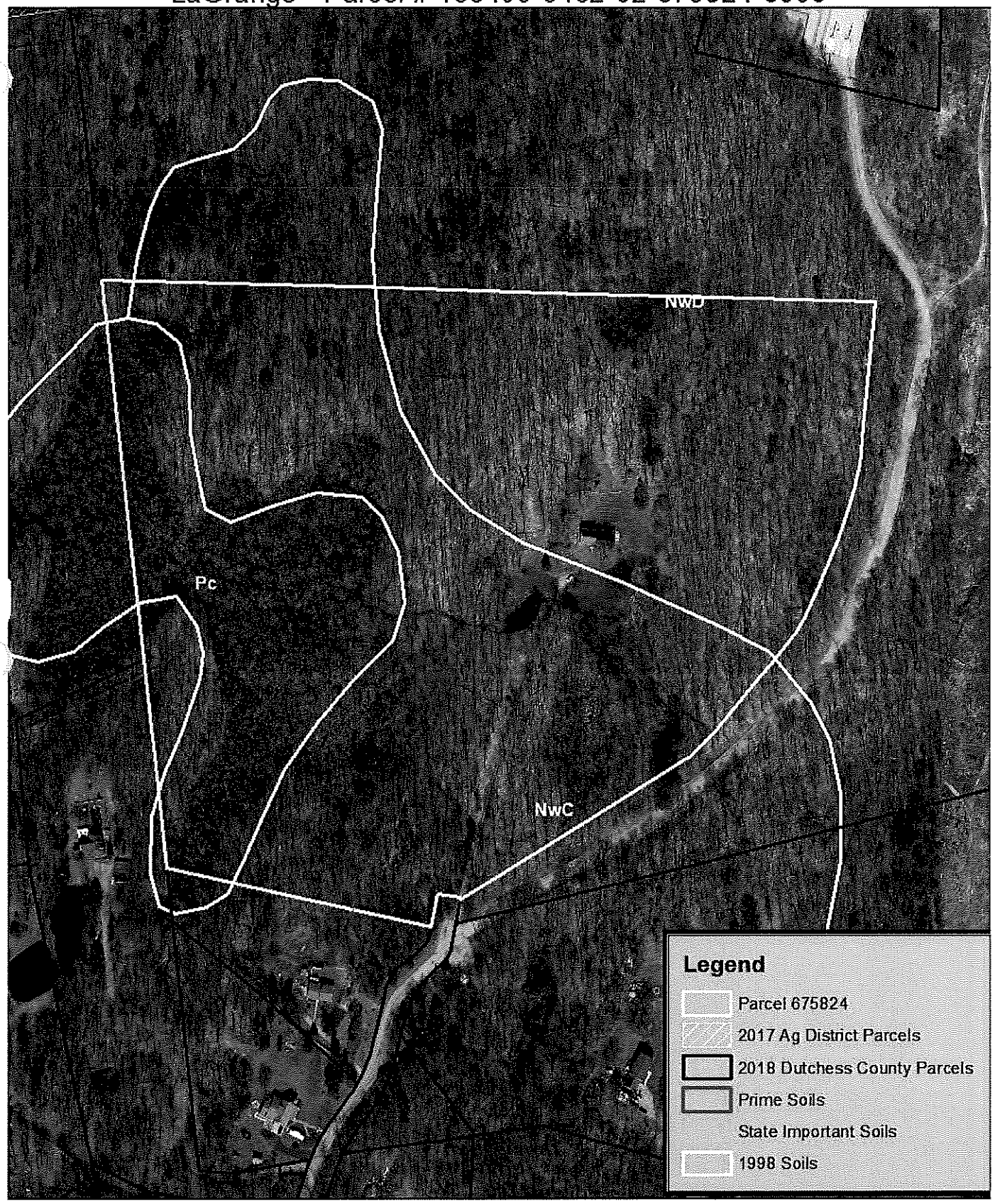
OFFICIAL USE ONLY

ECEIVED: 5-9-2018 APPROVED: ✓ DISAPPROVED:

TRICT: 22 AFPB SIGNATURE:

Revised 4/2018

LaGrange - Parcel # 133400-6462-02-675824-0000



0 125 250 500 Feet

1 inch = 250 feet

Produced on 5/29/2018
Map Produced by Dutchess County
Soil & Water Conservation District
NOT FOR SITE SPECIFIC WORK
ALL INFORMATION MUST BE SITE VERIFIED

AG DISTRICT - Dutchess County Real Property Tax Service Agency, 2017.

SOILS - US Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Soil Survey Geographic Data Base (SSURGO), 1998.

TAX PARCELS - Dutchess County Real Property Tax Service Agency, 2018.

Aerial Photos- Dutchess County, NY. Originated by: NYS Office of Information Technology Services, GIS Program Office, Albany, NY. 2016.

NY State Department of Agriculture and Markets

APPLICATION OF VIABLE FARM LAND FOR INCLUSION IN DUTCHESS COUNTY AGRICULTURAL DISTRICTS

Please complete this form if you are an agricultural or non-agricultural landowner. The information obtained from this form will be utilized by Dutchess County to modify agricultural district boundaries (if necessary) and determine the viability of the agricultural district as a whole.

AS PER NYS AG & MARKETS LAW 25AA SECTION 303-b

APPLICATION PERIOD IS APRIL 15 TO MAY 14

APPLICATIONS RECEIVED AFTER MAY 14 WILL NOT BE ACCEPTED

NO EXCEPTIONS

To be completed by the Landowner

LANDOWNER INFORMATION *(Please check if the landowner is the farmer)*

First Name	Juliette	Last Name	Landi	Corporation/Farm Name	Remsburger Honey + maple		
Street Address	18 Traver Rd.	City	Pleasant Valley	State	NY	Zip	12569
Mailing Address		City		State		Zip	
Phone #	845-891-6800	Email	Juldemar13@aol.com				

PRIMARY FARMER INFORMATION

First Name	Dennis	Last Name	Remsburger	Corporation/Farm Name	Same		
Street Address	18 Traver Rd	City	Pleasant Valley	State	NY	Zip	12569
Mailing Address		City		State		Zip	
Phone #	845-392-5038	Email	Same				

Please check one for each parcel listed

Tax Parcel Number (ex. 132000-6257-01-987436) List tax parcel identification numbers for all Parcels within the farm unit. (Complete number)	FARMER OWNED	RENTED TO A FARMER	RENTED FROM ANOTHER LANDOWNER	NOT FARMED
133400 - 6462 - 03 - 172062 # of Acres: 2.1	✓			
____ - ____ - ____ - ____ # of Acres: ____				

Please include my properties into the Dutchess County Agricultural District

Owner Name (PRINT): Juliette Landi

Signature: Juliette Landi

OFFICIAL USE ONLY

DATE RECEIVED: APR 26 2019 APPROVED: ____ DISAPPROVED: ✓

AG DISTRICT: 22 AFPB SIGNATURE: ____

LaGrange - Parcel # 133400-6462-03-172062-0000

0 50 100 200 Feet

1 inch = 100 feet

Produced on 5/29/2018
Map Produced by Dutchess County
Soil & Water Conservation District
NOT FOR SITE SPECIFIC WORK
ALL INFORMATION MUST BE SITE VERIFIED

AG DISTRICT - Dutchess County Real Property Tax Service Agency, 2017.

SOILS - US Department of Agriculture (USDA) Natural Resources Conservatio Service (NRCS) Soil Survey Geographic Data Base (SSURGO), 1998.

TAX PARCELS - Dutchess County Real Property Tax Service Agency, 2018.

Aerial Photos- Dutchess County, NY. Originated by: NYS Office of Information Technology Services, GIS Program Office, Albany, NY. 2016.

NY State Department of Agriculture and Markets

APPLICATION OF VIABLE FARM LAND FOR INCLUSION IN DUTCHESS COUNTY AGRICULTURAL DISTRICTS

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AS PER NYS AG & MARKETS LAW 25AA SECTION 303-b

APPLICATION PERIOD IS APRIL 15 TO MAY 14

APPLICATIONS RECEIVED AFTER MAY 14 WILL NOT BE ACCEPTED

NO EXCEPTIONS

To be completed by the Landowner

RECEIVED MAY 14 2018

LANDOWNER INFORMATION *(Please check ✓ if the landowner is the farmer)*

First Name	Thomas	Last Name	Sanford	Corporation/Farm Name			
Street Address	99 Velie Rd	City	LaGrangeville	State	NY	Zip	12540
Mailing Address	99 Velie Rd	City	LaGrangeville	State	NY	Zip	12540
Phone #	914 489 0614	Email					

PRIMARY FARMER INFORMATION

First Name		Last Name		Corporation/Farm Name			
Street Address		City		State		Zip	
Mailing Address		City		State		Zip	
Phone #		Email					

Please check one for each parcel listed

Tax Parcel Number (ex. 132000-6257-01-987436) List tax parcel identification numbers for all Parcels within the farm unit. (Complete number)	FARMER OWNED	RENTED TO A FARMER	RENTED FROM ANOTHER LANDOWNER	NOT FARMED
133400-6560-01-060861 # of Acres: 13.03	✓			
____-____-____-____ # of Acres:				

Please include my properties into the Dutchess County Agricultural District

Owner Name (PRINT): Thomas R Sanford

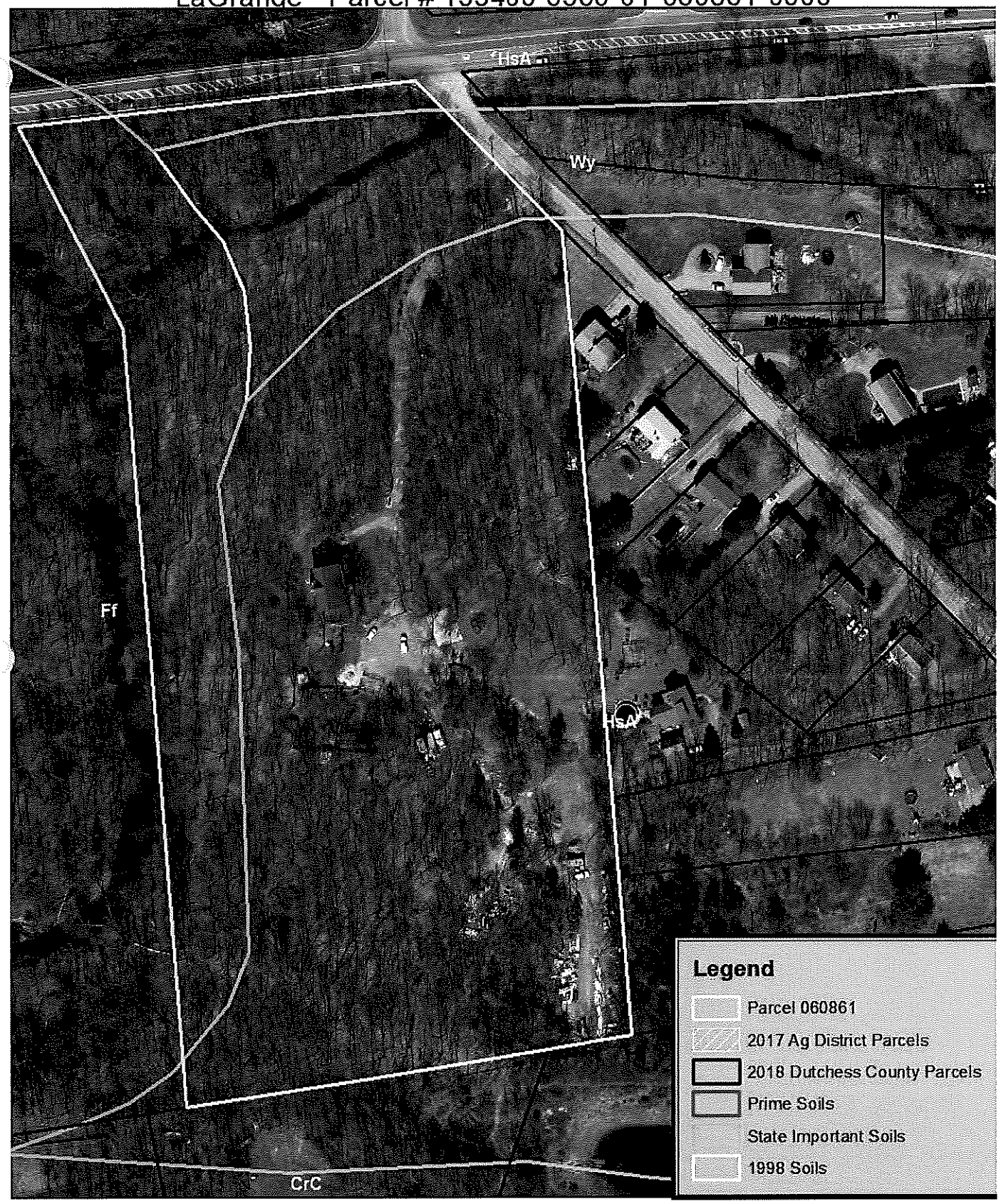
Signature: Thomas R Sanford

OFFICIAL USE ONLY

DATE RECEIVED: 5.14.2018 APPROVED: ____ DISAPPROVED: ✓

AG DISTRICT: 22 AFPB SIGNATURE: [signature]

LaGrange - Parcel # 133400-6560-01-060861-0000



0 75 150 300 Feet

1 inch = 150 feet

Produced on 5/29/2018
Map Produced by Dutchess County
Soil & Water Conservation District
NOT FOR SITE SPECIFIC WORK
ALL INFORMATION MUST BE SITE VERIFIED

AG DISTRICT - Dutchess County Real Property Tax Service Agency, 2017.

SOILS - US Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Soil Survey Geographic Data Base (SSURGO), 1998.

TAX PARCELS - Dutchess County Real Property Tax Service Agency, 2018.

Aerial Photos- Dutchess County, NY. Originated by: NYS Office of Information Technology Services, GIS Program Office, Albany, NY. 2016.

AG DISTRICT 23

NY State Department of Agriculture and Markets

APPLICATION OF VIABLE FARM LAND FOR INCLUSION IN DUTCHESS COUNTY AGRICULTURAL DISTRICTS

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AS PER NYS AG & MARKETS LAW 25AA SECTION 303-b

APPLICATION PERIOD IS APRIL 15 TO MAY 14

APPLICATIONS RECEIVED AFTER MAY 14 WILL NOT BE ACCEPTED

'NO EXCEPTIONS'

To be completed by the Landowner

LANDOWNER INFORMATION *(Please check if the landowner is the farmer)*

First Name		Last Name		Corporation/Farm Name	NONNOS GARDEN		
Street Address	147 Old Forge Road	City	Wingdale	State	NY	Zip	12594
Mailing Address	750 3rd Ave	City	New York	State	NY	Zip	10017
Phone #		Email					

PRIMARY FARMER INFORMATION

First Name	Josh	Last Name	Viertel	Corporation/Farm Name			
Street Address	147 Old Forge Rd.	City	Wingdale	State	NY	Zip	12594
Mailing Address	147 Old Forge Rd.	City	Wingdale	State	NY	Zip	12594
Phone #		Email					

Please check one for each parcel listed

Tax Parcel Number (ex. 132000-6257-01-987436) List tax parcel identification numbers for all Parcels within the farm unit. (Complete number)	FARMER OWNED	RENTED TO A FARMER	RENTED FROM ANOTHER LANDOWNER	NOT FARMED
132600 - 7260 - 00 - 017777 # of Acres: 60.4		✓		
132600 - 7260 - 00 - 117750 # of Acres: 1.3		✓		

Please include my properties into the Dutchess County Agricultural District

Owner Name (PRINT): Nonnos Garden

Signature: [signature]

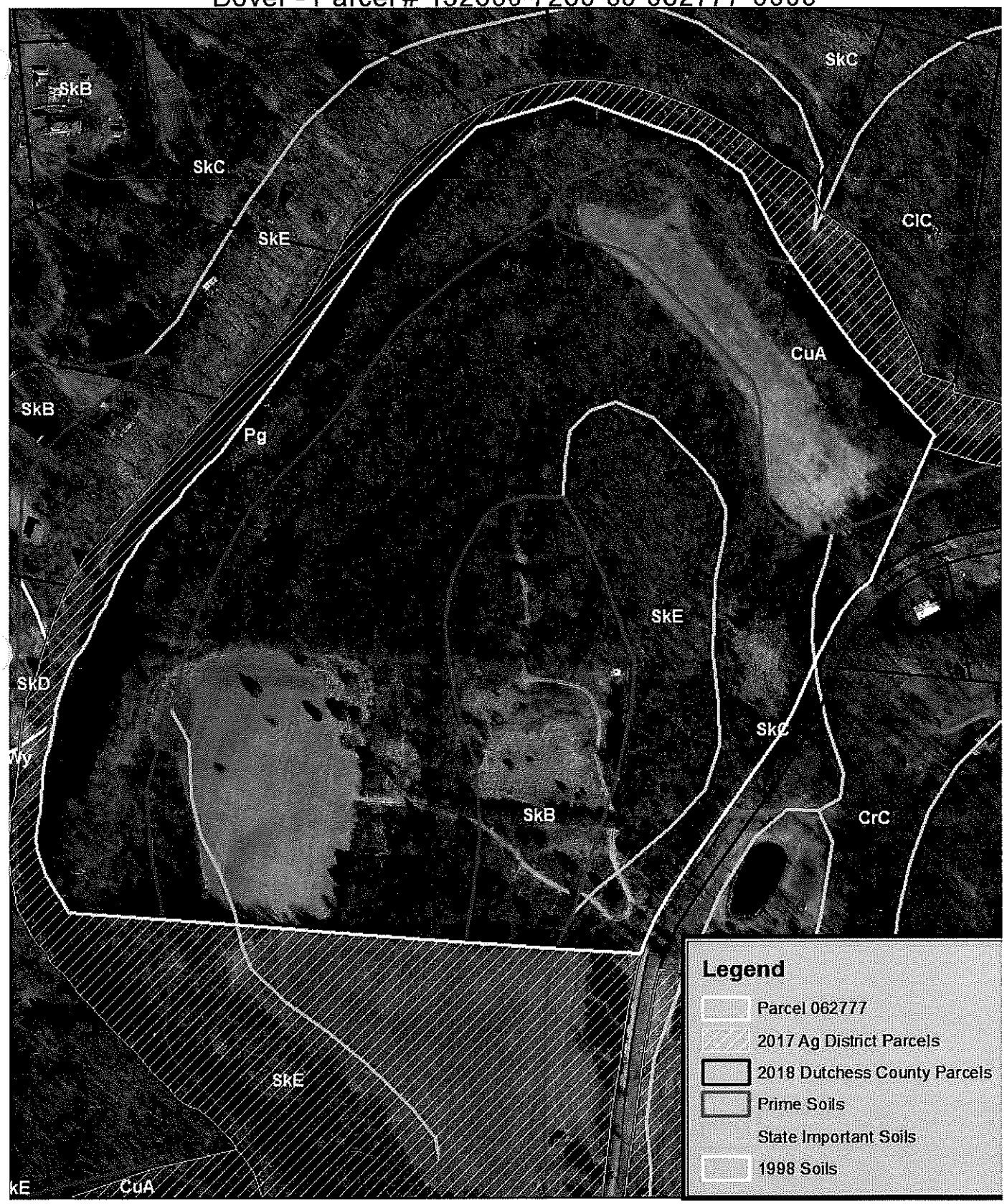
OFFICIAL USE ONLY

DATE RECEIVED: APR 26 2018 APPROVED: yes-both DISAPPROVED:

AG DISTRICT: 23 AFPB SIGNATURE:

Revised 4/2018

Dover - Parcel # 132600-7260-00-062777-0000



0 150 300 600 Feet

1 inch = 300 feet

Produced on 5/29/2018
Map Produced by Dutchess County Soil & Water Conservation District
NOT FOR SITE SPECIFIC WORK
ALL INFORMATION MUST BE SITE VERIFIED

AG DISTRICT - Dutchess County Real Property Tax Service Agency, 2017.

SOILS - US Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Soil Survey Geographic Data Base (SSURGO), 1998.

TAX PARCELS - Dutchess County Real Property Tax Service Agency, 2018.

Aerial Photos- Dutchess County, NY. Originated by: NYS Office of Information Technology Services, GIS Program Office, Albany, NY. 2016.

NY State Department of Agriculture and Markets

APPLICATION OF VIABLE FARM LAND FOR INCLUSION IN DUTCHESS COUNTY AGRICULTURAL DISTRICTS

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AS PER NYS AG & MARKETS LAW 25AA SECTION 303-b

APPLICATION PERIOD IS APRIL 15 TO MAY 14

APPLICATIONS RECEIVED AFTER MAY 14 WILL NOT BE ACCEPTED

'NO EXCEPTIONS'

To be completed by the Landowner

LANDOWNER INFORMATION *(Please check if the landowner is the farmer)*

First Name		Last Name		Corporation/Farm Name	NONNOS GARDEN		
Street Address	147 Old Forge Road	City	Wingdale	State	NY	Zip	12594
Mailing Address	750 3rd Ave	City	New York	State	NY	Zip	10017
Phone #		Email					

PRIMARY FARMER INFORMATION

First Name	JOSH	Last Name	VIERTEL	Corporation/Farm Name			
Street Address	147 Old Forge Rd.	City	Wingdale	State	NY	Zip	12594
Mailing Address	147 Old Forge Rd.	City	Wingdale	State	NY	Zip	12594
Phone #		Email					

Please check one for each parcel listed

Tax Parcel Number (ex. 132000-6257-01-987436) List tax parcel identification numbers for all Parcels within the farm unit. (Complete number)	FARMER OWNED	RENTED TO A FARMER	RENTED FROM ANOTHER LANDOWNER	NOT FARMED
132600-7260-00-047777 # of Acres: 60.4		✓		
132600-7260-00-117790 # of Acres: 1.3		✓		

Please include my properties into the Dutchess County Agricultural District

Owner Name (PRINT): Nonnos Garden

Signature:

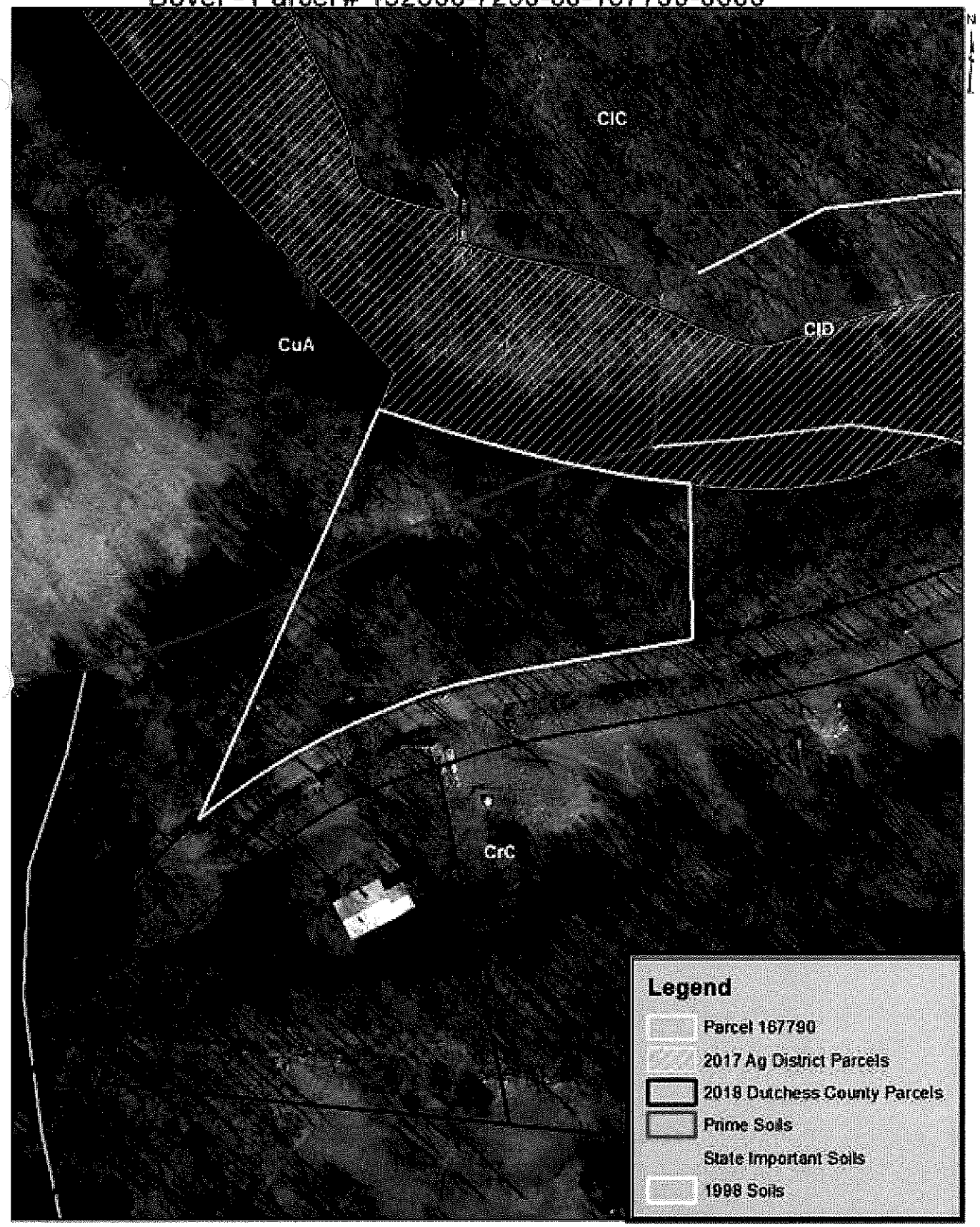
OFFICIAL USE ONLY

DATE RECEIVED: APR 26 2018 APPROVED: yes-both DISAPPROVED:

AG DISTRICT: 23 AFPB SIGNATURE:

Revised 4/2018

Dover - Parcel # 132600-7260-00-167790-0000



0 50 100 200 Feet

1 inch = 100 feet

Produced on 6/29/2018
Map Produced by Dutchess County
Soil & Water Conservation District
NOT FOR SITE SPECIFIC WORK
ALL INFORMATION MUST BE SITE VERIFIED

AG DISTRICT - Dutchess County Real Property Tax Service Agency, 2017.

SOILS - US Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Soil Survey Geographic Data Base (SSURGO), 1998.

TAX PARCELS - Dutchess County Real Property Tax Service Agency, 2018.

Aerial Photos- Dutchess County, NY. Originated by: NYS Office of Information Technology Services, GIS Program Office, Albany, NY. 2016.

Submit By May 14

NY State Department of Agriculture and Markets

APPLICATION OF VIABLE FARM LAND FOR INCLUSION IN DUTCHESS COUNTY AGRICULTURAL DISTRICTS

Please complete this form if you are an agricultural or non-agricultural landowner. The information obtained from this form will be utilized by Dutchess County to modify agricultural district boundaries (if necessary) and determine the viability of the agricultural district as a whole.

AS PER NYS AG & MARKETS LAW 25AA SECTION 303-b

APPLICATION PERIOD IS APRIL 15 TO MAY 14

APPLICATIONS RECEIVED AFTER MAY 14 WILL NOT BE ACCEPTED

NO EXCEPTIONS

RECEIVED MAY 14 2018

To be completed by the Landowner

LANDOWNER INFORMATION *(Please check if the landowner is the farmer)*

First Name	Sally	Last Name	Raphael	Corporation/Farm Name	Elmwood farms		
Street Address	616 Quaker Hill Rd	City	Pawling	State	NY	Zip	12564
Mailing Address	Same	City		State		Zip	
Phone #	917-612-6121	Email	SJRRadio@aol.com				

PRIMARY FARMER INFORMATION

First Name	Michele	Last Name	Austin	Corporation/Farm Name	Elmwood farms		
Street Address	616 Quaker Hill Rd	City	Pawling	State	NY	Zip	12564
Mailing Address	Same	City		State		Zip	
Phone #	845-249-5081	Email	elmwoodMA@gmail.com				

Please check one for each parcel listed

Tax Parcel Number (ex. 132000-6257-01-987436) List tax parcel identification numbers for all Parcels within the farm unit. (Complete number)	FARMER OWNED	RENTED TO A FARMER	RENTED FROM ANOTHER LANDOWNER	NOT FARMED
134089 - 7156 - 00 - 400973 # of Acres: 25.5		✓		
____ - ____ - ____ - ____ # of Acres: ____				

Please include my properties into the Dutchess County Agricultural District

Owner Name (PRINT): Sally Jessy Raphael

Signature: Sally Raphael

OFFICIAL USE ONLY

DATE RECEIVED: 5-14-2018 APPROVED: yes DISAPPROVED:

AG DISTRICT: 23 AFPB SIGNATURE:

Pawling - Parcel # 134089-7156-00-400973-0000

0 125 250 500 Feet

1 inch = 250 feet

Produced on 5/30/2018
Map Produced by Dutchess County
Soil & Water Conservation District
NOT FOR SITE SPECIFIC WORK
ALL INFORMATION MUST BE SITE VERIFIED

AG DISTRICT - Dutchess County Real Property Tax Service Agency, 2017.

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TAX PARCELS - Dutchess County Real Property Tax Service Agency, 2018.

Aerial Photos- Dutchess County, NY. Originated by: NYS Office of Information Technology Services, GIS Program Office, Albany, NY. 2016.

NY State Department of Agriculture and Markets

PPLICATION OF VIABLE FARM LAND FOR INCLUSION IN DUTCHESS COUNTY AGRICULTURAL DISTRICTS

ıse complete this form if you are an agricultural or non-agricultural landowner. The information obtained from this ı will be utilized by Dutchess County to modify agricultural district boundaries (if necessary) and determine the viability ıe agricultural district as a whole.

AS PER NYS AG & MARKETS LAW 25AA SECTION 303-b

APPLICATION PERIOD IS APRIL 15 TO MAY 14

APPLICATIONS RECEIVED AFTER MAY 14 WILL NOT BE ACCEPTED

NO EXCEPTIONS

To be completed by the Landowner

NDOWNER INFORMATION *(Please check ✓ if the landowner is the farmer)*

t Name: Heidi | Last Name: Myers | Corporation/Farm Name: The Myers Family Hoofprint Farm

ıet Address: 53 Hoofprint Rd | City: Millbrook | State: NY | Zip: 12545

ling Address: 53 Hoofprint Rd | City: Millbrook | State: NY | Zip: 12545

ıne #: 914-204-1547 | Email: HeidiFMyers@gmail.com

IMARY FARMER INFORMATION

t Name: Heidi | Last Name: Myers | Corporation/Farm Name: The Myers Family Hoofprint Farm

ıet Address: 53 Hoofprint Rd | City: Millbrook | State: NY | Zip: 12545

ling Address: 53 Hoofprint Rd | City: Millbrook | State: NY | Zip: 12545

ıne #: 914-204-1547 | Email: HeidiFMyers@gmail.com

Please check one for each parcel listed

ɣ Parcel Number .132000-6257-01-987436) ıt tax parcel identification numbers for all rcels within the farm unit. (Complete number)	FARMER OWNED	RENTED TO A FARMER	RENTED FROM ANOTHER LANDOWNER	NOT FARMED
5889-6765-00-048708 f Acres: 21.10	yes			
5400-6663-00-653092 f Acres: 10.58	yes			

Please include my properties into the Dutchess County Agricultural District

wner Name (PRINT): Heidi F. Myers

gnature: Heidi F. Myers

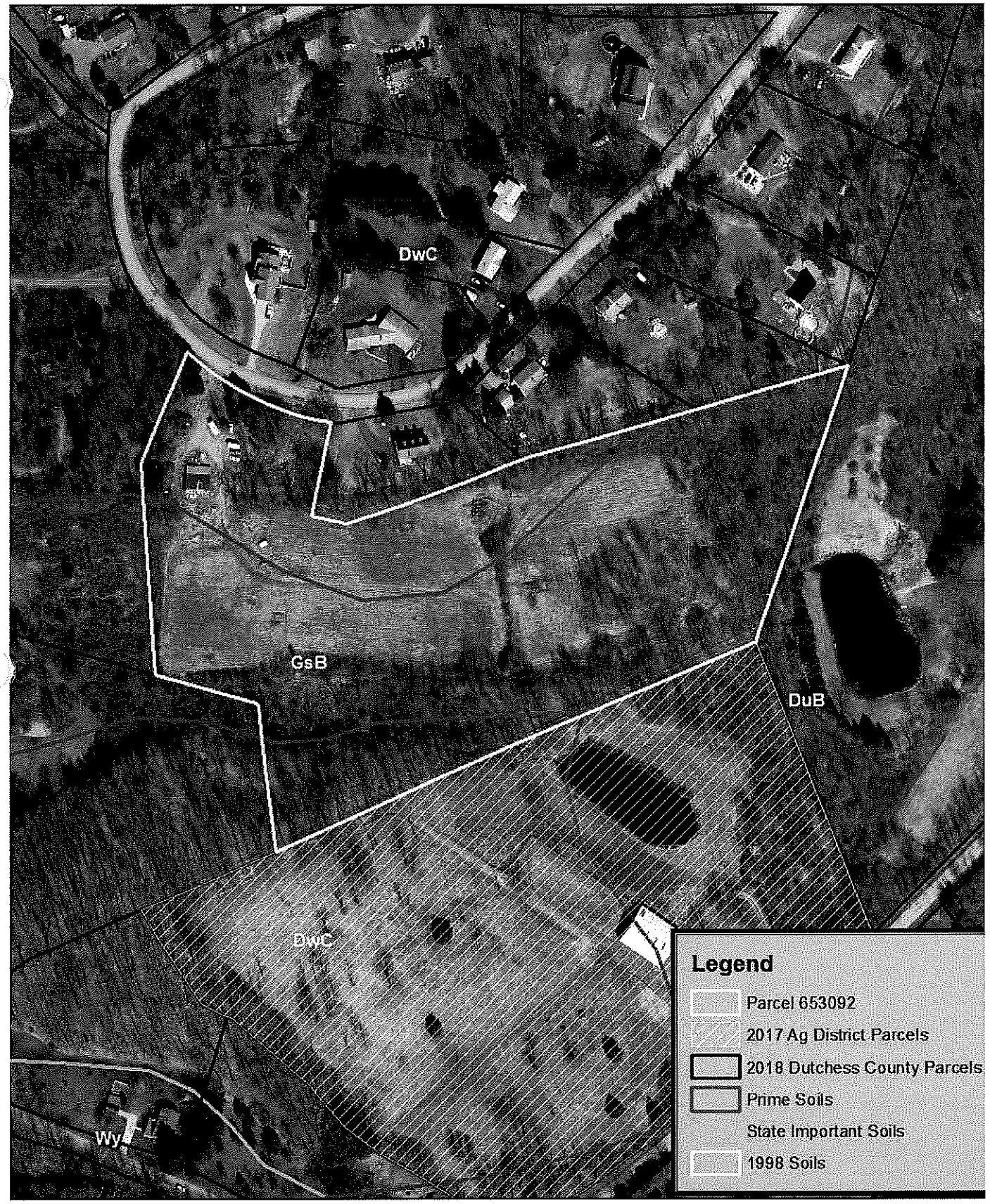
OFFICIAL USE ONLY

ATE RECEIVED: 5-7-2018 APPROVED: yes - both DISAPPROVED:

ı DISTRICT: 21 & 23 AFPB SIGNATURE:

Revised 4/201

UnionVale - Parcel # 135400-6663-00-653092-0000



0 100 200 400 Feet

1 inch = 200 feet

Produced on 5/29/2018
Map Produced by Dutchess County
Soil & Water Conservation District
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TAX PARCELS - Dutchess County Real Property Tax Service Agency, 2018.

Aerial Photos- Dutchess County, NY. Originated by: NYS Office of Information Technology Services, GIS Program Office, Albany, NY. 2016.

Wager, Leigh

From: Ronald Blass <RBlass@VanDeWaterLaw.com>
Sent: Thursday, September 20, 2018 12:34 PM
To: bob.somers@agriculture.ny.gov
Cc: Volkman, Scott; juldemar13@aol.com; CountyLegislature
Subject: Town of LaGrange (County Legislature action of August 20, 2018 regarding property of Landi/Ag District)
Attachments: 24G6426-Supplemental Letter.PDF

Dr. Somers:

We provide the attached supplemental communication on behalf of the Town of LaGrange.

The Town is injured by the Dutchess County Legislature's inclusion of active zoning violations in the Ag District, despite the adverse opinion of the Dutchess County Farmland Protection Board.

Would you be so kind to share this email with the Commissioner and Counsel's Office. We will mail hard copies to those two recipients today.

Thank you,

RCB

RONALD C. BLASS, JR., ESQ.
rblass@vandewaterlaw.com
Van DeWater & Van DeWater, LLP
85 Civic Center Plaza, Suite 101
P. O. Box 112
Poughkeepsie, NY 12602
Tel: 845-452-5900 ~~ Fax: 845-452-5848
Website: Vandewaterlaw.com

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY FOR WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF YOU ARE NEITHER THE INTENDED RECIPIENT NOR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED.

IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE RETURN THE ORIGINAL TO THE SENDER.

VAN DEWATER AND VAN DEWATER, LLP

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John K. Gifford
Jeffrey S. Battistoni
Janis M. Gomez Anderson
Counsel

September 20, 2018

Richard A. Ball, Commissioner
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Counsel's Office
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Dr. Robert Somers
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Re: Town of LaGrange (Remsburger - Landi)
Our File No. 70-1100

Dear Commissioner, et al:

This supplements our letter of September 11, 2018.

At that time, we did not possess the County Legislature's resolution of August 20, 2018. We have it now. It is attached or enclosed.

We also attach or enclose the June 14, 2018 recommendation of the Dutchess County Farmland Protection Board to reject the Landi property at 18 Traver Road, LaGrange, New York from inclusion.

We also provide the July 10, 2017 resolution of the County Legislature which excluded the Landi property from the county agriculture district.

We note the following with respect to the County Legislature's resolution:

a) Despite what the resolution says, the Dutchess County Farmland Protection Board did not recommend the inclusion of the Landi property at 18 Traver Road;

b) The Legislature ignored the statutory adverse recommendation of the Dutchess County Farmland Protection Board;

c) The Legislature did not make a finding that the Landi property at 18 Traver Road consisted predominately of "viable agricultural land"; and

d) Without a meaningful change of circumstances, the Legislature included 18 Traver Road in the agricultural district despite rejecting its inclusion during the annual review process which culminated on July 10, 2017 --- consistent with the recommendation of the Dutchess County Farmland Protection Board.

The only changes of circumstances were adverse to inclusion. They included precise allegations (of the Town to the Farmland Protection Board) of the property owners exceeding of standards limiting home occupation activity.

All of these points will be included in a hybrid proceeding challenging the County Legislature's resolution of August 20, 2018.

Lastly, on September 18, 2018, the Town of LaGrange issued a determination vacating the home occupation permit at 18 Traver Road for activity which exceeded limits on home occupations. Commissioner certification will continue to institutionalize land use violations under Town Code.

Very truly yours,

VAN DEWATER & VAN DEWATER, LLP

By: _____
RONALD C. BLASS, JR.

RCB/jbo

Enclosures: 3
Cc: Juliette Landi
Scott Volkman, Esq.
A. Gregg Pulver, Legislative Chairman
Carolyn Morris, Clerk of the Legislature

U:\DOCS\00070\01100\CORRES\24G6384.DOCX

Environment
Tabled on floor 7/9/18
Amended on floor 8/20/18

RESOLUTION NO. 2018190

RE: PROPERTY OWNER REQUESTS TO BE INCLUDED WITHIN DUTCHESS COUNTY'S CERTIFIED AGRICULTURAL DISTRICTS 20, 21, 22, AND 23

Legislators BORCHERT, PULVER, and BOLNER offer the following and move its adoption:

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law establishes a mechanism on an annual basis for parcels of land comprised of predominately viable agricultural land to be included within the state's Agricultural Districts, and

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law sets forth the requirement that the Legislative Body in every county in New York State with existing Agricultural Districts must designate an annual 30-day period during which landowners may apply for inclusion of their agriculturally viable land in the Agricultural Districts, and

WHEREAS, Dutchess County Legislative Resolution 204098 established an annual thirty-day period extending from April 15 to May 14 during which landowners may summit such requests to the Legislature to include their properties in the Agricultural Districts, and

WHEREAS, during the one-month period extending from April 15, 2018, to May 14, 2018, the Dutchess County Farmland Protection Board received such applications on behalf of the Legislature, and

WHEREAS, subsequently the Agricultural and Farmland Protection Board submitted its report with recommendation as to those requests to the Legislature, and

WHEREAS, after proper Notice of Public Hearing, this Legislature held a public hearing on July 9, 2018, with respect to the above and heard all those wishing to address the matter at said public hearing, and

WHEREAS, New York State Agriculture and Markets Law Section 303-b requires the County Legislature, following such public hearing to adopt or reject the proposed requests for inclusion of land within an existing Agricultural District, and

WHEREAS, the report and recommendations of the Agricultural Farmland Protection Board are on file with the Clerk of the Dutchess County Legislature, and

WHEREAS, the Legislature has considered the matter including the report and recommendation of the Agricultural Farmland Protection Board at the public hearing, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby adopts the recommendations of the Agricultural and Farmland Protection Board and adopts the requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Landowner	Town	SWIS Code	Parcel Number	Acres	District
James Enkler	Clinton	132400	6267-00-820205	3.7	20
James Enkler	Clinton	132400	6267-00-865205	3.1	20
James Vitiello	Clinton	132400	6267-00-787124	13.44	20
Heidi Myers	Washington	135889	6765-00-048708	21.1	21
Robert Behring	LaGrange	133400	6462-02-675824	31	22
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-167790	1.3	23
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-062777	60.4	23
Sally Raphael	Pawling	134089	7156-00-400973	25.5	23
Heidi Myers	UnionVale	135400	6663-00-653092	10.58	23
Juliette Landi	LaGrange	133400	6462-03-172062	2.1	22

and, be it further

RESOLVED, that the Dutchess County Legislature herby adopts the recommendations of the Agricultural and Farmland Protection Board and rejects the requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Maria Fitzgibbon	Milan	133800	6671-00-042265	140.2	20
Kerrie Abela	Rhinebeck	135089	6371-00-600224	50.55	20
Michael Lancto	Rhinebeck	135089	6269-00-232404	40.74	20
Edward Russell	Rhinebeck	135089	6371-00-423606	5.93	20
Thomas Sanford	LaGrange	133400	6560-01-060861	13.03	22

and, be it further

RESOLVED, that the Clerk of the Legislature shall submit a copy of this Resolution together with the report of the Dutchess Agricultural and Farmland Protection Board, and the tax map identification numbers and tax maps for each parcel of land to be included in an Agricultural District, to the New York State Commissioner of Agriculture and Markets.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date _____

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 20th day of August 2018, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 20th day of August 2018.

Carolyn Morris

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Agriculture and Farmland Protection Board of Dutchess County

Gregg Pulver
Chairman
914-474-0908

Art Collings
Vice Chairman
Dutchess Land Conservancy
845/677-3002 Ext. 100

Peter Coon
Coon Brothers Partnership
845/373-8328

Doug Giles
Walbridge Farm

Ken Migliorelli
Migliorelli Farm

Agri-business
Edward C. Hackett
Hackett Farm Supply, Inc.
845/266-3494

Brian Scorallck
DC Soil & Water
Conservation District
845/677-8011 ext.3

Will Truitt
Dutchess County
Legislature

Eric Axelsen
DC Real Property Tax
845/486-2140

Eoin Wrafter
DC Acting Commissioner of
Planning and Development
845/486-3600

Jennifer Fimbel
Cornell Cooperative
Extension
845/677-8223

Harry Baldwin
Ex-Officio
845/266-5378

Resolution of the Dutchess County Farmland Protection Board

At a meeting of the Dutchess County Farmland Protection Board ("Board") held on the 5th day of June, 2015 in Millbrook, NY, the following resolution was adopted by a vote of the entire Board, to wit:

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law establishes a mechanism on an annual basis for parcels of land comprised of predominately viable agricultural land to be included within the state's Agricultural Districts; and

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law sets forth the requirement that the Legislative Body in every county in New York State with existing Agricultural Districts must designate an annual 30-day period during which landowners may apply for inclusion of their agriculturally viable land in the Agricultural Districts; and

WHEREAS, Dutchess County Legislative Resolution 204098 established an annual thirty-day period extending from April 15 to May 14 during which Landowners may summit such requests to the legislature to include their properties in the Agricultural Districts; and

WHEREAS, During the one month period extending from April 15, 2018 to May 14, 2018, the Dutchess County Farmland Protection Board received such applications on behalf of the Legislature; and

WHEREAS, The Dutchess County Soil and Water Conservation District, acting as a consultant to the Board, conducted a review of the agricultural characteristics of all such applications received by the Board; and

WHEREAS, the same Dutchess County Soil and Water Conservation District, found in the process of conducting the aforementioned review that the certain parcels itemized below are located within one of the Dutchess County's four Agricultural Districts and have present a high percentage or large acreage of viable farmland as required by Section 303-b of the Agricultural Districts Law; and

WHEREAS, the same Dutchess County Soil and Water Conservation District specifically recommended that certain parcels itemized below qualify for inclusion in the Agricultural Districts due

to the character of viable farmland found to be present on these properties; and

WHEREAS, the Board, in the context of the standards established by Section 303-b of the Agriculture Districts Law, has duly considered the merits of the each and every parcel application it has received; therefore be it

RESOLVED by a majority vote of the Dutchess County Agriculture and Farmland Protection Board on June 5th, 2018, that the Board recommends to the Dutchess County Legislature that the following nine parcels constituting a total of 170.12 acres of land to be added to the respective Agriculture Districts pursuant to Section 303-b, including three parcels comprising 20.24 acres in Agricultural District 20, one parcel comprising 21.1 acres in Agricultural District 21, one parcel comprising 31 acres in Agricultural District 22, and four parcels comprising 97.78 acres in Agricultural District 23:

Landowner	Town	SWIS Code	Parcel Number	Acres	District
James Enkler	Clinton	132400	6267-00-820205	3.7	20
James Enkler	Clinton	132400	6267-00-865205	3.1	20
James Vitiello	Clinton	132400	6267-00-787124	13.44	20
Heidi Myers	Washington	135889	6765-00-048708	21.1	21
Robert Behring	LaGrange	133400	6462-02-675824	31	22
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-167790	1.3	23
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-062777	60.4	23
Sally Raphael	Pawling	134089	7156-00-400973	25.5	23
Heidi Myers	UnionVale	135400	6663-00-653092	10.58	23

these said parcels being recommended due to the character of viable farmland documented to be present on said parcels; and be it further

RESOLVED that the Board recommends to the Dutchess County Legislature that the following six parcels totaling 252.55 acres, for which an application was received, be rejected for inclusion in the Agricultural Districts:

Maria Fitzgibbon	Milan	133800	6671-00-042265	140.2	20
Kerrie Abela	Rhinebeck	135089	6371-00-600224	50.55	20
Michael Lancto	Rhinebeck	135089	6269-00-232404	40.74	20
Edward Russell	Rhinebeck	135089	6371-00-423606	5.93	20
Juliette Landi	LaGrange	133400	6462-03-172062	2.1	22
Thomas Sanford	LaGrange	133400	6560-01-060861	13.03	22

these said parcels being recommended for rejection rather than inclusion due to fact that the character of land on said parcels does not meet the criteria of viable farmland stipulated in Section 303-b of the Agricultural Districts Law; and be it further

RESOLVED that for four parcels totaling 72.107 acres an application was received for parcels that had already been enrolled in an Agricultural District prior to April 15, 2018:

William Holman	Clinton	132400	6466-00-631439	10.007	20
William Holman	Clinton	132400	6466-00-619485	29.03	20
James Vitiello	Clinton	132400	6267-00-780038	14.07	20
Michael Wolfe	Fishkill	133089	6054-00-790825	20	22

these said parcels therefore requiring no further action by the Legislature due to their status as parcels already included in Agriculture Districts 20, 22, or 23; and be it further

RESOLVED that in support of the above recommendations, the Board shall submit to the Legislature the following materials: 1) copies of all applications received, 2) copies of the review materials prepared by the Dutchess County Soil and Water Conservation District in association with all applications received, 3) copies of the minutes of the June 5th, 2018 meeting of the Board.

IN WITNESS WHEREOF, **I, Gregg Pulver, Chairman of the Dutchess County Farmland Protection Board, certify that the foregoing resolution was adopted by Board at its June 5th, 2018 meeting.**

Date June 14th 2018

Environment

RESOLUTION NO. 2017136

RE: PROPERTY OWNER REQUESTS TO BE INCLUDED WITHIN DUTCHESS COUNTY'S CERTIFIED AGRICULTURAL DISTRICTS 20, 21, 22, AND 23

Legislators FORMAN, MICCIO, BOLNER, PULVER, WASHBURN, TRUITT, SAGLIANO, STRAWINSKI, LANDISI and HORTON offer the following and move its adoption:

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law establishes a mechanism on an annual basis for parcels of land comprised of predominately viable agricultural land to be included within the state's Agricultural Districts, and

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law sets forth the requirement that the Legislative Body in every county in New York State with existing Agricultural Districts must designate an annual 30-day period during which landowners may apply for inclusion of their agriculturally viable land in the Agricultural Districts, and

WHEREAS, Dutchess County Legislative Resolution 204098 established an annual thirty-day period extending from April 15 to May 14 during which landowners may summit such requests to the Legislature to include their properties in the Agricultural Districts, and

WHEREAS, during the one-month period extending from April 15, 2017, to May 14, 2017, the Dutchess County Farmland Protection Board received such applications on behalf of the Legislature, and

WHEREAS, subsequently the Agricultural and Farmland Protection Board submitted its report with recommendation as to those requests to the Legislature, and

WHEREAS, after proper Notice of Public Hearing, this Legislature held a public hearing on July 10, 2017, with respect to the above and heard all those wishing to address the matter at said public hearing, and

WHEREAS, New York State Agriculture and Markets Law Section 303-b requires the County Legislature, following such public hearing to adopt or reject the proposed requests for inclusion of land within an existing Agricultural District, and

WHEREAS, the report and recommendations of the Agricultural Farmland Protection Board are on file with the Clerk of the Dutchess County Legislature, and

WHEREAS, the Legislature has considered the matter including the report and recommendation of the Agricultural Farmland Protection Board at the public hearing, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby adopts the recommendations of the Agricultural and Farmland Protection Board and adopts the

requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Landowner	Town	SWIS Code	Parcel Number	Acres	District
Stoudemire Farms Holdings LLC	Hyde Park	133200	6264-01-364904	37.47	20
Stoudemire Farms Holdings LLC	Hyde Park	133200	6265-03-395040	141.4	20
Sharon Sherrod	Rhinebeck	135089	6169-00-022744	3.2	20
Lloyd Hicks	North East	133889	7070-00-751718	6.75	21
Dwaine Lee	Dover	132600	7260-00-015023	3.711	23
Mara Shelby	Dover	132600	7161-00-875395	34.49	23
Mara Shelby	Dover	132600	7161-00-803354	5.51	23

and, be it further

RESOLVED, that the Dutchess County Legislature herby adopts the recommendations of the Agricultural and Farmland Protection Board and rejects the requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Kerrie Abelea	Rhinebeck	135089	6371-00-600224	50.55	20
Edward Russell	Rhinebeck	135089	6371-00-423606	5.93	20
Drew Kessler	East Fishkill	132800	6355-00-328959	3.16	22
Drew Kessler	East Fishkill	132800	6355-00-320931	0.98	22
Juliette Landi	LaGrange	133400	6462-03-172062	2.1	22
Organic Outpost Inc.	East Fishkill	132800	6556-01-195790	13.66	22
Dwaine Lee	Dover	132600	7160-00-941061	43.23	23

and, be it further

RESOLVED, that the Clerk of the Legislature shall submit a copy of this Resolution together with the report of the Dutchess Agricultural and Farmland Protection Board, and the tax map identification numbers and tax maps for each parcel of land to be included in an Agricultural District, to the New York State Commissioner of Agriculture and Markets.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/18/2017

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 July 2017, 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 July 2017.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Wager, Leigh

From:	Morris, Carolyn on behalf of CountyLegislature
Sent:	Thursday, September 13, 2018 6:47 AM
To:	Wager, Leigh
Subject:	FW: Town of LaGrange (County Legislature action of August 20, 2018 regarding property of Landi/Ag District)
Attachments:	24G0475-Letter to Ag & Markets.PDF

Though this was received after resolution adopted, do you think we should include with the resolution? It is pertinent and would make sense.

Carolyn Morris
Clerk
Dutchess County Legislature
845.486.2100

From: Ronald Blass <RBlass@VanDeWaterLaw.com>
Sent: Wednesday, September 12, 2018 11:23 AM
To: bob.somers@agriculture.ny.gov
Cc: Volkman, Scott <svolkman@srddlaw.com>; juldemar13@aol.com; CountyLegislature <CountyLegislature@dutchessny.gov>
Subject: Town of LaGrange (County Legislature action of August 20, 2018 regarding property of Landi/Ag District)

Dr. Somers:

We provide the attached communication on behalf of the Town of LaGrange.

The Town is injured by the Dutchess County Legislature's inclusion of active zoning violations in the Ag District, despite the adverse opinion of the Dutchess County Farmland Protection Board.

Would you be so kind to share this email with the Commissioner and Counsel's Office. We will mail hard copies to those two recipients today.

Thank you,

RCB

RONALD C. BLASS, JR., ESQ.
rblass@vandewaterlaw.com

Van DeWater & Van DeWater, LLP
85 Civic Center Plaza, Suite 101
P. O. Box 112
Poughkeepsie, NY 12602
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VAN DEWATER AND VAN DEWATER, LLP

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September 11, 2018

Richard A. Ball, Commissioner
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Counsel's Office
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Dr. Robert Somers
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Re: Town of LaGrange (Remsburger - Landi)
Our File No. 70-1100

Dear Commissioner, et al:

The Town of LaGrange, Dutchess County, State of New York contemplates a legal challenge to the August 20, 2018 determination of the Dutchess County Legislature to include approximately 1.43 acres of improved real property at 18 Traver Road within a County Agricultural District. The area of inclusion is too small to constitute viable agricultural land. No assessment of soils was performed. The site is too tight for legitimate home occupation use in a residential zone, infra.

Agriculture and Markets Law 303(3) vests the Dutchess County Agricultural and Farmland Protection Board with a vital role in assessing whether the real property constitutes viable

agricultural land within the meaning of Section 301(7) of the Agriculture and Markets Law.

On May 21, 2018, the County Farmland Protection Board solicited comment from the Town of LaGrange, in particular, as to whether there were any open land use violations regarding use of the property for apiary purposes.

On May 30, 2018, the Town's Municipal Code Enforcement Officer responded to the Farmland Protection Board. (Copy attached.) He noted the following violations of record:

a) The apiary farming activity fell below the legislative seven (7) acre minimum necessary for farming in the Town;

b) The site was exceeding thresholds for a home occupation for the production of honey and maple syrup;

c) In effect, the home occupation had eclipsed the residential use of the site due to outdoor storage, trucking activity centering on a large commercial flatbed truck used for the transport of beehives and related activity, removal of trees from the parcels front yard to expand the driveway for easier access to commercial vehicles. All of these activities are precluded for home occupations; and

d) The home occupation has become a second principal use on the same lot --- giving rise to a violation of 240-26 of the Town Code which prescribes that there shall be a separate lot for every building.

On or about June 25, 2018, the County Farmland Protection Board issued a report which recommended that the Landi property be rejected for inclusion in the Agricultural District.

Despite this recommendation, the County Legislature voted to include the Landi property in the Agricultural District on August 20, 2018 --- thereby institutionalizing the aforesaid violations of local zoning law. This action followed a public hearing held on July 9, 2018.

Pending before the Town is the potential revocation of the home occupation approval for the Landi property. The owner was afforded the procedural due process right to comment on this

potential revocation. A copy of the response is attached hereto. The response does not address the expansion of the home occupation as summarized above in terms of outdoor storage and commercial vehicles. By exclusion, these aspects are admitted.

A determination of the revocation of the home occupation awaits review and approval of the Building Inspector/Zoning Administrator of the Town.

Upon information and belief, Commissioner's certification of the addition of land to an Agricultural District is a pro forma exercise under Ag and Markets Law Section 303(7) and (8).

The Town of LaGrange has issued a FOIL request to the County Legislature and to the Office of the Commissioner to determine whether, over the proceeding ten (10) years, the Commissioner has ever withheld certification of land in an Ag District after inclusion by the Dutchess County Legislature.

The Town of LaGrange respectfully requests that the Commissioner withholds certification of the Landi property pending the Town's exhaustion of legal remedies for review of the substantive determination of the County Legislature. The Town's pleadings should be factored into the certification determination of the Commissioner.

Very truly yours,

VAN DEWATER & VAN DEWATER, LLP

By: _____
RONALD C. BLASS, JR.

RCB/jbo
Enclosures: 2
Cc: Juilette Landi
Scott Volkman, Esq.
A. Gregg Pulver, Legislative Chairman
Carolyn Morris, Clerk of the Legislature

U:\DOCS\00070\01100\CORRES\24F9688.DOCX

TOWN OF LAGRANGE

OFFICE OF THE BUILDING INSPECTOR

120 Stringham Road, LaGrangeville, NY 12540

845-452-1830; Fax 845-452 7692

May 30, 2018

Agriculture and Farmland Protection Board
Amy M. Cross, Secretary
2715 Route 44, Suite 3
Millbrook, New York 12545

Re: Town of LaGrange (Remsburger Honey & Maple)

Dear Ms. Cross:

You have asked for land use violations, if any, from the Town of LaGrange regarding the application of Juliette Landi to include tax parcel # 6462-03-172062 in an Agricultural District.

The owner was engaged in making bees available to pollenate crops on properties other than their residence. At start up, hives and queen bees were removed from the fields to harvest honey in a large butler building on the parcel. The hives were then returned to the field. Based on that activity, the owner was classified as a home occupation and a use permit for such activity was issued by the Town.

The owner has begun a practice of bringing hives back to 18 Traver Road as an apiary and staging area, rather than leaving the hives on the outlying properties. Land has been cleared to this end. To the best of my knowledge, bees are in an agitated state, and more aggressive, as a result of such relocations. The Landi property is located in the Residential Low Density zoning district. And, the parcel has several residential neighbors. They have expressed concern about exposure to agitated bees.

The request for inclusion in the Agricultural District is based on activity which is a zoning violation.

18 Traver Road is approximately 2.1 acres in size located in the RLD zone. Farming is a permitted use in all zones, subject to the definition of farming in the Local Zoning Law. The definition of farm, to which the table of uses refers at footnote 37, requires a minimum of 7 acres. The Landi parcel falls almost 5 acres short.

The intensity of the production of honey at 18 Traver Road raises the additional question as to whether the activity, now including an advertised apiary, is subordinate to the residence, or the residence is subordinate to the commercial activity which provides honey to several markets. The expanded activity differs markedly from representations made to obtain the use permit for home occupation.

The application for home occupation represented that no insects would be kept on the property. Bees fall within the category of insects. The current activity contravenes representations made in the application. There is a good case to be made that the commercial activity on site, with coming and going of box trucks and the apiary and staging area for hives, is now a predominate use of the residential property. A home occupation requires that the activity be subordinate to the residence. (LaGrange Town Code 240-54.) I conclude that the residence is now subordinate to the commercial apiary use. The owner will be given a due process opportunity to comment in writing before the home occupation permit is vacated.

In conclusion, it appears that:

1. Farming activity on less than 7 acres is not permitted in the zoning district.

2. The farming activity, in this case the production of honeys and apiary activity, has become predominate over the residential use.

3. Representations in the home occupation application are being contravened.

4. The Town will consider revoking the home occupation permit, after providing written notice, and opportunity to be heard in writing, to the owner.

The Municipal Code Enforcement Inspector, under the direct supervision of The Zoning Administrator is empowered to issue a ruling as to zoning violations.

TOWN OF LAGRANGE

By: _____

JUSTIN NOYES,

MUNICIPAL CODE ENFORCEMENT INSPECTOR

EXHIBIT E

VIA CERTIFIED AND REGULAR MAIL

PO Box 223
Pleasant Valley, NY 12569
845-891-6800
June 11, 2018

RECEIVED
JUN 13 2018

Town of LaGrange
Office of the Zoning Administrator
120 Stringham Rd
LaGrangeville, NY 12540

Attn: Building Inspector

To whom it may concern;

I am in receipt of your Notice of Intended Revocation. In response to your determination, I would argue that the Home Occupation is indeed subordinate to the residential use of the property and follows all of the Town's criteria for a home business and therefore is in compliance.

- It is incidental to the use of a dwelling unit for residential purposes.
- It is owner-occupied
- No more than 30% of the total floor area of the dwelling unit is used
- We are not open to the public
- We do not have employees

I am not sure what you are basing your 'alternative' facts on.

We have spoken at length to our immediate neighbors and not one is questioning their peace, quiet or domestic tranquility.

The reference to 'insects' in my application was derived from NYS Agriculture & Markets Regulations - it has nothing to do with bees on the property, it has to do with sanitary conditions during packaging (Ag & Markets - Section 276.4). It was not a condition directed by town code to qualify for our permit.

In our approved permit application it was made very clear that we produce honey. It is impossible to produce honey without honey bees. Let's face it, there are bees everywhere - with or without honey production. Any reasonable person would understand that in order to produce honey that honey bees would be required. We consider our bees livestock, they are an intricate part of the production of agriculture, they contribute to the farm industry across the county, they are not a pest or vermin that should be exterminated.

In the correspondence between Bob Somers and Robert Taft - your EXHIBIT D - Mr. Taft makes various quotes (hearsay) supposedly coming from Mr. Paul Cappy. During Mr. Taft's phone call, he conveniently failed to inform Mr. Cappy that the beekeeper in this operation is Dennis Remsburger, with whom Mr. Cappy has had a 20 year professional relationship with. Mr. Cappy is well aware that our bees are very well taken care of, and have been inspected numerous times over the years. Mr. Remsburger is registered with the state and has been inspected as required. Queen bees are not nuisance bees, and they are contained their entire lives until placed in a colony of their own - and Mr. Cappy would never state anything to the contrary. There are no laws/ordinances against us raising our own Queen Bees. For your information, nuisance bees by their very definition are either sick, contagious or africanized. We do not have nuisance bees on our property or anywhere else for that matter.

When we first moved into LaGrange, Mr. Taft had told us verbally that he was willing to give us the Ag assessment after our first year of living here, he would work with us he said, he

VIA CERTIFIED AND REGULAR MAIL

would help us in any way he could. Instead of being helpful he has tried at every twist and turn to put us out of business. Not sure what his motivation is, but perhaps it should be addressed by the powers that be.

The bee boxes mentioned in the determination that are periodically outside the building come and go very quickly and they are part of the process of honey extraction. They do not contain colonies of bees. They are not storage. If it would please the town and the neighbors we can certainly erect a fence along the side of the property so that no one has to see boxes coming off the truck and back onto the truck.

Regarding the accusation that I provided contradicting information, or alternate information on applications, that is a total falsehood. I take an incredible offense at the insinuation that I am lying or trying to manipulate. I mentioned Queen Bee rearing and Nucleus colony creation. As mentioned before that does NOT fall into the exclusion of insects. Nucleus colonies are created and sold within days, there are no local ordinances that preclude anyone in LaGrange from having bee hives on their property. It is weak minded people that will simply state someone is a liar based on others falsified information. You should all think twice and do your research before accusing anyone of lying. Your actions are considered defamation (in written form as libel) and are punishable by law.

In addition, I would also like to address the fact that you sent a letter to the Agriculture and Farmland Protection Board stating that we have land use violations. They apparently received this information before we had any knowledge of it.

You state that we are clearing land to bring bee boxes to our property?? - that is not the truth! We have removed two trees which were dead and two trees needed to be removed for our solar installation. Neither instance has anything to do with bee boxes - or our business for that matter. Are there local ordinances stating that I cannot remove a tree or trees from my property? Please advise.

We have spoken to our neighbors, no one has any concern for the bees, yet you tell the Ag Board that our residential neighbors have concerns about agitated bees. There are no agitated bees here.

You state to them that, "The request for inclusion in the Agricultural District is based on activity which is a zoning violation." What exactly is the activity/zoning violation you speak of?

You speak of an "advertised apiary," Again, I'm not sure what you are talking about, I would appreciate clarification.

We currently have one honey bee colony on our property. There are no ordinances that say I can't have a beehive on my property. If anyone in your office would like a lesson in beekeeping, Dennis teaches hundreds of people every year how to keep bees and he is more than willing to educate you also.

We do not have nuisance bees on our property or elsewhere.

We have complied with your Home Occupation definition in its' entirety.

Based on the true facts, we should not have our permit taken away.

Juliette Landi

Juliette Landi
Owner
18 Traver Rd, Pleasant Valley, NY

Morris, Carolyn

From: Juldemar <juldemar13@aol.com>
Sent: Thursday, September 6, 2018 10:10 AM
To: County Legislators
Subject: FYI - Conversion of Ag District

Good Morning,
Our neighbors are telling us that the Town is telling them that once a parcel is included it's in for life.
I asked Dr. Somers for clarification. Just FYI
Juliette

Begin forwarded message:

From: "Somers, Bob (AGRICULTURE)" <Bob.Somers@agriculture.ny.gov>
Subject: RE: Quick question
Date: September 6, 2018 at 9:47:34 AM EDT
To: "Juldemar13@aol.com" <Juldemar13@aol.com>

Juliette, when the county conducts its 8-year review, any landowner in the agricultural district can request that their property be removed from the district. The agricultural districts law protects a farm and their property as long as they wish to remain a farm. It does not prevent land from being converted to non-agricultural uses. The only way farms remain in the agricultural district for an extended period is if the county legislative body (CLB) refuses to remove a parcel from the district. If a landowner requests removal and the CLB does not remove the land, it makes them vulnerable to an Article 78 challenge (lawsuit). I am not aware of a situation where the CLB did not remove a parcel from the district when the landowner requested the property's removal. Bob

-----Original Message-----
From: Juldemar [mailto:juldemar13@aol.com]
Sent: Thursday, September 06, 2018 9:31 AM
To: Somers, Bob (AGRICULTURE) <Bob.Somers@agriculture.ny.gov>
Subject: Quick question

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Good Morning Dr. Somers,

Could you please let me know what are the ways parcels can be removed from the Ag district.

The town of LaGrange is telling our neighbors, among other things, that once a parcel is in it's in for life. That seems to scare them.

I know of the 8 year review. But I thought a homeowner can convert also? I can't seem to find it in the law.

Please advise,
Juliette

Morris, Carolyn

From: Juldemar <juldemar13@aol.com>
Sent: Wednesday, September 5, 2018 11:02 PM
To: County Legislators
Subject: Setting the Record Straight
Attachments: Truth.pdf

I deserve to be heard! This letter is a bunch of lies!

REMINDER - local issues are not a factor in Ag District consideration. PERIOD. They are not part of the criteria.
They are not in the statute and should have no bearing on consideration.

This letter speaks to the very reason that farmers want to be included in the Ag district.
The Ag district law protects farm operations from the enactment and administration of unreasonably restrictive local regulations.

Supervisor Alan Bell

120 Stringham Rd. Lagrangeville NY 12540
(845) 452-9062 Fax 452-2289
abell@lagrangeny.gov

August 22, 2018

One Letter dated June 4. Not ongoing! Told we are in compliance on July 12 by Justin Noyes enforcement officer

No one got hostile! The Governor was only mentioned to say our honey was on the state website.

Chairman Pulver,

I write in reference to an action taken by the Ducthess County Legislature on Monday, August 20th regarding the placement of the Landi property, parcel 133400-6462-03-172062-0000, into an agriculture district. This property has been the subject of ongoing zoning concerns for some time and the Town of LaGrange believes the placement of it in an agricultural district is deeply misguided. The parcel in question is 2.1 acres in size, has a single-family house on it and is located in a residential neighborhood. As such, we do not believe that it meets and reasonable criteria for preservation of farm land. The current owner purchased the parcel in January of 2017.

At that time, the owner expressed an interest in processing honey on the premises. He was told that the property was not in an agriculture district, did not meet the 7-acre requirement to be a farm under town zoning, and therefore farming was not a permitted use on the property. He was, however, also told that the use might be classified as a home occupation subject to a number of restrictions which included the use being auxiliary to the primary use as a home and that no bees be present on the property to prevent the operation being a nuisance to the surrounding residential neighborhood. They never said no bees. No local ordinence against keeping bees. We only have 1 hive on property

This is a lie

The owner also approached the town assessor regarding being granted an agriculture exemption, but told the assessor that he was not requesting it to reduce his tax burden but rather to give him access to state agriculture and markets legal protection should bees become a nuisance to his neighbors. When told that an agriculture exemption was not possible given the parcel size being less than the required 7 acres and it not being in an agriculture district, he became hostile and threatened to involve Governor Cuomo whom he represented as a personal friend – This is not true, we do qualify for ag assessment you don't need 7 acres. He needs to research the facts.

He was granted permission to operate under a number of restrictions, including that the owner would make all practical efforts to keep insects off the property and that the use would remain auxiliary. The use is auxiliary we live on the property - that is primary.

We have received multiple complains regarding bees on the property and that the use is far from auxiliary at this point. Our zoning department is in regular contact with the owner to operate as agreed and authorized to no avail. The owner has sent conflicting representations of his operation to the Town, to state agricultures and markets, and to the county agriculture board. We have made 2 meeting appointments with them both of which - They cancelled - we are not in contact - last contact July 12 we were told we were in compliance 100% by Justin Noyes

I am aware that a town of LaGrange legislator, Dale Borchert, spoke in favor of this action, but he was fully aware that the Town was adamantly opposed to it when he did so.

As you are aware, the county agriculture bureau has recommended against inclusion in the district ~~numerous~~ 2 times. My understanding of the purpose of the establishment of agriculture districts is to protect farming operations from new residential neighbors' concerns effecting their operation not to protect new farming operations' ability to move into residential neighborhoods and disrupt them. Given the recommendation of the county agriculture board and the opposition of the Town of LaGrange, we are disappointed that the legislature decided to act in a way contrary to those interests, to say the least.

NOT TRUE

It protects farm operations from the enactment of unreasonably restrictive local regulations

Alan Bell, Town of LaGrange Supervisor

Alan Bell

Edward Jessup, Town of LaGrange Deputy Supervisor

Morris, Carolyn

From: Juldemar <juldemar13@aol.com>
Sent: Wednesday, September 5, 2018 7:29 PM
To: County Legislators
Subject: 2 Letters - PLEASE READ
Attachments: LawyerLetter.pdf; BellLetter.pdf

Good Evening Everyone!

We received this letter today from Marcus Molinaro. In a pre-emptive strike, I am sharing this to all of you.

Also attached is a letter from our attorney which addresses some of the issues in this mis-informed letter from the Town of LaGrange.

Please read both documents for a complete picture of what is going on.

Please note: We have had two meetings scheduled with the Town of LaGrange. They have cancelled both times. If there were violations why did they cancel the meetings?

Again, I will remind everyone that based on NYS Ag & Markets law, local issues are not a factor in Ag District consideration. PERIOD.
They are not part of the criteria. They are not in the statute and legally should have no bearing on consideration.

If anyone would like any other information, please don't hesitate to ask.

Have a good night!

Thank you for your time, effort and energy!

Juliette Landi
Dennis Remsburger

CORBALLY, GARTLAND
AND RAPPLEYEA, LLP

Charles J. Corbally (1966)
John J. Gartland, Jr (2003)
Allan E. Rappleyea (2010)
Michael G. Gartland
Vincent L. DeBiase
Paul O. Sullivan
Rena M. O'Connor
Allan B. Rappleyea
Patrick T. Gartland
Karen E. Hagstrom
Kyle C. Van De Water
Brooke D. Youngwirth
Alexandra C. Downey

Of Counsel
Richard V. Corbally
Jon H. Adams

Since 1876

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tel 845 454 1110
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30 Front Street
PO Box 679
Millbrook, NY 12545
tel 845 677 5539
fax 845 677 6297

By Appointment:
Rhinebeck, NY
St. Petersburg, FL

August 15, 2018

Via Email

Mr. Gregg Pulver, Chairman
Agriculture and Farmland Protection Board
2715 Route 44
Millbrook, New York 12545

Re: Landi/Remsburger Honey & Maple (Town of LaGrange)

Dear Chairman Pulver:

I understand the Board will be making a final determination concerning the inclusion of parcel number 33400-6462-03-172062-0000 within the County Agricultural District. We represent that applicants and I write this letter to set forth the facts, as well as to ask to be heard in person on this matter on behalf of our clients.

There are no actual violations on this parcel. No order to remedy has been issued, no notices of violation have been issued and the existing permit remains in effect. I understand the Town of LaGrange may have given an informal opinion of alleged violations, or of the intent to revoke a permit, but any such revocation will be challenged, and no actual violations exist. The Town is clearly operating under mistakes of fact, which will be taken up with it.

As you can see (and may have already seen) from the enclosed letter of Robert Somers, Manager, Farmland Protection Unit, dated June 8, 2018, the activity occurring on this parcel is "agriculture" within the definition of the New York State Agriculture and Markets Law, and inclusion of small operations like this property in an Agriculture District is consistent with State law. The enclosure to Mr. Somers' letter from Michael Latham provides that start ups and small operations, just like this, will be unable to thrive if not included in the District. It is no mystery, particularly to your Board members, that agriculture is under siege and is very difficult to survive in. Therefore, small and new operations should be encouraged, particularly when operating within the law.

Section 301 (2) (j) of the New York State Agriculture and Markets Law (the "AML") considers "apiary products", which are clearly being processed on this property, as a crop, just as corn from a field might be. Further, subsection (4) (k) of the same statute provides that a parcel under seven acres is considered "land used in agricultural production" when it supports apiary production and is used as a single operation in the preceding two years for the production for sale of crops, livestock or livestock products of an average gross sales value of fifty thousand dollars or more.

Our clients' operation meets all these standards. Land in an apiary operation must be used to "support" the use, by statute, not actually be used for production. Here, processing is done. Bees are not kept on site and, to our knowledge, no neighbor has asserted otherwise. Thus, how the soil is used, or not, is completely irrelevant.

The letter from Ms. Cross dated June 14, 2018 indicates that this parcel would not be recommended for this District because it does not meet criteria for inclusion. I do not see how this can be an accurate statement.

The property is being used in accordance with law. Bees are not housed on the property, except for one (1) box which is used to attract any bees that come back in the honey. The operation clearly produces a crop and the land is used for its production. Therefore, there is no valid basis to deny inclusion.

I look forward to discussing the facts and law with the Board. Thank you.

Very truly yours,

CORBALLY, GARTLAND AND RAPPLEYEA, LLP

Allan B. Rappleyea

ABR/cl
Enclosure

NEW YORK STATE OF OPPORTUNITY. | Agriculture and Markets

ANDREW M. CUOMO
Governor

RICHARD A. BALL
Commissioner

June 8, 2018

Juliette Landi
Dennis Remsburger
18 Traver Road
Pleasant Valley, NY 12569

RE: Treatment of Apiaries Under the Agriculture and Markets Law (AML)

Dear Ms. Landi:

You called yesterday concerning the Town's treatment of your farm operation, including the keeping of bees and the processing of honey and apiary products as defined in AML 301(2)(j). You also indicated that the Dutchess County Agriculture and Farmland Protection Board is reluctant to recommend the inclusion of your two-acre parcel of land, that is used as part of your farm operation, into a county adopted, State certified agricultural district.

Farming Activity

You stated that your farm operation consists of a two-acre parcel where "apiary products" are harvested, processed and stored in a newly constructed building that was built for that purpose. You indicated that the farm owns approximately 450 hives that are located on 14 parcels of land, within Dutchess County. The bees pollinate the crops of the respective landowners. You maintain the bees on-site and bring the supers back to your farm to harvest and store the honey and other apiary products prior to sale. You indicated that the direct gross sales associated with your apiary products operation are in excess of the $50,000 required to be eligible for an agricultural assessment on 7 or fewer acres of land.

To help verify your gross sales value, the Department examined USDA's National Agricultural Statistics Service (NASS) estimates for only honey produced in New York. The average production of honey, per hive, in 2017, was 56 pounds. The average price per pound for honey was $6.24. Based upon these figures, an average farm with 450 hives, in a normal year with sales at an average market (outside of NYC) would be expected to gross over $157,000. However, it is recognized that many beekeepers exceed both the average pounds of honey produced per hive and the sale price per pound. This estimated average gross sales figure does not include income received from the sale of other apiary products, such as beeswax, bee pollen, propolis, nucs, queens, etc. Most beekeepers sell some, if not all of the apiary products identified in §301(2)(j) of the AML.

Agricultural Districts Law, Land Used in Agricultural Production, AML §301(4)

In 2008, The Legislature amended the AML to add a new paragraph (j) to §301(2) that added "apiary products" to the definition of "crops, livestock and livestock products," a new paragraph (k) to §301(4) to independently qualify apiaries for an agricultural assessment and a new

Subdivision (16) to define "apiary products operation" (see attached compendium on the apiary amendments to the AML).

Apiary products, including honey..., are considered a crop under the AML. Furthermore, the land used to support an apiary products operation [AML §301(4)(k)] must be owned and consist of not less than seven acres nor more than ten acres with average gross sales of $10,000 or more or less than seven acres with an average gross sales value of $50,000 or more. This section of the statute includes land under a structure where apiary products are produced, harvested and stored for sale and a buffer area to maintain space between the operation and adjacent properties. Rented land associated with an apiary products operation is not eligible for an agricultural assessment based upon its use by bees.

Based upon information obtained from you, it would be difficult to dispute that you meet the acreage and income requirements as specified in the AML §301(4)(k). Your property, minus the footprint of the house, should be eligible for an agricultural assessment, including the land beneath the agricultural building and the open land (buffer) within the boundary of your parcel of land.

Addition of Land to an Agricultural District Under AML §303-b

Adding land to an Agricultural District, through an 8-year or annual review, is described by Law, and involves the landowner, affected municipality, County AFPB and County Legislature. I am not sure what criteria is being used by Dutchess County to guide the AFPB in making recommendations to the County Legislature under the AML §303-b process. However, I have attached a letter from the Department, to the Chair of the Suffolk County AFPB, concerning criteria they used to determine eligibility for inclusion into an agricultural district. This letter is not entirely on point with your situation, but it does describe the role of the parties under the AML §303-b annual inclusion process.

I have not visited your operation, but based upon information provided during our phone conversation, the Department would consider you to be a farm operation as defined in AML §301(11).

Sincerely,

Robert Somers, PhD, CF
Manager, Farmland Protection Unit

Encs.
Cc: Paul Cappy, NYS Apiculturist, Dept. of A&M

Landi Property

Town of LaGrange

Town Boundaries

Agricultural Districts

Dutchess County Parcel Boundaries

1:9,028

0 0.075 0.15 0.3 mi

0 0.1 0.2 0.4 km

ROBERT C JR SOMERS 08-JUN-2018 @ 10:59:43

ARTICLE 25-AA – Agricultural Districts Law

The AML was amended in 2008 to include §§ 301(11), 301(2)(j), 301(4)(k) and 301(16)

§301. Definitions. When used in this article:

§301(2). "Crops, livestock and livestock products" shall include but not be limited to the following:

§301(2)(j). Apiary products, including honey, beeswax, royal jelly, bee pollen, propolis, package bees, nucs and queens. For the purposes of this paragraph, "nucs" shall mean small honey bee colonies created from larger colonies including the nuc box, which is a smaller version of a beehive, designed to hold up to five frames from an existing colony.

§301(4). "Land used in agricultural production" means... Land used in agricultural production shall also include:

§301(4)(k). Land used to support an apiary products operation which is owned by the operation and consists of (i) not less than seven acres nor more than ten acres used as a single operation in the preceding two years for the production for sale of crops, livestock or livestock products of an average gross sales value of ten thousand dollars or more or (ii) less than seven acres used as a single operation in the preceding two years for the production for sale of crops, livestock or livestock products of an average gross sales value of fifty thousand dollars or more. The land used to support an apiary products operation shall include, but not be limited to, the land under a structure within which apiary products are produced, harvested and stored for sale; and a buffer area maintained by the operation between the operation and adjacent landowners. Notwithstanding any other provision of this subdivision, rented land associated with an apiary products operation is not eligible for an agricultural assessment based on this paragraph.

§301(9). "Gross sales value" means the proceeds from the sale of:

§301(9)(a). Crops, livestock and livestock products produced on land used in agricultural production provided, however, that whenever a crop is processed before sale, the proceeds shall be based upon the market value of such crop in its unprocessed state;

§301(9)(c). Honey and beeswax produced by bees in hives located on an otherwise qualified farm operation but which does not independently satisfy the gross sales requirement;

§301(11). "Farm operation" means the land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a "commercial horse boarding operation" as defined in subdivision thirteen of this section, a "timber operation" as defined in subdivision fourteen of this section, "compost, mulch or other biomass crops" as defined in subdivision sixteen of this section and "commercial equine operation" as defined in subdivision seventeen of this section. Such farm operation may consist of one or more parcels of owned or rented land, which parcels may be contiguous or noncontiguous to each other.

§301(16). "Apiary products operation" means an agricultural enterprise, consisting of land owned by the operation, upon which bee hives are located and maintained for the purpose of producing, harvesting and storing apiary products for sale.

NEW YORK STATE OF OPPORTUNITY | Agriculture and Markets

ANDREW M. CUOMO
Governor

RICHARD A. BALL
Commissioner

February 26, 2015

Ken Schmitt, Chair
Suffolk County AFPB
Old East Neck Road
Melville, NY 11747

Dear Mr. Schmitt:

The Department has been approached by several "start-up" farm operations to provide comments to the Suffolk County Agricultural and Farmland Protection Board (AFPB) on its "2014 Evaluation Guidelines" for the addition of properties into a county adopted, State certified agricultural district. These "start-up" farms have expressed concerns to the Department that upon submittal if their application, the County indicated unlikely success, because they do not meet the eligibility criteria contained within the County's Evaluation Guidelines. The Department has reached out to the Suffolk County Planning Staff through e-mails as well as a visit in January by John Brennan, Agricultural Districts Manager for the Department, where the County's Guidelines were discussed.

Based upon a review of the Guidelines, it appears that prior to the land being included within an agricultural district during the County's §303-b annual review process, the land has to be actively farmed and meet the agricultural assessment eligibility criteria as specified in §301(4) of the Agriculture and Markets Law (AML). The Department has been informed by the County planning staff that the AFPB does not wish to include non-agricultural land within an agricultural district since they should not be afforded benefits if the property is not actively farmed.

Please be advised that land within an agricultural district that is not part of a "farm operation", as defined in AML §301(11), is not extended any benefits under State Law. The Department has protected both "active" and "start-up" farm operations through the Agricultural District Law, but it appears that the County's criteria does not allow "start-up" farms to be added to an agricultural district.

Under AML §303-b, the law states that land added to an agricultural district by the County Legislature must consist of "predominantly viable agricultural land". Viable agricultural land is defined in AML §301(7) as "...land highly suitable for a farm operation as defined in this section" [AML §301(11)]. I have attached a complete definition of "farm operation" and all of the definitions contained therein. As you can see, there are no acreage or gross sales

requirements except for horse boarding/equine operations. Furthermore, the definition of "farm operation" is not linked, in any way, to the agricultural assessment eligibility criteria contained in AML §301(4) and in Suffolk County's 2014 Evaluation Guideline.

It is important that Suffolk County AFPB consider the needs of "start-up" farm operations. Without the ability to add such land to an agricultural district, new farm enterprises may not be able to become established and thrive. Furthermore, lack of protections under the AML from unreasonably restrictive local rules, regulations, laws and ordinances, will likely contribute to the conversion of more land to non-agricultural uses; which is not the intent of the AML.

Please consider the limiting language in the AML, which simply states that the AFPB provides its recommendations to the County Legislative Body on "whether the land to be included in the agricultural district consists predominantly of 'viable agricultural land' as defined in subdivision seven of section three hundred one of this article and the inclusion of such land" ...serves "the public interest by ... maintaining a viable agricultural industry within the district." Requiring land to be actively farmed and to meet the eligibility criteria for an agricultural assessment is not contained within this section of statute and is considered by the Department to be overly restrictive.

At the public hearing, the County Legislative Body may entertain comments from the public and affected municipalities concerning land to be added to an agricultural district. Statutorily, it is the Legislative Body that is charged with the responsibility of evaluating the sum considerations in adding or not adding viable agricultural land to the district.

We look forward to working with AFPB to address these concerns in support of agriculture in Suffolk County. If you have any questions or would like to discuss this issue further, please contact me at 518/457-3738 or michael.latham@agriculture.ny.gov.

Sincerely,

Michael J. Latham, Director

Cc: Robert Somers, Division of Land and Water Resources
John Brennan, Agricultural Districts Program Manager
Sarah Lansdale, Suffolk County Planning Director
Joanne Minieri, Suffolk County Deputy County Executive/Commissioner

2015 Definition of Farm Operation

AML §301(11). "Farm operation" means the land and on-farm buildings, equipment,manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops,livestock and livestock products as a commercial enterprise, including a "commercial horse boarding operation" as defined in subdivision thirteen of this section, a "timber operation" as defined in subdivision fourteen of this section and "compost, mulch or other biomass crops" as defined in subdivision sixteen of this section and "commercial equine operation" as defined in subdivision seventeen of this section. Such farm operation may consist of one or more parcels of owned or rented land, which parcels may be contiguous or noncontiguous to each other.

12. "Agricultural data statement" means an identification of farm operations within an agricultural district located within five hundred feet of the boundary of property upon which an action requiring municipal review and approval by the planning board, zoning board of appeals, town board, or village board of trustees pursuant to article sixteen of the town law or article seven of the village law is proposed, as provided in section three hundred five-a of this article.

13. "Commercial horse boarding operation" means an agricultural enterprise, consisting of at least seven acres and boarding at least ten horses, regardless of ownership, that receives ten thousand dollars or more in gross receipts annually from fees generated either through the boarding of horses or through the production for sale of crops, livestock, and livestock products, or through both such boarding and such production. Under no circumstances shall this subdivision be construed to include operations whose primary on site function is horse racing. Notwithstanding any other provision of this subdivision, a commercial horse boarding operation that is proposed or in its first or second year of operation may qualify as a farm operation if it is an agricultural enterprise, consisting of at least seven acres, and boarding at least ten horses, regardless of ownership, by the end of the first year of operation.

14. "Timber operation" means the on-farm production, management, harvesting, processing and marketing of timber grown on the farm operation into woodland products, including but not limited to logs, lumber, posts and firewood, provided that such farm operation consists of at least seven acres and produces for sale crops, livestock or livestock products of an annual gross sales value of ten thousand dollars or more and that the annual gross sales value of such processed woodland products does not exceed the annual gross sales value of such crops, livestock or livestock products.

15. "Agricultural tourism" means activities, including the production of maple sap and pure maple products made therefrom, conducted by a farmer on-farm for the enjoyment and/or education of the public, which primarily promote the sale, marketing, production, harvesting or use of the products of the farm and enhance the public's understanding and awareness of farming and farm life.

* 16. "Apiary products operation" means an agricultural enterprise, consisting of land owned by the operation, upon which bee hives are located and maintained for the purpose of producing, harvesting and storing apiary products for sale.

* NB There are 2 subd. 16's

* 16. "Compost, mulch or other organic biomass crops" means the on-farm processing, mixing, handling or marketing of organic matter that

is grown or produced by such farm operation to rid such farm operation of its excess agricultural waste; and the on-farm processing, mixing or handling of off-farm generated organic matter that is transported to such farm operation and is necessary to facilitate the composting of such farm operation's agricultural waste. This shall also include the on-farm processing, mixing or handling of off-farm generated organic matter for use only on that farm operation. Such organic matter shall include, but not be limited to, manure, hay, leaves, yard waste, silage, organic farm waste, vegetation, wood biomass or by-products of agricultural products that have been processed on such farm operation. The resulting products shall be converted into compost, mulch or other organic biomass crops that can be used as fertilizers, soil enhancers or supplements, or bedding materials. For purposes of this section, "compost" shall be processed by the aerobic, thermophilic decomposition of solid organic constituents of solid waste to produce a stable, humus-like material.

17. "Commercial equine operation" means an agricultural enterprise, consisting of at least seven acres and stabling at least ten horses, regardless of ownership, that receives ten thousand dollars or more in gross receipts annually from fees generated through the provision of commercial equine activities including, but not limited to riding lessons, trail riding activities or training of horses or through the production for sale of crops, livestock, and livestock products, or through both the provision of such commercial equine activities and such production. Under no circumstances shall this subdivision be construed to include operations whose primary on site function is horse racing. Notwithstanding any other provision of this subdivision, an agricultural enterprise that is proposed or in its first or second year of operation may qualify as a commercial equine operation if it consists of at least seven acres and stables at least ten horses, regardless of ownership, by the end of the first year of operation.

SUFFOLK COUNTY
AGRICULTURAL AND FARMLAND PROTECTION BOARD

Suffolk County Agricultural & Farmland Protection Board
2014 Evaluation Guidelines
for Agricultural Districts Program Enrollment Applications

1) Does the proposal involve an **active** commercial agricultural production operation, a commercial horse boarding operation and/or a commercial equine operation?
2) Are there **≥ 7 acres** and **≥ $10,000** in annual gross sales or **< 7 acres** and **≥ $50,000** in annual gross sales for a commercial agricultural operation?
3) Are there **≥ 7 acres** and **≥ $10,000** in annual gross sales and at least 10 horses boarded/stabled for a commercial horse boarding or equine operation?
4) Is **≥ 50%** of the farmland in agricultural production and/or used in support of a commercial horse boarding operation and/or a commercial equine operation?

Additional Information Requested:

1) Does **≥ 50%** of the included land contain Prime Soils and/or Soils of Statewide Significance?
2) Have the farmland development rights been purchased by a municipality or not-for-profit on part or all of the farmland?

c/o SUFFOLK COUNTY DIVISION OF PLANNING AND ENVIRONMENT
H. LEE DENNISON BLDG., 4th FLOOR • PO BOX 6100 • HAUPPAUGE, NY 11788-0099 • T: (631) 853-5191 • F: (631) 853-4044

Supervisor Alan Bell

120 Stringham Rd. Lagrangeville NY 12540
(845) 452-9062 Fax 452-2289
abell@lagrangeny.gov

August 22, 2018

Chairman Pulver,

I write in reference to an action taken by the Ducthess County Legislature on Monday, August 20th regarding the placement of the Landi property, parcel 133400-6462-03-172062-0000, into an agriculture district. This property has been the subject of ongoing zoning concerns for some time and the Town of LaGrange believes the placement of it in an agricultural district is deeply misguided. The parcel in question is 2.1 acres in size, has a single-family house on it and is located in a residential neighborhood. As such, we do not believe that it meets and reasonable criteria for preservation of farm land. The current owner purchased the parcel in January of 2017.

At that time, the owner expressed an interest in processing honey on the premises. He was told that the property was not in an agriculture district, did not meet the 7-acre requirement to be a farm under town zoning, and therefore farming was not a permitted use on the property. He was, however, also told that the use might be classified as a home occupation subject to a number of restrictions which included the use being auxiliary to the primary use as a home and that no bees be present on the property to prevent the operation being a nuisance to the surrounding residential neighborhood.

The owner also approached the town assessor regarding being granted an agriculture exemption, but told the assessor that he was not requesting it to reduce his tax burden but rather to give him access to state agriculture and markets legal protection should bees become a nuisance to his neighbors. When told that an agriculture exemption was not possible given the parcel size being less than the required 7 acres and it not being in an agriculture district, he became hostile and threatened to involve Governor Cuomo whom he represented as a personal friend

He was granted permission to operate under a number of restrictions, including that the owner would make all practical efforts to keep insects off the property and that the use would remain auxiliary.

We have received multiple complains regarding bees on the property and that the use is far from auxiliary at this point. Our zoning department is in regular contact with the owner to operate as agreed and authorized to no avail. The owner has sent conflicting representations of his operation to the Town, to state agricultures and markets, and to the county agriculture board.

I am aware that a town of LaGrange legislator, Dale Borchert, spoke in favor of this action, but he was fully aware that the Town was adamantly opposed to it when he did so.

As you are aware, the county agriculture bureau has recommended against inclusion in the district numerous times. My understanding of the purpose of the establishment of agriculture districts is to protect farming operations from new residential neighbors' concerns effecting their operation not to protect new farming operations' ability to move into residential neighborhoods and disrupt them. Given the recommendation of the county agriculture board and the opposition of the Town of LaGrange, we are disappointed that the legislature decided to act in a way contrary to those interests, to say the least.

Alan Bell, Town of LaGrange Supervisor

Alan Bell

Edward Jessup, Town of LaGrange Deputy Supervisor

Morris, Carolyn

Subject: FW: RE Juliette Landi request to be in Agricultural district and board meeting scheduled for Thurs pm

From: v63327@aol.com <v63327@aol.com>
Sent: Wednesday, September 05, 2018 4:36 PM
To: Joseph, Nick <njoseph@dutchessny.gov>
Subject: RE Juliette Landi request to be in Agricultural district and board meeting scheduled for Thurs pm

September 5th, 2018

Hello,

I am writing in hopes that I might have some input regarding the decision concerning the land parcel at 18 Traver Rd in the Town of LaGrange, owned by Juliette Landi. It is my understanding that she wants to continue large-scale beekeeping on this property.

My husband and I live on Freedom Rd, approximately .4 (four tenths) of a mile from Ms Landi's property. We have lived here for 30 + years. We were in the habit of taking daily walks down Old Pleasant Valley Rd to Traver Rd and around Nied Rd on a daily basis. We often stopped to talk to a neighbor or neighbors that we would meet. We do not walk on Freedom Rd because 1) it is not safe because of the traffic and 2) it is much closer for us to go across the street to Old Pleasant Valley Rd and go down that way. We have both been told that we should walk daily for health reasons.

On the afternoon of March 22 of 2018 my husband and I were walking past 18 Traver Rd when we noticed a lot of flying insects around us. We quickly realized they were honey bees and even when I crossed to the other side of the street and away from the property where the bees were kept they continued to follow me. Luckily my husband was able to swat the bees away from me and I had to run up Old Pleasant Valley Rd to get away from them. This was my first encounter with bees chasing me at this location. I am allergic to bees and have to be very careful not to get stung. I was very frightened after this happened and have been afraid to walk past the house again except when the temperatures were near or below freezing. I also have not been able to walk down and speak to any of my neighbors.

On March 27th I went to the LaGrange Town Hall and spoke to Ken McLaughlin about the issue with the bees. I stated that I felt it was unfair that I would have to stop walking around my neighborhood after living here for 30 years because of the bees. I felt that it was unfair and extremely dangerous to allow someone to set up a large scale beekeeping operation in the middle of a residential neighborhood. I don't think that a residential street is any place to have thousands of stinging insects at large which could kill people who are allergic. There is no way to fence bees in or to control them.

I was shocked today to find out from a neighbor that this issue had gone as far as being approved, or nearly approved, by Dutchess County. I am horrified to think that this might actually be allowed to continue. I checked back with the Town several times after speaking to Mr. McLaughlin but no-one was able to update me concerning this issue. I never knew that there was any kind of public meeting about this over the summer, and just found out tonight about the meeting in Poughkeepsie on Thursday, Sept. 6 at 6:15 pm. Unfortunately I am unable to attend which is why I am writing this email.

I hope that those of you who are considering voting yes on approving this beekeeping operation will try for a moment to put themselves into the place of someone who has to live near this parcel and deal with the effects of it. I cannot even walk down to visit any of my neighbors anymore because of this situation and I certainly can't walk in my neighborhood anymore. I even had issues with large numbers of honey bees in my yard this summer, many more than I have ever had before. So many, in fact, that there were times when I was confined to the house because I was afraid to go outside. As I have mentioned, my husband and I have lived here for 30+ years and pay taxes just like everyone else. We should not have to stay inside all summer because someone new moves into the neighborhood and decides to keep bees!

I realize this is unfortunate for Ms. Landi, but if she wanted a farming property she would have been much better off to inquire about this first before purchasing her property. My husband and I inquired about keeping horses at our location BEFORE we purchased it - it turned out we were not allowed to, and we decided to purchase anyway, but we were informed when we did.

Thank you very much for your time and best regards,

Jennifer Percival
275 Freedom Rd
Pleasant Valley, NY 12569

Morris, Carolyn

From: justinfordutchess <justinfordutchess@protonmail.com>
Sent: Wednesday, September 5, 2018 3:57 PM
To: County Legislators
Subject: don't force a local farmer out of the farming designation!

Dennis Remsburger/Juliette Landi property in Pleasant Valley/LaGrange was added to our county Ag District and he needs to keep his farming status! Bees are dying out around the planet, this is a vital agricultural business, don't make it any harder than it already is for farming people!

Justin

Sent with ProtonMail Secure Email.

Morris, Carolyn

From:	Juldemar <juldemar13@aol.com>
Sent:	Wednesday, September 5, 2018 3:34 PM
To:	County Legislators
Subject:	Zoning Info
Attachments:	Ag.pdf

More info for all on our property:

I have heard that one argument of the AFPB is that we have no other Ag District parcels near us - that we live in a 'housing development' - although Chairman Pulver stated at the last meeting that he had visited our property - he has not, ever - nor has any other member of the DCAFPB.

Within walking distance of our property we have over 500+ acres of Agricultural District.

Directly across the street there is 12.1 acres of swamp that is federally protected and will never be developed.

Our property is located in a LaGrange RLD zoning district. Residential LOW Density - by LaGrange's own definition is primarily for open space, low-density, residential and agriculture uses.

La Grange Zoning Code

§ 240-24 Intent.

[Amended 6-23-2010 by L.L. No. 2-2010; 9-10-2014 by L.L. No. 4-2014]

The general intent of this chapter is to regulate land use consistent with the Town Comprehensive Plan as adopted by the Town Board on July 13, 2005.

A. The Residential Low-Density (RLD) District is primarily for open space, low-density residential and agricultural uses. This district features many constraints to development, including steep slopes, mapped and unmapped wetlands, and shallow depth to bedrock. This area also has a relatively less developed road system and lacks public water and sewer infrastructure. Many residential uses rely on individual wells and septic systems. The minimum lot size in this district is 120,000 square feet.

Zoning Districts

- Residential Flexible Density
- Residential Moderate Density
- Residential Low Density

* our property

Morris, Carolyn

From: Juldemar <juldemar13@aol.com>
Sent: Wednesday, September 5, 2018 11:04 AM
To: County Legislators
Cc: Allan Rappleyea
Subject: From Robert's Rules of Order

http://www.rulesonline.com/rror--02.htm

This is taken from Robert's Rules of Order
Could someone please tell me how they are able to reconsider 17 days later!

The motion to reconsider can be made while any other question is before the assembly, and even while another has the floor, or after it has been voted to adjourn, provided the assembly has not been declared adjourned. It can be moved only on the day, or the day after, the vote which it is proposed to reconsider was taken, and by one who voted with the prevailing side. Its consideration cannot interrupt business unless the motion to be reconsidered takes precedence of the immediately pending question. Its rank is the same as that of the motion to be reconsidered, except that it takes precedence of a general order, or of a

motion of equal rank with the motion to be reconsidered, provided their consideration has not actually begun.

Morris, Carolyn

From: AG and Farmland Protection Board <dutchessafpb@gmail.com>
Sent: Wednesday, September 5, 2018 2:39 PM
To: Morris, Carolyn
Subject: Fwd: Rembsburger Honey & Maple
Attachments: 18 Traver Rd.pdf

Informational document.

---------- Forwarded message ---------
From: **AG and Farmland Protection Board** <dutchessafpb@gmail.com>
Date: Thu, May 31, 2018 at 4:12 PM
Subject: Fwd: Rembsburger Honey & Maple
To: brian.scoralick@ny.nacdnet.net <brian.scoralick@ny.nacdnet.net>, mfoland@fairpoint.net <mfoland@fairpoint.net>

---------- Forwarded message ---------
From: Regina Crawford <rcrawford@lagrangeny.gov>
Date: Thu, May 31, 2018 at 4:10 PM
Subject: RE: Rembsburger Honey & Maple
To: AG and Farmland Protection Board <dutchessafpb@gmail.com>

Hi Amy,

Attached is the Intended Revocation being issued from our office for your records.

Regina Crawford

Secretary to the Zoning Board of Appeals

Town of LaGrange

120 Stringham Road

LaGrangeville, NY 12540

(845) 452 - 1872

From: AG and Farmland Protection Board <dutchessafpb@gmail.com>

Sent: Thursday, May 31, 2018 11:33 AM
To: Regina Crawford <rcrawford@lagrangeny.gov>
Subject: Re: Rembsburger Honey & Maple

Thank you so much for your letter. I will present this to the board before we review the property's application.

Amy Cross

On Thu, May 31, 2018 at 11:22 AM Regina Crawford <rcrawford@lagrangeny.gov> wrote:

> Good Morning Ms. Cross,
>
> Attached please find our response to your request for information on violations on 18 Traver Road.
>
> Thank you,
>
> *Regina Crawford*
>
> *Secretary to the Zoning Board of Appeals*
>
> *Town of LaGrange*
>
> *120 Stringham Road*
>
> *LaGrangeville, NY 12540*

(845) 452 - 1872

OFFICE OF THE ZONING ADMINISTRATOR

Town of LaGrange

Dutchess County, New York

Notice of Intended Revocation
Opportunity to be Heard

06-18-4

In the matter of Juliette Landi, 18 Traver Road, Pleasant Valley, NY 12569. Home Occupation to process maple syrup and honey.

FACTS

1. **Juliette Landi**, the owner of 18 Traver road located at Grid No. **6462-03-172062** in an RLD zoning district containing 2.1 acres.

2. **Juliette Landi,** (hereinafter "the permit holder") purchased the property January 5, 2017.

3. The parcel containing 2.1 acres is a legal nonconforming as to area. The RLD zoning district requires 2.75 acres.

4. The parcel is **not** located in an agricultural district and does **not** qualify as a farm as defined in section §240-112 Definitions.

5. Juliette Landi submitted a **statement of use** with application seeking to operate a home occupation for processing maple syrup and honey.

6. Juliette Landi was issued a **Use Permit** on March 6, 2017 after public notice was circulated containing her statement of use, for a home occupation to process maple syrup and honey, pursuant to the requirements set forth in §240-54 Home Occupation.

7. On February 14, 2018, the permit holder submitted an application to the Town of LaGrange Assessor's Office for an **agricultural assessment**.

8. On April 26, 2018, the permit holder submitted an application to the AG and Farmland Protection Board requesting **placement into an agriculture district**.

9. In early spring of this year, a concern was brought to the town regarding numerous bees on the property at 18 Traver Road which prompted the town to look into the matter.

FINDINGS

WHEREAS, in the statement of use received by the building department on February 16, 2017, the permit holder stated that the business would be for *processing maple syrup and honey* on the parcel. The permit holder specifically stated; *every practicable precaution shall be taken to exclude birds, insects, rodents and other vermin and animals from the premises of the operation.* (Exhibit A)

WHEREAS, on May 3, 2018 in a correspondence to the Town Assessor, Robert Taft, the permit holder submitted contradictive information seeking to obtain an agricultural exemption. The permit holder stated in an email to Mr. Taft; *we sell Nucleus 'nuc' colonies every spring, which are taken care of on the property until sold. We also raise Queen Honey Bees here.* (EXHIBIT C)

WHEREAS, according to a correspondence between Robert Taft and Bob Somers, Manager of Agricultural Protection Unit Division of Land and Water Resources, it was stated that Paul Cappy, Director of the Apiary division, advised Mr. Taft that raising queen bees is not permitted. (Exhibit D)

WHEREAS, on May 18, 2018 the Town of LaGrange was made aware that application was made to the AG and Farmland Protection Board from an email request to provide the AG and Farmland Protection Board with any violations. (EXHIBIT E)

WHEREAS, on April 26, 2018 the permit holder submitted application to the AG and Farmland Protection Board on forms produced by the NY State Department of Agriculture and Markets which was contradictory to what was submitted to the building and zoning department and the town assessor's office. (EXHIBIT F)

WHEREAS, by letter dated May 30, 2018, the Municipal Code Enforcement Inspector gave the Farmland Protection Board a statement of zoning violations at 18 Traver Road, in response to the board's inquiry. (EXHIBIT H). The violations stated in that letter are incorporated in this Notification of Intended Revocation.

WHEREAS, §240-54 Home Occupation states: *Purpose. The provisions of this section are to help provide peace, quiet, and domestic tranquility with all residential neighborhoods while recognizing that limited home occupational use can be useful to the general community as well as the resident-proprietor.*

FINDINGS CONTINUED

WHEREAS, §240-54 (B) Procedure. *Persons seeking to establish a home occupation must seek a use permit from the Zoning Administrator, who shall require, at a minimum, an application letter describing the use, hours of operation, traffic, parking, and effect on neighboring properties, with a sketch of the house and parking. The applicant shall notify all neighbors within 150 feet and shall certify to the Zoning Administrator that such notification has been given. The application shall be accompanied by an application fee; the amount of the fee shall be set forth on the prevailing fee schedule adopted by resolution of the Town Board and as such schedule is modified from time to time by resolution of the Town Board. The permit expires when the occupation changes or the property is sold. Permitted home occupations operated in any dwelling unit may be operated only if they comply with all of the following conditions*

WHEREAS, §240-54 Home Occupation (1) states: *A home occupation must be incidental to the use of a dwelling unit for residential purposes.*

WHEREAS, §240-26 General Regulations (A) states: *Lot for every building. Every building hereafter erected shall be located on a lot as herein defined, and there shall be not more than one principal building on one lot, except as specifically permitted elsewhere in this chapter.*

WHEREAS, §240-54 Home Occupation (6) states: *There shall be no outside evidence of the home occupation except that one sign shall be permitted as per* **§240-43** *of this chapter and* **Table 1** [1] *of that section.* (EXHIBIT B)

WHEREAS, §240-54 Home Occupation (8) states: *There shall be no exterior storage of materials to be used in conjunction with a home occupation.* (EXHIBIT B)

WHEREAS, §240-54 Home Occupation (10) states: *An existing accessory structure can be used for a home occupation, provided that there are no exterior modifications and that the use will not change the residential or agricultural character of the area.*

WHEREAS, §240-112 Definitions states: *Farm, An area of land consisting of not less than seven acres, unless the parcel is located in a state-certified agriculture district, where crops are grown or animals are reared for commercial purposes, together with appropriate buildings. Nothing herein shall be deemed to prohibit gardening, the raising of animals as may be regulated elsewhere in the Code, or other agricultural activities conducted for private use or consumption as an accessory use to a dwelling.*

DETERMINATION

WHEREAS, the business has exceeded the purpose of section §240-54 Home Occupation and has expanded into a principal commercial operation which is not subordinate to the residential use.

WHEREAS, the commercial operation is not providing peace, quiet, and domestic tranquility within the residential neighborhood.

WHEREAS, the use is not incidental and subordinate to the use of the property as a single-family residence therefore is no longer in compliance with section §240-54 Home occupation (1).

WHEREAS, bees are considered an insect, the permit holder stated *every practicable precaution shall be taken to exclude insects*, when in fact she is raising and selling queen bees. (EXHIBIT C).

WHEREAS, in a correspondence between Bob Somers, Manager of Agricultural Protection Unit Division of Land and Water Resources and Robert Taft regarding the concern of having bees on the property, Mr. Taft was advised by Paul Cappy, Director of the Apiary division that the permit holder cannot have nuisance bees on the property, queen bees fall under nuisance bees. (EXHIBIT D).

WHEREAS, the permit holder is storing numerous bee boxes on the exterior of the building, therefore is no longer in compliance with section §240-54 (6) and (8). (EXHIBIT B)

WHEREAS, the permit holder submitted contradicting information to the Building and Zoning department in order to obtain a use permit for a home occupation. (EXHIBIT A)

WHEREAS, the permit holder submitted alternate information to the Assessor's office in effort to obtain an agricultural exemption for the property in pursuit of an agricultural assessment. (EXHIBIT C)

WHEREAS, the permit holder submitted alternate information to New York State Department of Agriculture and Markets to be placed in an agriculture district. (EXHIBIT F)

THEREFORE, based upon review of the facts and findings, it is the intended **official determination** of this office that deceptive and misleading information was given in order to obtain a use permit for a home occupation. The commercial business exceeds the intent of a home occupation and no longer qualifies under §240-54 Home Occupation requirements.

INTENDED REVOCATION

As and for procedural due process, the permit holder is afforded the opportunity to respond in writing to be received by the Building Inspector within ten (10) days of this Notice.

RIGHT TO APPEAL

In the event that the Intended Revocation is issued after the permit holder is given the opportunity to be heard, the permit holder has a right to appeal to the Zoning Board of Appeals shall be taken within 60 days after the filing of any such order by filing with the official a notice of appeal specifying the grounds thereon and the relief sought. The official from whom the appeal is taken shall, forthwith, transmit to the Zoning Board of Appeals all of the papers constituting the record upon which the action appealed from was taken per §240-92 of the Town of LaGrange Zoning Code.

Date:

Signed: _____
Justin Noyes
Municipal Code Enforcement Inspector

Town Clerk: _____

I, Juliette Landi, owner of 18 Traver Road, Pleasant Valley, NY, Town of LaGrange do hereby state:

My home occupation will be incidental to the use of a dwelling unit for residential purposes.

The dwelling unit will be owner-occupied.

No more than 30% of the total floor area of the dwelling unit will be used in connection with my home occupation.

Sale of produce and consumer goods shall be prohibited except for the sales of products or goods produced or fabricated on the premises as a result of the home occupation.

Only the person or persons who own and occupy the dwelling and two additional persons shall be employed in the home occupation.

There shall be no outside evidence of the home occupation except that one sign shall be permitted as per § 240-43 of this chapter and Table 1[1] of that section.

In no case shall my home occupation be open to the public at times earlier than 8:00 a.m. nor later than 9:00 p.m.

There shall be no exterior storage of materials to be used in conjunction with a home occupation.

No alteration of the residential appearance of the premises to accommodate the home occupation will be done.

An existing accessory structure can be used for a home occupation, provided that there are no exterior modifications and that the use will not change the residential or agricultural character of the area.

The total number of home occupations conducted within a dwelling unit is not limited except that the cumulative impact of all home occupations conducted within the dwelling unit or on the premises shall not exceed the impact of a single, full-time home occupation.

Electrical or mechanical equipment that creates visible or audible interference in radio or television receivers or causes fluctuations in line voltage outside the dwelling unit or that creates noise not normally associated with residential uses is prohibited.

Signage will conform to § 240-43.

Furthermore our home business consists of processing maple syrup and honey and are therefore exempt from the licensing requirements of the Subchapter in circular 938 of the nYS Department of Ag & Markets, provided that the following conditions are met (we will meet all of the following requirements):
(1) Such establishments are maintained in a sanitary condition and manner, and to this end the following requirements shall be complied with:

EXHIBIT A

(i) Every practicable precaution shall be taken to exclude birds, insects, rodents and other vermin and animals from the premises of the operation.
(ii) The use of insecticides, rodenticides and other pest control items in such establishments shall be permitted only under such precautions and restrictions as will prevent the contamination of the product.
(iii) Rooms, compartments, places, equipment and utensils used for preparing, storing or otherwise handling the product, and all other parts of the operating premises, shall be kept in a clean and sanitary condition.
(iv) There shall be no handling or storing of materials which may create insanitary conditions in any place or places where the product is prepared, stored or otherwise handled.
(v) All equipment and utensils used in processing or handling of the product shall be maintained in good repair to assure sanitary conditions in the operation.
(vi) All finished product containers must be clean, sanitary and properly labeled in compliance with the requirements of Part 259 of this Title.

State of New York
County of Dutchess

Subscribed to and sworn before me this 16th day of February (month), 2017

Juliette Landi
(name of signer)

(signature of notary)
Commission expires on _____

CHRISTINE M. O'REILLY-RAO
NOTARY PUBLIC-STATE OF NEW YORK
No. 01OR6169917
Qualified In Dutchess County
My Commission Expires July 02, 2019

(seal of notary)

EXHIBIT A

TOWN OF LAGRANGE

120 Stringham Road, LaGrangeville, New York 12540
Tel. No. (845) 452-2046

USE PERMIT APPLICATION

NAME OF BUSINESS: Remsburger Honey + Maple
APPLICANT'S NAME: Juliette Landi DATE: 2-24-17
MAILING ADDRESS: 18 Traver Road FEE: $100. Paid
Pleasant Valley, NY TEL.NO. 845-891-6800
GRID # OF PROPERTY: 133400-6462-03-172062 ACREAGE OF PARCEL 2.1
LOCATION (if different from above) N/A
SUITE ADDRESS N/A

ZONING DISTRICT: _____ LOCATED ON: _____ State road _____ County road ✓ Town road

Type of Business (describe briefly): Maple syrup + honey

Retail: 0 Office: 0 Warehouse: 1,000 Other: 432
Total square footage to be occupied by above business 1,440 sq.ft.
Total Number of Employees: 0 Hours of Operation: NOT OPEN TO PUBLIC
Number of parking spaces available to your business: 0
Prior use of Building (if any): garage
Describe any proposed changes to: Exterior of bldg: _____ Interior of bldg. _____
Parking area _____ Landscaping _____ Signage _____

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

Applicant's Signature Juliette Landi

EXHIBIT A

Dear

In accordance with the Town of LaGrange Zoning Code, Chapter 240-54, I am applying for a Use Permit for a Home Occupation for processing maple syrup and honey from my home. This is a use that is permitted provided I comply with the conditions set forth in the Code.

One of the conditions is that all neighboring property owners within 150' of my property be notified of my intentions. If you have any questions or comments with respect to my application, please call the Department of Planning, Zoning and Building at 452-1830 x115.

Sincerely,

EXHIBIT A

18 Traver Road
PO Box 223
Pleasant Valley, NY 12569
February 24, 2017

Dear Mr. & Mrs. Recchia;

In accordance with the Town of LaGrange Zoning Code, Chapter 240-54, I am applying for a Use Permit for a Home Occupation for processing maple syrup and honey from my home. This is a use that is permitted provided I comply with the conditions set forth in the code.

One of the conditions is that all neighboring property owners within 150' of my property be notified of my intentions. If you have any questions or comments with respect to my application, please call the Department of Planning, Zoning and Building and Building at 452-1830 x 115.

We are Remsburger Honey & Maple, have been in business for over a decade and have relocated from Town of Peasant Valley to the Town of LaGrange.

We are a wholesale company and you may have seen our products in Adams Fairacre Farms, Pleasant Valley Department Store, Miller Hardware, The Branch Health Food Store, Meadowbrook Farm and Barton Orchard to name a few and look forward to continuing our operation here.

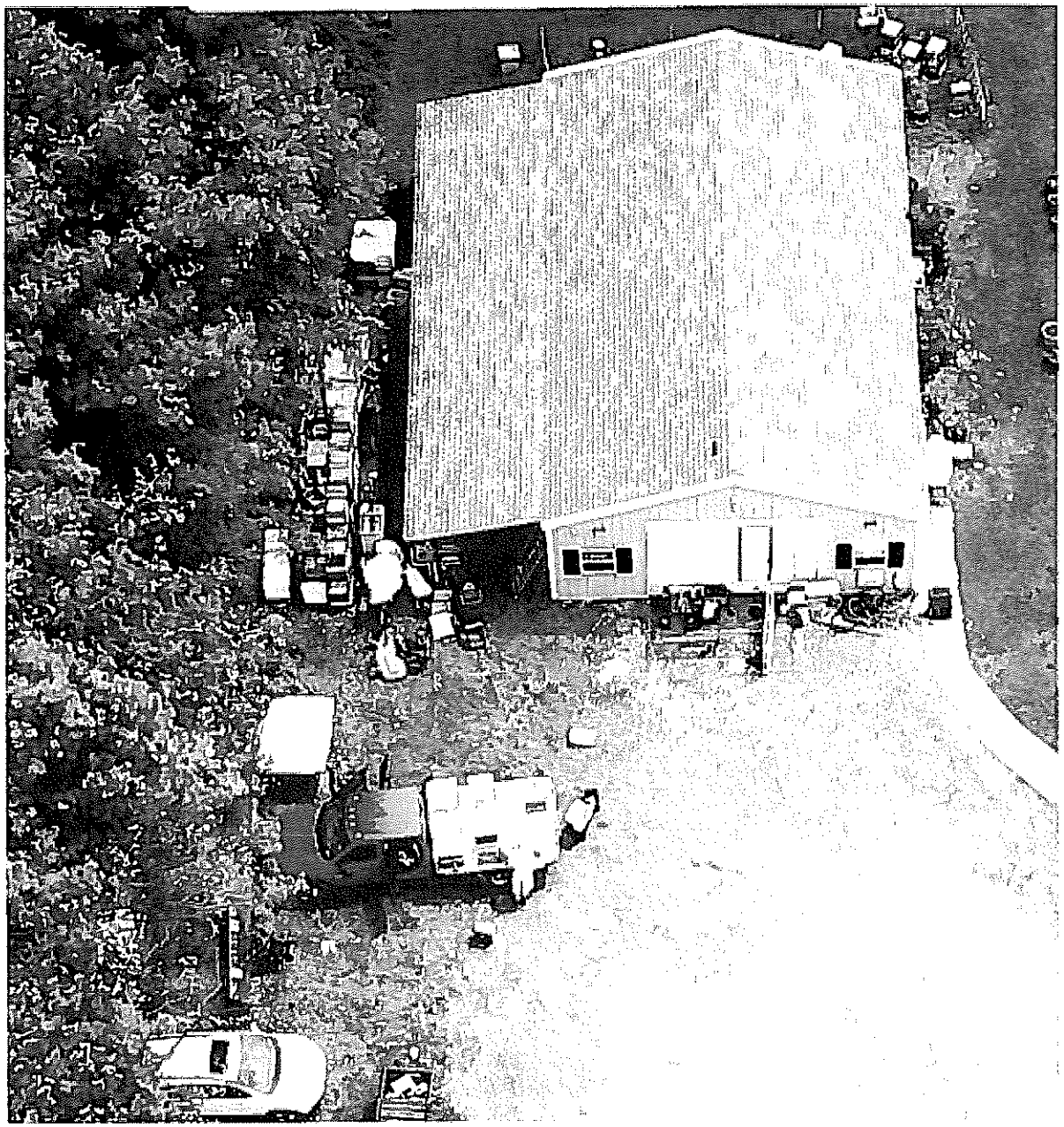
We are not open to the public and therefore will not congest the area with traffic.

Sincerely,

Juliette Landi
Manager
Remsburger Honey & Maple

EXHIBIT A

EXHIBIT B



If she could justify the $50k income from pollen and queen bees that may be another discussion? I have cc'd you both on a email sent to her today.

Thank You
Robert Taft
Assessor Lagrange
845-206-6883

Hi Robert,
We do indeed make well over $50,000 (nearly $300,000 is more accurate) producing crops on our parcel.
All of the bee (apiary) products are produced here on the property.
Honey is extracted here, and then bottled for sale, stored until sold.
We sell Nucleus 'nuc' colonies every spring, which are taken care of on the property until sold.
We also raise Queen Honey Bees here.
Beeswax is harvested and processed here for our manufacture of candles, and associated products all done on the property.
Pollen is produced and processed here then packaged for sale, etc.

It is clearly "LAND USED TO SUPPORT AN APIARY PRODUCTS OPERATION"

So, to be clear - when I apply next year - I will be approved?

Juliette

Robert Taft
LaGrange Assessor
(845) 206-6883
www.taftappraisal.com

EXHIBIT C

EXHIBIT D

From: Somers, Bob (AGRICULTURE) (AGRICULTURE) <Bob.Somers@agriculture.ny.gov>
To: Robert Taft <taftappraisal@aol.com>
Subject: RE: Apiary
Date: Mon, May 7, 2018 3:18 pm

Robert, if this was a farm operation that was located in an agricultural district, the Department would comment on the 7 acre minimum. However, the property is not located within an agricultural district and the Department, from the aspect of protecting a farm from unreasonably restrictive ordinances, has no legal authority to weigh into the discussion. The Town's zoning is controlling. It would appear that based upon what has been stated in your e-mail, the landowner may need to obtain a use variance and/or an area variance to continue to use their land as a bee yard. That call is up to the Town. Thanks for providing an opportunity for us to comment. Bob Somers

From: Robert Taft [mailto:taftappraisal@aol.com]
Sent: Monday, May 07, 2018 12:31 PM
To: Somers, Bob (AGRICULTURE) <Bob.Somers@agriculture.ny.gov>
Subject: Re: Apiary

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Bob,

I sat with the building inspector this morning. Our primary concern is there have been complaints to the town regarding the bees from their neighbors.

The current zoning where his operation is located requires 7 acres of land to have a farm and he has 2.1 acres. So I think this may be an issue for him.

They applied and received for a home occupation permit in 2017. The permit describes the use as "processing maple syrup and honey". My concern is the towns responsibility should more complaints or injuries arise from the nuisance bees. At this point the question arises if they are operating under an incidental use of residential or the opposite.

Please reference the attached statement from the property owner as I have circled. She quotes subchapter in circular 938 of the NYS Dept. of Ag & Markets, (1), (1). Every practical precaution shall be taken to exclude birds, **insects**, rodents and other vermin and animals from the premises of the operation. They have bees on the site.

After a long discussion with Paul Cappy, They can not have nuisance bees. In owners email to me she indicates they also raise queen bees on site which Paul said is not allowed. Paul thinks we are solid ground for denial of the exemption as well as code enforcement regarding nuisance bees. He said history is important and that the intent is to protect farmers who have bees out in a country area and someone builds a home a half mile away and complains about bees. He feels this situation is the opposite. Paul also indicated if they are producing that much income, they are not novices at this and are trying to bully their way into an exemption.

I am just interested in your take on this, if any?

Robert Taft
Assesor
(845) 206-6883
www.taftappraisal.com

-----Original Message-----
From: Somers, Bob (AGRICULTURE) (AGRICULTURE) <Bob.Somers@agriculture.ny.gov>
To: Robert Taft <taftappraisal@aol.com>
Cc: Wright, Robert L (TAX) (TAX) <Robert.Wright@tax.ny.gov>
Sent: Fri, May 4, 2018 3:04 pm
Subject: RE: Apiary

Robert, Mr. Wright will provide the definitive answer. Farmers may use the word processing, but it means something else for agricultural assessment and building code purposes. When honey is extracted, it is filtered and bottled. I would not look at that as processing. They are not changing the form of the product. The limited exemption for apiaries was meant for the bee yard, where equipment is stored and honey is extracted. That is why there is a limit on qualifying acreage.

A hive produces between 50 and 80 pounds of honey. Honey is being sold for $6 to $10 a pint, last I looked. You can do the math for honey alone, depending upon the number of hives, but that does not account for the income from the sale of propolis and wax. There are also a bunch of other products considered a crop, livestock and livestock product, such as nucs, queens, etc. She very well could be grossing $300k depending upon the number of hives. Bob Somers

---

From: Robert Taft [mailto:taftappraisal@aol.com]
Sent: Friday, May 04, 2018 2:38 PM
To: Wright, Robert L (TAX) <Robert.Wright@tax.ny.gov>; Somers, Bob (AGRICULTURE) <Bob.Somers@agriculture.ny.gov>
Subject: Re: Apiary

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Robert & Bob,

Please look at her last email to me at the bottom. From what I am gathering is they bring back the honey hives from throughout many "other" places and then remove the honey on the 1.4 ac parcel that they are applying for the exemption on. She indicates honey is "**extracted here**". Also she says "all bee products are produced here". I think she is referring to products processed there? She then indicates "beeswax is harvested and processed here". "All associated products all done on the property" to me means it is more of a processing use rather than a place where the hives are kept to produce honey and wax.

She is claiming $300,000 in income but logically you would have to have to have a ton of hives on 1.4 acres with a home on it? My million dollar question is can they have hives scattered all over but not on the property that they are applying for, bring them back to the property and remove the honey and qualify? It would seem to me that they would need to have the hives **on the subject property** while they are producing honey, not hives producing honey elsewhere and bringing it back?

EXHIBIT D

Microsoft Outlook Web App

Type here to search | Entire Mailbox | Options | Sign out

Mail
Calendar
Contacts

Deleted Items (1117)
Drafts [4]
Inbox (1006)
Junk E-Mail [50]
Sent Items

Click to view all folders

Manage Folders...

Reply | Reply All | Forward | Junk | Close

FW: AG District Inclusions 2018

Alan Bell

You forwarded this message on 5/21/2018 9:21 AM.

Sent: Friday, May 18, 2018 1:02 PM
To: Ken McLaughlin

Ken, Can you please respond? Thanks.

Alan Bell
Town of LaGrange Supervisor
845-452-9064

From: AG and Farmland Protection Board <dutchessafpb@gmail.com>
Sent: Friday, May 18, 2018 12:53 PM
To: Alan Bell <abell@lagrangeny.gov>
Subject: AG District Inclusions 2018

Good afternoon

The AG and Farmland Protection Board with be reviewing parcels that have applied for property inclusions in the Agricultural District. We are advised that the following properties have made applications for inclusion:

Juliette Landi parcel # 6462-03-172062
Thomas Sanford parcel # 6560-01-060861

The Board would like to inquire if any zoning or code violations associated with this property are outstanding, as these could potentially preclude the parcel from this inclusion.

Please advise.

EXHIBIT E

Tax Map Number: 133400-6462-03-172062
Owner: Juliette Landi
Address: 18 Traver Road
Pleasant Valley, NY 12569

Re: Agricultural District Application

We are a well established honey, maple and bee product producer in Dutchess and Ulster Counties, Remsburger Honey & Maple. On our land we process honey, pollen, beeswax and propolis; we manufacture beeswax candles, honey soap, beeswax lip balm and moisturizer. We also sell nucleus colonies and queen honey bees.

We provide honey for the Adams Fairacre Farms, Barton Orchards and Meadowbrook Farm's private labels. As well as dozens of other stores in the Hudson Valley.

We rent land on 20 + farms for our 450 bee hives and we pollinate 8 farms throughout Dutchess and Ulster every year for nearly a decade. Our honeybees are an essential part of the agricultural economy of the County as well as assisting the agritainment business too.

We have purchased our homestead in LaGrange consisting of 2.1 acres with 1.43 acres of agricultural land and have been utilizing the land for production of our product line as well other endeavors.

We have established a .5 acre pond for aquaculture containing brown, rainbow and brook trout as well as crayfish, all for human consumption.

It is important to us to be put into the agriculture district due to the nature of our business, it would cause us considerable hardship should someone challenge our ability to keep bees and process our products on our land.

We are also establishing a small fruit and apple orchard, we would like to be included in the Agricultural District to protect us from unforeseen issues that go along with farming.

Beekeeping is essential to human life!

Thank you for your consideration in this matter.

Sincerely,

Juliette Landi

Juliette Landi

If you have any questions, please don't hesitate to contact:
Dennis Remsburger
Bee Steward
845-392-5038
NYSHoney.com
email: Juldemar13@aol.com

EXHIBIT F

APD-1
Rev. 1/15

New York State
Department of Agriculture and Markets
Division of Land and Water Resources
10B Airline Drive
Albany, NY 12235

SECTION A: WORKSHEET INFORMATION
Page 1 of 1
☒ New Worksheet
☐ Revised Worksheet

SOIL GROUP WORKSHEET

SECTION B. LANDOWNER NAME AND PORPERTY IDENTIFICATION

Landowner Name	Last: Landi	First: Juliette	Middle Initial	
Mailing Address	Street/Road No. and Name: PO Box 223	City, Town, Village: Pleasant Valley	State: NY	Zip Code: 12569
Property Location Same as Mailing Address ☐		Street/Road No. and Name: 18 Traver Road		
County: Dutchess		Town/City: LaGrange	Village	

Filing Status ☐ Agricultural District ☒ Individual Commitment

SWIS Code (six digits) 133400

Tax Map Identifier section 6462 block 00 lot 172062

Roll Identifier (if different)

Total Parcel Acres 2.1

SECTION D: PARCEL ACREAGE SUMMARY *	ACRES
(1) Agricultural and Silvopasture Land	1.43
(2) Farm Woodland (up to 50 acres)	
(3) Excess Farm Woodland	
(4) Non-Agricultural Land	0.67
TOTAL ACREAGE	2.1

SECTION E: SOIL MAP BREAKDOWN OF AGRICULTURAL AND SILVOPASTURING LAND

SOIL MAP SYMBOL	SOIL MAP UNIT NAME	SOIL GROUP	Scale: 1" = 100ft No. of Grid Points	NUMBER ACRES
DwB	Dutchess w/Cardigan	3b		1.43

SECTION F: AGRICULTURAL AND SILVO-PASTURING LAND SOIL GROUP SUMMARY

Mineral Soil Group		Acres
1	a	
	b	
2	a	
	b	
3	a	
	b	1.43
4	a	
	b	
5	a	
	b	
6	a	
	b	
7		
8		
9		
10		

Organic (muck) Soil Group	Acres
A	
B	
C	
D	
SOIL GROUP	
TOTAL ACRES	1.43

* SEE EXPLANATION OF TERMS ON BACK

SECION G: DATE AND SIGNATURES

Jointly Reviewed and Concurred:

Date: 2/3/2017

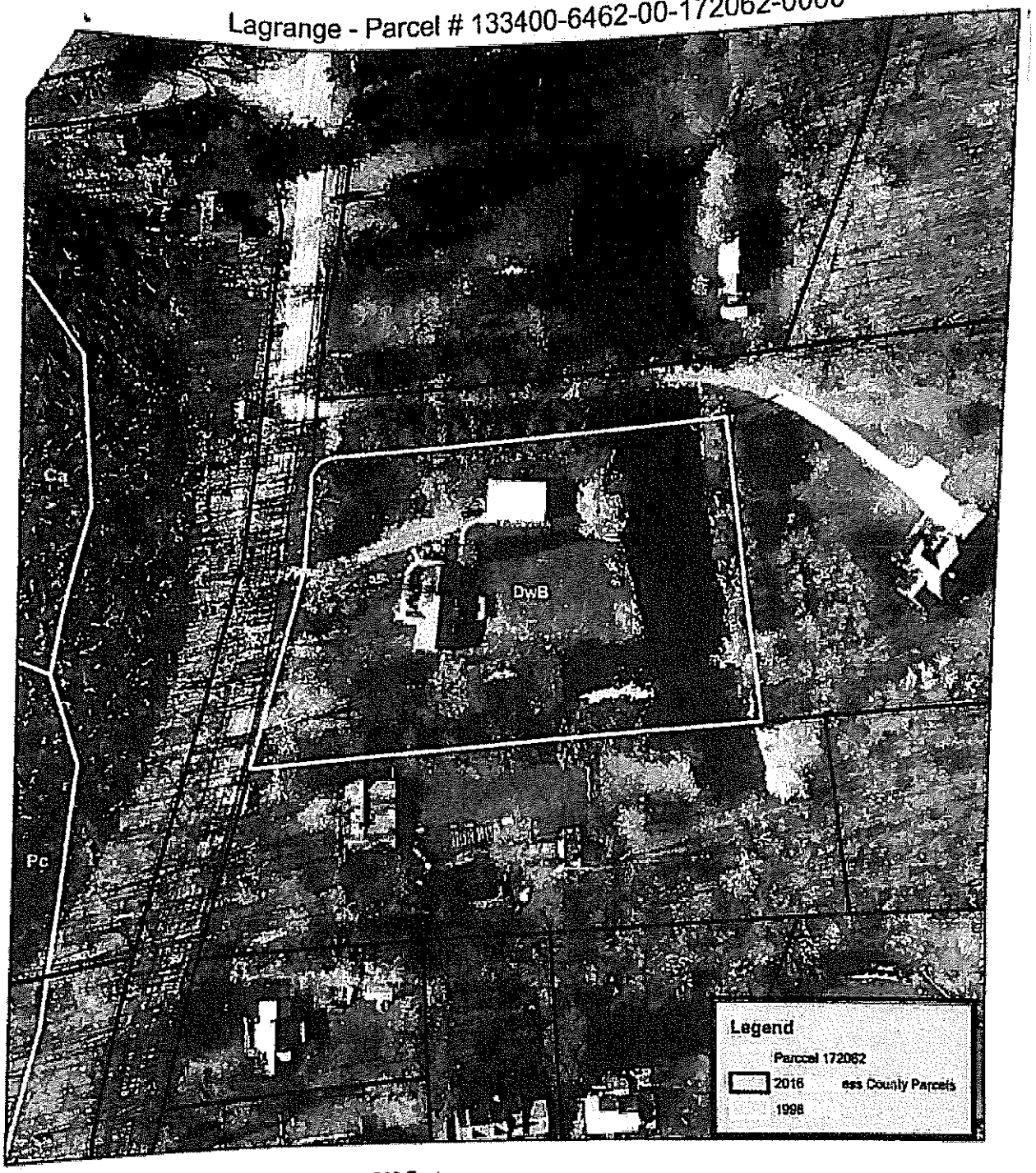
Landowner Signature _____

Completed by: Lauren Drum
Signature Lauren Drum

Distribution: Submit Original Copy to the Assessor and copies to SWCD and Landowner

EXHIBIT F

Lagrange - Parcel # 133400-6462-00-172062-0000



0 50 100 200 Feet

1 in = 100 ft

Produced on 2/3/2017
Map Produced by Dutchess County
Soil & Water Conservation District
NOT FOR SITE SPECIFIC WORK
ALL INFORMATION MUST BE SITE VERIFIED

SOILS - US Department Agricultur
Service (NRCS l Surv Geogra

TAX PARCELS - Dutchess County R

Aerial Photos Dutchess County, NY
Inc. Willoughby OH , 2014

EXHIBIT F

Department of Taxation and Finance
Office of Real Property Tax Services

Agricultural Assessment Application

For the 2018 Assessment Roll

RP-305 (1/17)

RECEIVED FEB 14 2018 TOWN OF LA GRANGE

Renewal Form RP-305-r may be filed with the Assessor for each year hereafter if this application is approved and there are no changes in any information entered on this application form.

To be Completed by the Assessor

Application date	Tax Map number	Exemption amount	Exemption code
		$	☐ 41720 - County Formed Ag. District ☐ 41730 - Outside Ag. District ☐ 41750 - New orchard/vineyard

☐ Soil maps filed on _____
☐ Soil group worksheet filed on _____
☐ Soil map or soil worksheet modification (use Form RP-305-d) Sent _____ Received _____
☐ Property located in an established agricultural district? Yes ☐ No ☐
☐ Form RP-305-a sent

Assessor's signature _____ Date _____

Information to be Completed by Applicant

Tax Map number	Acres	Is parcel in an agricultural district? Yes ☐ No ☒
133400-6462-03-172062	2.1	If *Yes*, provide County District number _____

Mailing address

Juliette Landi
Landowner name
18 Traver Road
Number and street
Pleasant Valley NY 12569
City State ZIP code

Telephone: Day number 845-891-6800
Evening number 845-891-6800
Email address: Juldemar13@aol.com

Property location

Mark an *X* in the box if same as mailing address ☒ or enter below:

Number and street
City State ZIP code
County Town Village

Certification of Applicant

I, Juliette Landi certify that the information entered on this application constitutes a true statement of facts to the best of my knowledge and that all lands described are used for the purposes stated herein. I have read the notice on page 4 explaining the consequences for converting land to a nonagricultural use and understand that conversion of this parcel may subject it to payments based upon the amount of taxes saved.

2/5/18 — Date
Juliette Landi — Signature of owner

Penalty for false statements: A person making false statements on an application for exemption is guilty of an offense punishable by law.

LANDI

EXHIBIT G

General information, filing requirements, and eligibility requirements can be found on pages 8 and 9. **Instructions** for the completion of Parts 1 through 10 can be found on pages 9 through 11 of this form. All applicants must complete Parts 1 and 10. Applicants seeking an agricultural assessment for land used to support a commercial horse boarding operation must complete Part 5. Applicants seeking similar benefits on land used to support a commercial equine operation must complete Part 6. Applicants whose land was rented and used in the preceding two years to produce for sale crops, livestock or livestock products, but which does not independently satisfy the gross sales value requirement of the Agriculture and Markets Law, must complete Part 8. Applicants seeking an agricultural assessment for land used as silvopasture must complete Part 9. Complete all other parts that apply.

Part 1 – Use of land: Refer to Soil Group Worksheet (APD-1) to complete Part 1.

(1) **Agricultural land**

a. **Land used to produce crops, livestock or livestock products.** Amount of land actually used to produce for sale crops, livestock or livestock products (not including woodland products) in the preceding two years.	a.	1.43 Acres
b. **Land used to support a commercial horse boarding operation.** Amount of land used to support a commercial horse boarding operation during the past two years.	b.	Acres
c. **Land used to support a commercial equine operation.** Amount of land used to support a commercial equine operation during the past two years.	c.	Acres
d. **Support land.** Amount of land that was not used to produce crops, livestock or livestock products but was used in support of the farm operation or in support of land used to produce crops, livestock or livestock products. (Does not include land used under agricultural amusements - see instructions.)	d.	Acres
e. **Land participating in federal conservation program.** Amount of land set aside through participation in a U.S. government conservation program established pursuant to Title 1 of the Federal Food Security Act of 1985 or any subsequent federal program. (Assessor will need Farm Service Agency documentation.)	e.	Acres
f. **Land under a structure in which crops, livestock or livestock products are produced.** Amount of land located under a structure in which crops, livestock or livestock products have been produced during the preceding two years.	f.	Acres
g. **Land used as silvopasture.** Amount of land that intentionally combines trees, forages and livestock and is managed as a single integrated practice for the collective benefit of each, including the planting of appropriate grasses and legume forages among trees for sound grazing and livestock husbandry, up to the allowable limit. (Enter acreage from Part 9, Box 7(b)).	g.	Acres
Total acres in agricultural land (sum of a, b, c, d, e, f, and g)	(1)	1.43 Acres
(2) **Farm woodland (up to 50 acres).** Amount of land used for the production of woodland products intended for sale in the preceding two years. Acreage consisting of sugarbush or Christmas tree cultivation should be included in Part 1a above.	(2)	Acres
(3) **Excess farm woodland** (woodland exceeding 50 acre limit on any parcel).	(3)	Acres
(4) **Newly planted orchards, vineyards, or Christmas trees of a newly-established farm operation.**	(4)	Acres
(5) **Nonagricultural land.** Include any land in the parcel which is not included above.	(5)	0.67 Acres
Total acres in parcel (The figure entered in this box should equal the sum of the amounts entered in boxes 1 through 5 above.)		2.10 Acres

Part 2 – Other agricultural land owned by the applicant: Identify any other land owned by the applicant that is used in conjunction with land identified in Part 1 above to produce crops, livestock or livestock products or to support a commercial horse boarding or commercial equine operation. Use additional sheets if necessary.

Tax Map no. _____ Location _____ No. of acres _____

Tax Map no. _____ Location _____ No. of acres _____

Tax Map no. _____ Location _____ No. of acres _____

Part 3 – Other agricultural property rented by applicant: Identify any other land rented from another and used to produce crops, livestock or livestock products in conjunction with the land described in Part 1 above. Use additional sheets if necessary.

Tax Map no. See Attached Sheets Location _____ No. of acres _____

Tax Map no. _____ Location _____ No. of acres _____

Tax Map no. _____ Location _____ No. of acres _____

EXHIBIT G

Part 4 – Average gross sales value

Note: Newly established farm operations should enter annual gross sales only for the first or second year of production.

		Year One	Year Two
a. Enter the gross sales value of any agricultural products (not including woodland products) produced for sale in the preceding two years on land owned by the applicant (see Part 1a and Part 2.) For land rented by the applicant from another, see Part 3. (If applicable, include federal farm program payments.)	a	$ 148000	$ 180000
b. Enter the gross sales value up to a maximum annual amount of $2,000 of any woodland products intended for sale produced in the preceding two years on land owned by the applicant; see Part 1(2) and Part 2. **Note:** The gross sales value of maple syrup/sap and Christmas trees produced on the applicant's land should be included in Part 4a above.	b	$	$
c. Enter the market value of crops in their unprocessed state that were produced during the preceding two years on land owned by the applicant or rented by the applicant from another which were not sold unprocessed but were processed on the farm to make other products and thereafter sold.	c	$ 100000	$ 100000
d. Enter the gross sales value up to a maximum of $5,000 of the farm operation's annual gross sales value derived from the operation's sale of its compost, mulch, or other organic biomass crops.	d	$	$
Total gross sales value for two year period		$ 248000	$ 280000
Two year average gross sales value		$	$

Part 5 – Land used to support a commercial horse boarding operation

(a) Number of acres in a parcel used to support a horse boarding operation: _____ acres.
If the number of acres is less than seven, Part 2 above must be completed to establish eligibility for an agricultural assessment.

(b) Did the boarding operation board ten or more horses throughout the preceding two years? Yes ☐ No ☐

(c) Gross receipts collected by horse boarding operation during the preceding two years: $ _____

Note: Newly established farm operations should enter annual gross sales only for the first or second year of production.

	Year One	Year Two
Fees generated through boarding of horses	$	$
Fees generated through production of sale of crops, livestock and livestock products	$	$
Totals	$	$

Part 6 – Land used to support a commercial equine operation

(a) Number of acres in a parcel used to support an equine operation: _____ acres.
If the number of acres is less than seven, Part 2 above must be completed to establish eligibility for an agricultural assessment.

(b) Did the equine operation stable ten or more horses throughout the preceding two years? Yes ☐ No ☐

(c) Gross receipts collected by equine operations during the preceding two years: $ _____

Note: Newly established farm operations should enter annual gross sales only for the first or second year of production.

	Year One	Year Two
Fees generated through equine operations	$	$
Fees generated through production of sale of crops, livestock and livestock products	$	$
Totals	$	$

Part 7 – Land under a structure within which crops, livestock or livestock products are produced

Note: Newly established farm operations should enter annual gross sales only for the first or second year of production.

		Year One		Year Two
(a) Gross sales value of the crops, livestock or livestock products produced in the structure(s) in the preceding two years	(b)	$	(c)	$
(d) Total gross sales value for two year period: (b) + (c)	(d)	$		
(e) Average gross sales value for preceding two years: (d / 2)	(e)	$		

EXHIBIT G

Notice to applicant

By filing this application, the landowner agrees that the lands that benefit from agricultural assessment will be liable for payment whenever the land is converted to a non-agricultural use. The consequence of a conversion is a payment based on five times the taxes saved in the most recent year of benefit. The payment also includes a six percent interest charge, compounded annually for each year during the last five, in which the land received an agricultural assessment. An encumbrance runs with the land from the last time the parcel benefitted for five years in an agricultural district, and for eight years outside a district. (For land outside an agricultural district, the obligation to make payment for a conversion creates a lien against the entire parcel, even if only a portion of the parcel benefitted from agricultural assessment.)

Part 8 – Land rented to others

(a) Is any portion of the parcel rented to another party? Yes ☐ No ☒ *(If No, proceed to Part 9.)*

(b) Has the land been used during the preceding two years to produce crops, livestock or livestock products exclusive of woodland products and is such production continuing during the current year? Yes ☐ No ☐

(c) Average gross sales value: $ _____

Note: Newly-established farm operations should enter annual gross sales only for the first or second year of production.

		Year One		Year Two
1. Gross sales value of the crops, livestock or livestock products (exclusive of woodland products) produced on the rented land that can be independently verified	(1a)	$	(1b)	$
2. Total gross sales value for two year period: (1a) + (1b)	(2)	$		
3. Average gross sales value for preceding two years: (2) / 2	(3)	$		

If the amount on line 3 is less than $10,000 or cannot be independently verified, complete items d, e, f, and g of Part 8 below.

(d) Name and mailing address of party to whole land is rented: _____

_____

(e) Number of acres rented to party identified in Part 8d and used in agricultural production: _____ acres

(f) Is the land leased pursuant to a written rental arrangement? Yes ☐ No ☐

Period of time for which lease is in effect: _____ years

Attach a copy of the lease or an affidavit (Form RP-305-c) attesting to the existence of the lease.

(g) Does the party to whom the land is rented own or operate other land that is used in conjunction with this rented land and which qualifies for an agricultural assessment? Yes ☐ No ☐

If *Yes*, provide the following information for the other land being used in conjunction with the land that is the subject of this application.

Owner _____

Location of property _____ Tax Map no. _____

If the other land is located in a different town or assessing unit, enter the date that an application for an agricultural assessment was submitted to the local assessor: _____

EXHIBIT G

Part 9 – Lands used as silvopasture

Silvopasturing is defined as the intentional combination of trees, forages and livestock managed as a single integrated practice for the collective benefit of each, including the planting of appropriate grasses and legume forages among trees for sound grazing and livestock husbandry. If land is being used as silvopasture, complete the following chart to determine the number of acres to enter in Part 1(1)(g).

		(a)	(b)
1. Enter the total number of acres actually being used as silvopasture.	(1)		
2. Enter the number of large livestock (including cattle, horses and camelids) that graze on the land.	(2)		
3. Multiply box 2(a) by 10.	(3)		
4. Enter the number of small livestock (such as sheep, hogs, goats and poultry) that graze on the land.	(4)		
5. Multiply Box 4(a) by 5.	(5)		
6. Add boxes 3(b) and 5(b). The result is the maximum number of acres that may receive an agricultural assessment as silvopasture.	(6)		
7. Compare Box 1(b) to Box 6(b) and enter the **smaller** number in Box 7(b). This is the total number of acres that may receive an agricultural assessment as silvopasture. Enter this number in Part 1(1)(g). If Box 1(b) exceeds Box 6(b), see instructions for farm woodland.	(7)		

EXHIBIT G

Part 10 - Certified value on eligible agricultural lands

The applicant must complete column 2 below of the chart *Certified Value on Eligible Agricultural Lands*. The number of acres in each mineral or organic soil group is to be copied from the soil group worksheet APD-1 prepared by the Soil and Water Conservation District Office. **Note:** The number of acres of qualified farm woodland is given on the soil group worksheet. The maximum number of acres of farm woodland eligible for an agricultural assessment is 50 acres per parcel. Where the applicant completes Part 8d through 8g on page 4, the total number of acres in the mineral and organic soil groups may not exceed the number of acres indicated in Part 8e, and the number of acres of farm woodland must be zero.

Certified Value on Eligible Agricultural Lands

Applicant, fill in shaded area of column 2.

Applicant			Assessor's use only		
1		2	3	4	5
Mineral soil group		Acres	Acre/rating modifications	Certified value per acre	Column 2 or 3 times column 4
1	a				
	b				
2	a				
	b				
3	a				
	b	1.43			
4	a				
	b				
5	a				
	b				
6	a				
	b				
7					
8					
9					
10					
Organic soil group (muck)					
A					
B					
C					
D					
Soil group total					
Eligible farm woodland 50 acres maximum					
Newly planted orchards, vineyards or Christmas trees				0	0
Total eligible acres		1.43			
				Total certified value	

Assessor's use only

Assessor's agricultural assessment calculation on eligible agricultural lands

Total certified value × Equalization rate = Total agricultural assessment

_____ × _____ = _____

Additional calculations:

EXHIBIT G

Assessor's use only

Worksheet for apportionment of farm assessment

Assessor may use RPS 4 to complete these calculations.

	Acres	Land	Improvements	Total
A. Total assessment		$	$	$
B. Assessed value of parcel excluding eligible agricultural land				
1. Owner's residence and associated land		$	$	$
2. Farm structures (barns and other farm improvements including fruit tree/vine support structures) not receiving a RPTL sec. 483 exemption	N/A	N/A	$	$
3. Other structures (processing plant, retail store, etc.)			$	$
4. Ineligible land *(include excess woodland acreage)*		$		$
5. Total *(add lines 1, 2, 3 and 4)*				$
C. Agricultural assessment of parcel				
1. Assessed value of eligible land before agricultural assessment *(line A minus line B5)*				$
2. Assessed value of fruit tree/vine support structures on eligible land not receiving a RPTL sec. 483 exemption				$
3. Total lines C1 and C2				$
4. Total agricultural assessment on eligible land (from page 4)				$
5. Excess value, if any *(line 3 minus line 4)*				$
D. Total taxable assessment before adjustment for other exemptions *(line B5 plus line C1 or B5 plus C4, whichever is lower)*				$
E. Other exemptions				
1. Veterans				$
2. RPTL sec. 483 new construction				$
3. RPTL sec 483-a				$
4. Other				$
5. Total				$
F. Total taxable assessed value *(line D minus line E5)*				$

G. 1. ☐ Application approved
2. ☐ Approved as modified
3. ☐ Disapproved

Reason for modification or disapproval _____

Amount of exemption (from line C5 of apportionment worksheet above): $ _____ Enter this amount in exempt column of assessment roll, and on top of page 1.

EXHIBIT G

APD-1
(Rev. 1/15)

New York State
Department of Agriculture and Markets
Division of Land and Water Resources
10B Airline Drive
Albany, NY 12235

SECTION A: WORKSHEET INFORMATION
Page 1 of 1
☒ New Worksheet
☐ Revised Worksheet

SOIL GROUP WORKSHEET

SECTION B. LANDOWNER NAME AND PORPERTY IDENTIFICATION

Landowner Name	Last: Landi	First: Juliette	Middle Initial	
Mailing Address	Street/Road No. and Name: PO Box 223	City, Town, Village: Pleasant Valley	State: NY	Zip Code: 12569
Property Location Same as Mailing Address ☐		Street/Road No. and Name: 18 Traver Road		
County: Dutchess		Town/City: LaGrange	Village	

Filing Status: ☐ Agricultural District ☒ Individual Commitment

SWIS Code (six digits) 133400

Tax Map Identifier section 6462 block 00 lot 172062

Roll Identifier (if different)

Total Parcel Acres 2.1

SECTION D: PARCEL ACREAGE SUMMARY *	ACRES
(1) Agricultural and Silvopasture Land	1.43
(2) Farm Woodland (up to 50 acres)	
(3) Excess Farm Woodland	
(4) Non-Agricultural Land	0.67
TOTAL ACREAGE	2.1

SECTION E: SOIL MAP BREAKDOWN OF AGRICULTURAL AND SILVOPASTURING LAND

SOIL MAP SYMBOL	SOIL MAP UNIT NAME	SOIL GROUP	Scale: 1" = 100ft No. of Grid Points	NUMBER ACRES
DwB	Dutchess w/Cardigan	3b		1.43

SECTION F: AGRICULTURAL AND SILVO-PASTURING LAND SOIL GROUP SUMMARY

Mineral Soil Group		Acres
1	a	
	b	
	a	
	b	
	a	
	b	1.43
	a	
	b	
	a	
	b	
	a	
	b	

Muck Soil Group	Acres
A	
B	
C	
D	
SOIL GROUP TOTAL ACRES	1.43

original was filed on Orig application

* SEE EXPLANATION OF TERMS ON BACK

SECION G: DATE AND SIGNATURES

Jointly Reviewed and Concurred:

Date: 2/3/2017

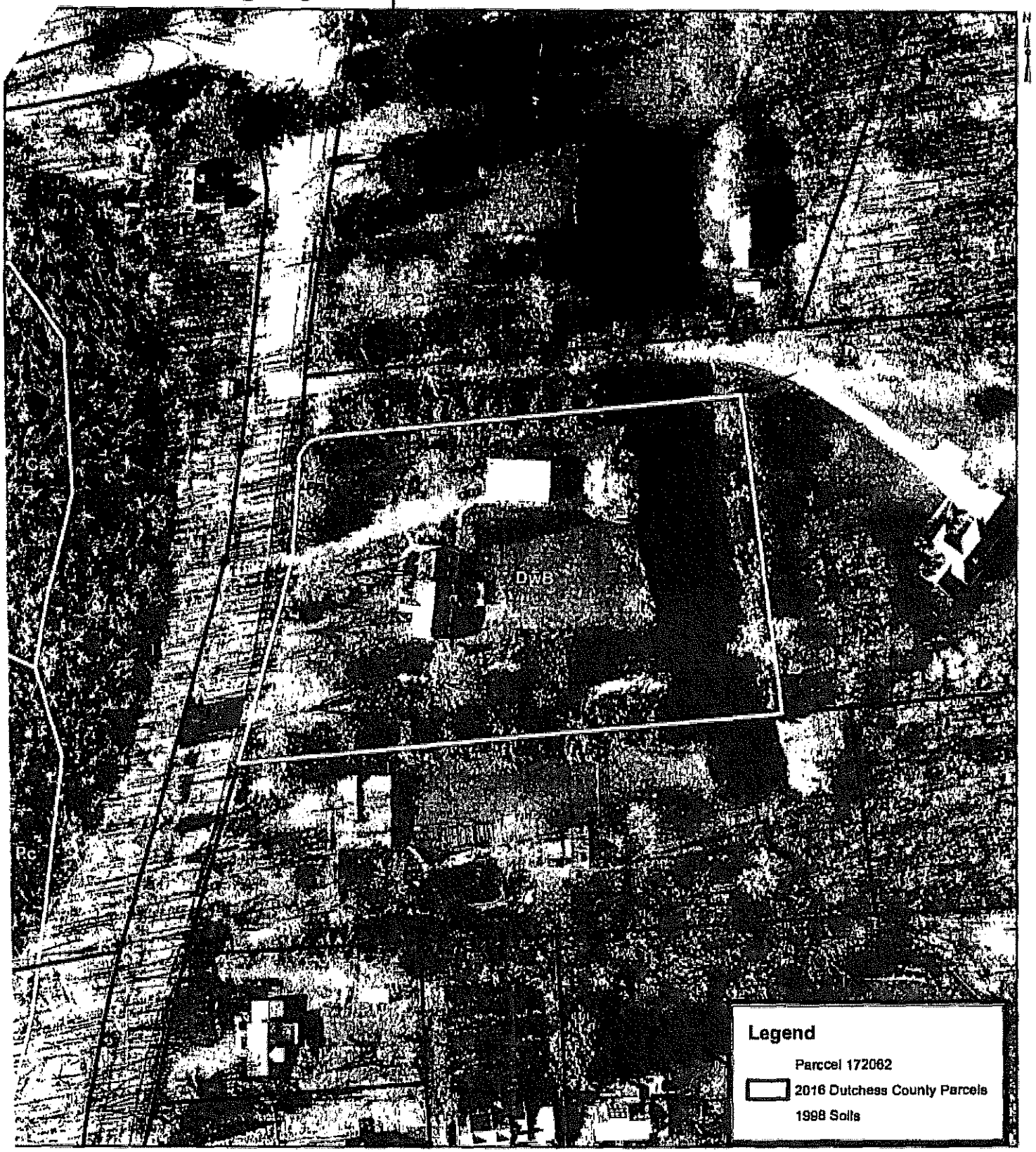
Landowner Signature _____

Completed by: Lauren Drum
Signature Lauren Drum

Distribution: Submit Original Copy to the Assessor and copies to SWCD and Landowner

EXHIBIT G

Lagrange - Parcel # 133400-6462-00-172062-0000



0 50 100 200 Feet

1 in = 100 ft

Produced on 2/3/2017
Map Produced by Dutchess County
Soil & Water Conservation District.
NOT FOR SITE SPECIFIC WORK
ALL INFORMATION MUST BE SITE VERIFIED

SOILS - US Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Soil Survey Geographic Data Base (SSURGO), 1998.

TAX PARCELS - Dutchess County Real Property Tax Service Agency, 2015.

Aerial Photos- Dutchess County, NY. Originated by: Kucera International Inc, Willoughby, OH., 2014.

EXHIBIT G

ParcelAccess

Final Roll

80 Hives

Parcel Grid Identification #:
134400-6363-02-675619-0000
Municipality: Pleasant Valley

Parcel Location
17 Conklin Hl

Owner Name on March 1
Conklin , Gerald R *(P)*
Conklin , Alta S *(A)*

Primary *(P)* Owner Mail Address
20 Conklin Hl
Pleasant Valley NY
125690000

Parcel Details

Size (acres):	23.36 Ac	Land Use Class:	(240) Residential: Rural Residence with Acreage
File Map:	9240	Agri. Dist.:	(1) 20
File Lot #:		School District:	(134601) Arlington School District
Split Town			

Assessment Information (Current)

Land:	Total:	County Taxable:	Town Taxable:	School Taxable:	Village Taxable:
$155800	$412700	$412700	$412700	$412700	$0

Tax Code:	Roll Section:	Uniform %:	Full Market Value:
S: Homestead Split	1	100	$ 412700

Tent. Roll:	Final. Roll:	Valuation:
5/1/2016	7/1/2016	7/1/2015

Last Sale/Transfer

Sales Price:	Sale Date:	Deed Book:	Deed Page:	Sale Condition:	No. Parcels:
$0	0	1903	0265	( )	0

Site Information:
Site Number: 1

Water Supply:	Sewer Type:	Desirability:	Zoning Code:	Used As:
(2) Private	(2) Private	(2) Typical	HR	( )

EXHIBIT G

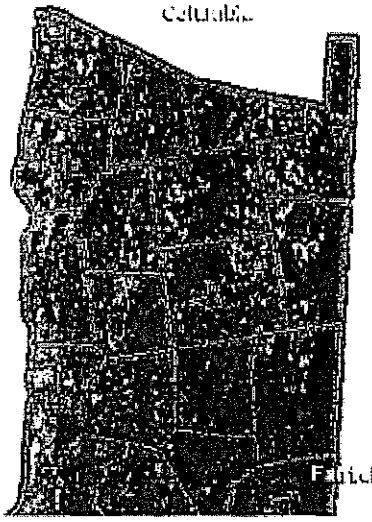
ParcelAccess

21 Hives

Final Roll

Parcel Grid Identification #:
134400-6364-03-424189-0000
Municipality: Pleasant Valley

Parcel Location
987 Salt Point Tpke



Owner Name on March 1
John , Daymond *(P)*

Primary *(P)* Owner Mail Address
987 Salt Point Tpke
Pleasant Valley NY 12569

Parcel Details

Size (acres):	95.65 Ac (C)	Land Use Class:	(280) Residential: Multi-Purpose/Multi-Structure
File Map:		Agri. Dist.:	(0)
File Lot #:		School District:	(134601) Arlington School District
Split Town			

Assessment Information (Current)

Land:	Total:	County Taxable:	Town Taxable:	School Taxable:	Village Taxable:
$1017500	$1077000	$1077000	$1077000	$1077000	$0

Tax Code:	Roll Section:	Uniform %:	Full Market Value:
S: Homestead Split	1	100	$ 1077000

Tent. Roll:	Final. Roll:	Valuation:
5/1/2016	7/1/2016	7/1/2015

Last Sale/Transfer

Sales Price:	Sale Date:	Deed Book:	Deed Page:	Sale Condition:	No. Parcels:
$750000	5/4/1999 12:00:00 AM	2029	0464	(J)	1

Site Information:
Site Number: 1

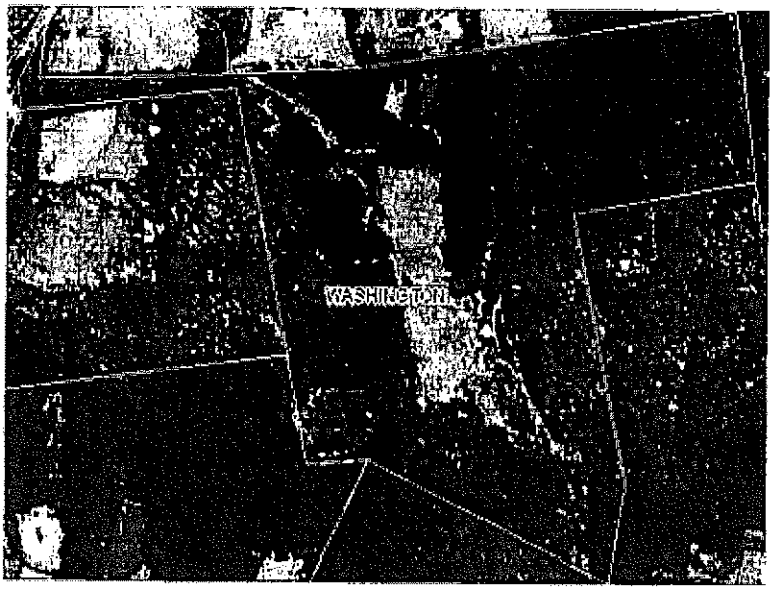
Water Supply:	Sewer Type:	Desirability:	Zoning Code:	Used As:
(2) Private	(2) Private	(3) Superior	RA	( )

EXHIBIT G

ParcelAccess

12 Hives

Final Roll



Parcel Grid Identification #:
135889-6965-00-006474-0000
Municipality: Washington

Parcel Location
3872-3874 Route 44

Owner Name on March 1
Everest Polo Stables Inc , *(P)*

Primary *(P)* Owner Mail Address
E 19 64th St
New York NY 100210000

Parcel Details

Size (acres):	100.00 Ac (S)	Land Use Class:	(250) Residential: Estate
File Map:	7098	Agri. Dist.:	(1) 21
File Lot #:	1	School District:	(135801)
Split Town			

Assessment Information (Current)

Land:	Total:	County Taxable:	Town Taxable:	School Taxable:	Village Taxable:
$2126600	$12216500	$12062760	$12062760	$12062760	$0

Tax Code:	Roll Section:	Uniform %:	Full Market Value:
	1	100	$ 12216500

Tent. Roll:	Final. Roll:	Valuation:
5/1/2016	7/1/2016	7/1/2015

Last Sale/Transfer

Sales Price:	Sale Date:	Deed Book:	Deed Page:	Sale Condition:	No. Parcels:
$5290000	7/31/2000 12:00:00 AM	22002	08883	(J)	2

Site Information:
Site Number: 1

Water Supply:	Sewer Type:	Desirability:	Zoning Code:	Used As:
(2) Private	(2) Private	(3) Superior	RR10	( )

EXHIBIT G

Site Number: 2

ParcelAccess

30 Hives

Final Roll

Parcel Grid Identification #:
133889-6969-00-640443-0000
Municipality: Northeast

Parcel Location
E 90 Indies Rd

Owner Name on March 1
DGT Millbrook Holdings LLC , *(P)*

Primary *(P)* Owner Mail Address
540 Madison Ave
New York NY 100220000

Parcel Details

Size (acres):	20.0 Ac(s)	Land Use Class:	(240) Residential: Rural Residence with Acreage
File Map:	8511	Agri. Dist.:	(0)
File Lot #:	2A	School District:	(134201) Pine Plains Central School District
Split Town			

Assessment Information (Current)

Land:	Total:	County Taxable:	Town Taxable:	School Taxable:	Village Taxable:
$356800	$2117800	$2117800	$2117800	$2117800	$0

Tax Code:	Roll Section:	Uniform %:	Full Market Value:
	1	100	$ 2117800

Tent. Roll:	Final. Roll:	Valuation:
5/1/2016	7/1/2016	7/1/2015

Last Sale/Transfer

Sales Price:	Sale Date:	Deed Book:	Deed Page:	Sale Condition:	No. Parcels:
$2450000	12/31/2013 9:57:01 AM	22014	75	(J)	1

Site Information:
Site Number: 1

Water Supply:	Sewer Type:	Desirability:	Zoning Code:	Used As:
(2) Private	(2) Private	(2) Typical	A5A	( )

EXHIBIT G

ParcelAccess

30 Hives

Final Roll

Parcel Grid Identification #:
133400-6461-03-104421-0000
Municipality: La Grange

Parcel Location
37 Jeffrey Dr

Owner Name on March 1
Hayes , Michele N *(P)*

Primary *(P)* Owner Mail Address
37 Jeffrey Dr
Pleasant Valley NY 12569

Parcel Details

Size (acres):	12.08 AC (S)	Land Use Class:	(240) Residential: Rural Residence with Acreage
File Map:	11693	Agri. Dist.:	(0)
File Lot #:	14	School District:	(134601) Arlington School District
Split Town			

Assessment Information (Current)

Land:	Total:	County Taxable:	Town Taxable:	School Taxable:	Village Taxable:
$235200	$606800	$606800	$606800	$606800	$0

Tax Code:	Roll Section:	Uniform %:	Full Market Value:
S: Homestead Split	1	100	$ 606800

Tent. Roll:	Final. Roll:	Valuation:
5/1/2016	7/1/2016	7/1/2015

Last Sale/Transfer

Sales Price:	Sale Date:	Deed Book:	Deed Page:	Sale Condition:	No. Parcels:
$225000	7/23/2009 2:51:31 PM	22009	3609	(J)	1

Site Information:
Site Number: 1

Water Supply:	Sewer Type:	Desirability:	Zoning Code:	Used As:
(2) Private	(2) Private	(2) Typical	R40	( )

EXHIBIT G

ParcelAccess

24 Hives

Final Roll

Parcel Grid Identification #:
133200-6166-03-488215-0000
Municipality: Hyde Park

Parcel Location
1479 Route 9G

Owner Name on March 1
Athanas , Thomas T *(P)*

Primary *(P)* Owner Mail Address
1487 Route 9G
Hyde Park NY 125382160

Parcel Details

Size (acres):	101 Ac.	Land Use Class:	(240) Residential: Rural Residence with Acreage
File Map:		Agri. Dist.:	(1) 20
File Lot #:		School District:	(133201) Hyde Park Central School District
Split Town			

Assessment Information (Current)

Land:	Total:	County Taxable:	Town Taxable:	School Taxable:	Village Taxable:
$144400	$235000	$125446	$134746	$134746	$0

Tax Code:	Roll Section:	Uniform %:	Full Market Value:
	1	62	$ 379000

Tent. Roll:	Final. Roll:	Valuation:
5/1/2016	7/1/2016	7/1/2015

Last Sale/Transfer

Sales Price:	Sale Date:	Deed Book:	Deed Page:	Sale Condition:	No. Parcels:
$0	0	1981	0346	( )	0

Site Information:
Site Number: 1

Water Supply:	Sewer Type:	Desirability:	Zoning Code:	Used As:
(2) Private	(2) Private	(2) Typical	gb	( )

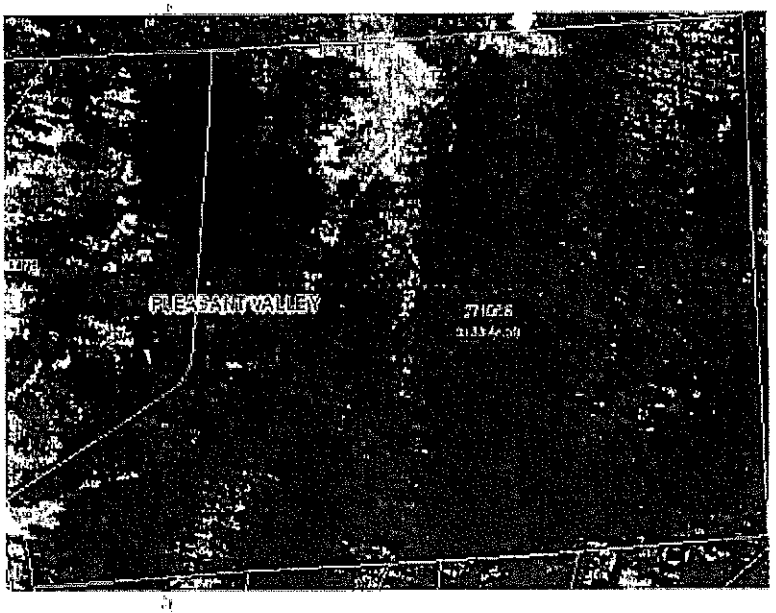
Residential Building Information:
Site Number: 1

EXHIBIT G

ParcelAccess

16 Hives

Final Roll



Parcel Grid Identification #:
134400-6565-03-271068-0000
Municipality: Pleasant Valley

Parcel Location
Davis Rd

Owner Name on March 1
Dervan , Joyce S *(P)*

Primary *(P)* Owner Mail Address
140 Wisteria Ridge Ter
Lagrange GA 302400000

Parcel Details

Size (acres):	33.53 Ac (D)	Land Use Class:	(322) Rural: Residential Vacant Land Over 10 Acres
File Map:		Agri. Dist.:	(0)
File Lot #:		School District:	(134601) Arlington School District
Split Town			

Assessment Information (Current)

Land:	Total:	County Taxable:	Town Taxable:	School Taxable:	Village Taxable:
$284200	$284200	$284200	$284200	$284200	$0

Tax Code:	Roll Section:	Uniform %:	Full Market Value:
N: Non-Homestead	1	100	$ 284200

Tent. Roll:	Final. Roll:	Valuation:
5/1/2016	7/1/2016	7/1/2015

Last Sale/Transfer

Sales Price:	Sale Date:	Deed Book:	Deed Page:	Sale Condition:	No. Parcels:
$0	0	1556	0656	( )	0

Site Information:
Site Number: 1

Water Supply:	Sewer Type:	Desirability:	Zoning Code:	Used As:
(1) None	(1) None	(2) Typical	RR	( )

EXHIBIT G

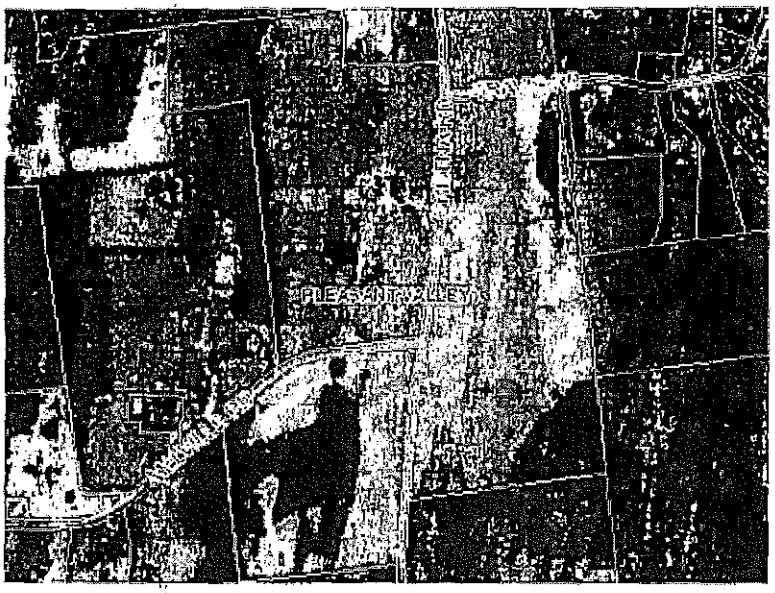
ParcelAccess

Final Roll

50 Hives

Parcel Grid Identification #:
134400-6364-01-231783-0000
Municipality: Pleasant Valley

Parcel Location
353 Gretna Rd



Owner Name on March 1
Simon , Samuel G *(P)*
Simon , Gail J *(A)*

Primary *(P)* Owner Mail Address
7 Loockerman Ave
Poughkeepsie NY
126010000

Parcel Details

Size (acres):	149.3 Ac (S)	Land Use Class:	(112) Agricultural: Livestock and Products: Dairy Products
File Map:	10118	Agri. Dist.:	(1) 20
File Lot #:	2	School District:	(134601) Arlington School District
Split Town			

Assessment Information (Current)

Land:	Total:	County Taxable:	Town Taxable:	School Taxable:	Village Taxable:
$1207300	$1411300	$559280	$559280	$559280	$0

Tax Code:	Roll Section:	Uniform %:	Full Market Value:
H: Homestead	1	100	$ 1411300

Tent. Roll:	Final. Roll:	Valuation:
5/1/2016	7/1/2016	7/1/2015

Last Sale/Transfer

Sales Price:	Sale Date:	Deed Book:	Deed Page:	Sale Condition:	No. Parcels:
$0	0	1975	0179	( )	0

Site Information:
Site Number: 1

Water Supply:	Sewer Type:	Desirability:	Zoning Code:	Used As:
(2) Private	(2) Private	(2) Typical	RA	( )

EXHIBIT G

ParcelAccess

24 Hives

Final Roll

Parcel Grid Identification #:
133400-6562-04-857483-0000
Municipality: La Grange

Parcel Location
377 Skidmore Rd

Owner Name on March 1
Maschio , Frank A *(P)*
Patten , Lorraine *(A)*

Primary *(P)* Owner Mail Address
377 Skidmore Rd
Pleasant Valley NY 12569

Parcel Details

Size (acres):	20.1 Ac (C)	Land Use Class:	(240) Residential: Rural Residence with Acreage
File Map:		Agri. Dist.:	(1) 22
File Lot #:		School District:	(135801)
Split Town			

Assessment Information (Current)

Land:	Total:	County Taxable:	Town Taxable:	School Taxable:	Village Taxable:
$267300	$362000	$362000	$362000	$362000	$0

Tax Code:	Roll Section:	Uniform %:	Full Market Value:
	1	100	$ 362000

Tent. Roll:	Final. Roll:	Valuation:
5/1/2016	7/1/2016	7/1/2015

Last Sale/Transfer

Sales Price:	Sale Date:	Deed Book:	Deed Page:	Sale Condition:	No. Parcels:
$0	0	1720	0322	( )	0

Site Information:
Site Number: 1

Water Supply:	Sewer Type:	Desirability:	Zoning Code:	Used As:
(2) Private	(2) Private	(2) Typical	R120	( )

Residential Building Information:

EXHIBIT G

ParcelAccess

Final Roll

24 Hives

Parcel Grid Identification #:
133400-6560-04-640350-0000
Municipality: La Grange

Parcel Location
2020 Route 82

Owner Name on March 1
Hitsman , John R *(P)*
Hitsman , Donna D *(A)*

Primary *(P)* Owner Mail Address
11 Upton Rd
Lagrangeville NY
125400000

Parcel Details

Size (acres):	78.60 Ac (C)	Land Use Class:	(120) Agricultural: Field Crops
File Map:		Agri. Dist.:	(1) 22
File Lot #:		School District:	(134601) Arlington School District
Split Town			

Assessment Information (Current)

Land:	Total:	County Taxable:	Town Taxable:	School Taxable:	Village Taxable:
$873000	$1043000	$302129	$302129	$302129	$0

Tax Code:	Roll Section:	Uniform %:	Full Market Value:
H: Homestead	1	100	$ 1043000

Tent. Roll:	Final. Roll:	Valuation:
5/1/2016	7/1/2016	7/1/2015

Last Sale/Transfer

Sales Price:	Sale Date:	Deed Book:	Deed Page:	Sale Condition:	No. Parcels:
$0	2/22/1999 12:00:00 AM	21999	09014	(A)	2

Site Information:
Site Number: 1

Water Supply:	Sewer Type:	Desirability:	Zoning Code:	Used As:
(2) Private	(2) Private	(2) Typical	R120	( )

EXHIBIT G

ParcelAccess

24 Hives

Final Roll

Parcel Grid Identification #:
132800-6458-03-405120-0000
Municipality: East Fishkill

Parcel Location
W 50 Old Farm Rd

Owner Name on March 1
Neckles , Wayne *(P)*

Primary *(P)* Owner Mail Address
W 50 Old Farm Rd
Hopewell Junction NY
125330000

Parcel Details

Size (acres):	5.5 Ac (D)	Land Use Class:	(210) Residential: One Family Year-Round Residence
File Map:		Agri. Dist.:	(0)
File Lot #:		School District:	(135601) Wappinger Falls Central School District
Split Town			

Assessment Information (Current)

Land:	Total:	County Taxable:	Town Taxable:	School Taxable:	Village Taxable:
$93000	$272100	$272100	$272100	$272100	$0

Tax Code:	Roll Section:	Uniform %:	Full Market Value:
H: Homestead	1	100	$ 272100

Tent. Roll:	Final. Roll:	Valuation:
5/1/2016	7/1/2016	7/1/2015

Last Sale/Transfer

Sales Price:	Sale Date:	Deed Book:	Deed Page:	Sale Condition:	No. Parcels:
$185000	1/8/2001 12:00:00 AM	22001	00477	(G)	1

Site Information:
Site Number: 1

Water Supply:	Sewer Type:	Desirability:	Zoning Code:	Used As:
(2) Private	(2) Private	(2) Typical	R1	()

EXHIBIT G

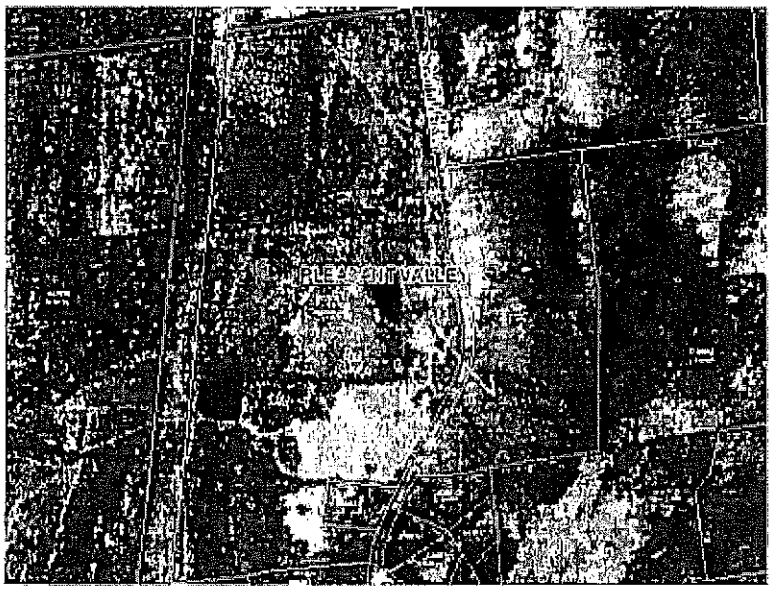
ParcelAccess

Final Roll

24 Hives

Parcel Grid Identification #:
134400-6364-02-577610-0000
Municipality: Pleasant Valley

Parcel Location
179-217 Smith Rd



Owner Name on March 1
Smith , Calvin R *(P)*
Smith , Dianthe W *(A)*

Primary *(P)* Owner Mail Address

PO Box 1500
Pleasant Valley NY
125690000

Parcel Details

Size (acres):	74.02 ac (c)	Land Use Class:	(280) Residential: Multi-Purpose/Multi-Structure
File Map:		Agri. Dist.:	(1) 20
File Lot #:		School District:	(134601) Arlington School District
Split Town			

Assessment Information (Current)

Land:	Total:	County Taxable:	Town Taxable:	School Taxable:	Village Taxable:
$632800	$773200	$773200	$773200	$773200	$0

Tax Code:	Roll Section:	Uniform %:	Full Market Value:
S: Homestead Split	1	100	$ 773200

Tent. Roll:	Final. Roll:	Valuation:
5/1/2016	7/1/2016	7/1/2015

Last Sale/Transfer

Sales Price:	Sale Date:	Deed Book:	Deed Page:	Sale Condition:	No. Parcels:
$0	1/23/2010 2:54:57 PM	22010	462	(A)	2

EXHIBIT G

Site Information:
Site Number: 1

TOWN OF LAGRANGE
OFFICE OF THE BUILDING INSPECTOR
120 Stringham Road, LaGrangeville, NY 12540
845-452-1830; Fax 845-452 7692

May 30, 2018

Agriculture and Farmland Protection Board
Amy M. Cross, Secretary
2715 Route 44, Suite 3
Millbrook, New York 12545

Re: Town of LaGrange (Remsburger Honey & Maple)

Dear Ms. Cross:

You have asked for land use violations, if any, from the Town of LaGrange regarding the application of Juliette Landi to include tax parcel # 6462-03-172062 in an Agricultural District.

The owner was engaged in making bees available to pollenate crops on properties other than their residence. At start up, hives and queen bees were removed from the fields to harvest honey in a large butler building on the parcel. The hives were then returned to the field. Based on that activity, the owner was classified as a home occupation and a use permit for such activity was issued by the Town.

The owner has begun a practice of bringing hives back to 18 Traver Road as an apiary and staging area, rather than leaving the hives on the outlying properties. Land has been cleared to this end. To the best of my knowledge, bees are in an agitated state, and more aggressive, as a result of such relocations. The Landi property is located in the Residential Low Density zoning district. And, the parcel has several residential neighbors. They have expressed concern about exposure to agitated bees.

The request for inclusion in the Agricultural District is based on activity which is a zoning violation.

18 Traver Road is approximately 2.1 acres in size located in the RLD zone. Farming is a permitted use in all zones, subject to the definition of farming in the Local Zoning Law. The definition of farm, to which the table of uses refers at footnote 37, requires a minimum of 7 acres. The Landi parcel falls almost 5 acres short.

The intensity of the production of honey at 18 Traver Road raises the additional question as to whether the activity, now including an advertised apiary, is subordinate to the residence, or the residence is subordinate to the commercial activity which provides honey to several markets. The expanded activity differs markedly from representations made to obtain the use permit for home occupation.

EXHIBIT H

The application for home occupation represented that no insects would be kept on the property. Bees fall within the category of insects. The current activity contravenes representations made in the application. There is a good case to be made that the commercial activity on site, with coming and going of box trucks and the apiary and staging area for hives, is now a predominate use of the residential property. A home occupation requires that the activity be subordinate to the residence. (LaGrange Town Code 240-54.) I conclude that the residence is now subordinate to the commercial apiary use. The owner will be given a due process opportunity to comment in writing before the home occupation permit is vacated.

In conclusion, it appears that:

1. Farming activity on less than 7 acres is not permitted in the zoning district.

2. The farming activity, in this case the production of honeys and apiary activity, has become predominate over the residential use.

3. Representations in the home occupation application are being contravened.

4. The Town will consider revoking the home occupation permit, after providing written notice, and opportunity to be heard in writing, to the owner.

The Municipal Code Enforcement Inspector, under the direct supervision of The Zoning Administrator is empowered to issue a ruling as to zoning violations.

TOWN OF LAGRANGE

By: _____

JUSTIN NOYES,

MUNICIPAL CODE ENFORCEMENT INSPECTOR

EXHIBIT H

Morris, Carolyn

From: AG and Farmland Protection Board <dutchessafpb@gmail.com>
Sent: Wednesday, September 5, 2018 2:37 PM
To: Pulver, Gregg; Morris, Carolyn
Subject: Fwd: Rembsburger Honey & Maple
Attachments: 18 Traver Road.pdf

---------- Forwarded message ---------
From: **AG and Farmland Protection Board** <dutchessafpb@gmail.com>
Date: Wed, Sep 5, 2018 at 11:36 AM
Subject: Fwd: Rembsburger Honey & Maple
To: <gpulver@dutchessny.gov>

---------- Forwarded message ---------
From: **AG and Farmland Protection Board** <dutchessafpb@gmail.com>
Date: Tue, Jul 10, 2018 at 7:55 PM
Subject: Fwd: Rembsburger Honey & Maple
To: Wrafter, Eoin <ewrafter@dutchessny.gov>

---------- Forwarded message ---------
From: Regina Crawford <rcrawford@lagrangeny.gov>
Date: Thu, May 31, 2018 at 11:22 AM
Subject: Rembsburger Honey & Maple
To: dutchessafpb@gmail.com <dutchessafpb@gmail.com>

Good Morning Ms. Cross,

Attached please find our response to your request for information on violations on 18 Traver Road.

Thank you,

Regina Crawford

Secretary to the Zoning Board of Appeals

Town of LaGrange

120 Stringham Road

LaGrangeville, NY 12540

(845) 452 - 1872

TOWN OF LAGRANGE
OFFICE OF THE BUILDING INSPECTOR
120 Stringham Road, LaGrangeville, NY 12540
845-452-1830; Fax 845-452 7692

May 30, 2018

Agriculture and Farmland Protection Board
Amy M. Cross, Secretary
2715 Route 44, Suite 3
Millbrook, New York 12545

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The owner has begun a practice of bringing hives back to 18 Traver Road as an apiary and staging area, rather than leaving the hives on the outlying properties. Land has been cleared to this end. To the best of my knowledge, bees are in an agitated state, and more aggressive, as a result of such relocations. The Landi property is located in the Residential Low Density zoning district. And, the parcel has several residential neighbors. They have expressed concern about exposure to agitated bees.

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The application for home occupation represented that no insects would be kept on the property. Bees fall within the category of insects. The current activity contravenes representations made in the application. There is a good case to be made that the commercial activity on site, with coming and going of box trucks and the apiary and staging area for hives, is now a predominate use of the residential property. A home occupation requires that the activity be subordinate to the residence. (LaGrange Town Code 240-54.) I conclude that the residence is now subordinate to the commercial apiary use. The owner will be given a due process opportunity to comment in writing before the home occupation permit is vacated.

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The Municipal Code Enforcement Inspector, under the direct supervision of The Zoning Administrator is empowered to issue a ruling as to zoning violations.

TOWN OF LAGRANGE

By: _____

JUSTIN NOYES,

MUNICIPAL CODE ENFORCEMENT INSPECTOR

Morris, Carolyn

From: Juldemar <juldemar13@aol.com>
Sent: Wednesday, September 5, 2018 9:37 AM
To: County Legislators
Subject: FAKE NEWS - LaGrange violations
Attachments: LaGrange.pdf; Response.pdf; Justin.pdf

Good Morning Legislators,

It's the Honey people again!

First thing - WE DO NOT HAVE ANY VIOLATIONS - ZONING OR OTHERWISE - with the Town of LaGrange.

Second - Even if we did - according to NYS Ag & Markets, they are not to be factored into the decision to include us in the Agricultural District! It is not part of the criteria!

You are all being fed a LIE - FAKE NEWS! So that Chairman Pulver can get his way!

Please see attached, the June 4th dated document from the Town of LaGrange - although I'm sure you have already received a copy from Chairman Pulver. (If you would like all of the exhibit attachments - just ask - I will forward.) Please note - this document is NOT an order to remedy anything.

What I'm sure he didn't give you was my response. Which was submitted to the AFPB- So it is attached as well!

On July 12, 2018 - Justin Noyes, from the Town of LaGrange came to our property for a visit.

Mr Noyes stated that we were in complete compliance. Haven't received anything from them since!

As Legislators you must do you due diligence and hear both sides of the story. Please don't follow blindly along party lines.

Agriculture should not be voted on political lines.

Thank you,
Juliette Landi
Dennis Remsburger

OFFICE OF THE ZONING ADMINISTRATOR

Town of LaGrange

Dutchess County, New York

Notice of Intended Revocation
Opportunity to be Heard

06-18-4

In the matter of Juliette Landi, 18 Traver Road, Pleasant Valley, NY 12569. Home Occupation to process maple syrup and honey.

FACTS

1. **Juliette Landi**, the owner of 18 Traver road located at Grid No. **6462-03-172062** in an RLD zoning district containing 2.1 acres.

2. **Juliette Landi,** (hereinafter "the permit holder") purchased the property January 5, 2017.

3. The parcel containing 2.1 acres is a legal nonconforming as to area. The RLD zoning district requires 2.75 acres.

4. The parcel is **not** located in an agricultural district and does **not** qualify as a farm as defined in section §240-112 Definitions.

5. Juliette Landi submitted a **statement of use** with application seeking to operate a home occupation for processing maple syrup and honey.

6. Juliette Landi was issued a **Use Permit** on March 6, 2017 after public notice was circulated containing her statement of use, for a home occupation to process maple syrup and honey, pursuant to the requirements set forth in §240-54 Home Occupation.

7. On February 14, 2018, the permit holder submitted an application to the Town of LaGrange Assessor's Office for an **agricultural assessment**.

8. On April 26, 2018, the permit holder submitted an application to the AG and Farmland Protection Board requesting **placement into an agriculture district**.

9. In early spring of this year, a concern was brought to the town regarding numerous bees on the property at 18 Traver Road which prompted the town to look into the matter.

FINDINGS

WHEREAS, in the statement of use received by the building department on February 16, 2017, the permit holder stated that the business would be for *processing maple syrup and honey* on the parcel. The permit holder specifically stated; *every practicable precaution shall be taken to exclude birds, insects, rodents and other vermin and animals from the premises of the operation.* (Exhibit A)

WHEREAS, on May 3, 2018 in a correspondence to the Town Assessor, Robert Taft, the permit holder submitted contradictive information seeking to obtain an agricultural exemption. The permit holder stated in an email to Mr. Taft; *we sell Nucleus 'nuc' colonies every spring, which are taken care of on the property until sold. We also raise Queen Honey Bees here.* (EXHIBIT C)

WHEREAS, according to a correspondence between Robert Taft and Bob Somers, Manager of Agricultural Protection Unit Division of Land and Water Resources, it was stated that Paul Cappy, Director of the Apiary division, advised Mr. Taft that raising queen bees is not permitted. (Exhibit D)

WHEREAS, on May 18, 2018 the Town of LaGrange was made aware that application was made to the AG and Farmland Protection Board from an email request to provide the AG and Farmland Protection Board with any violations. (EXHIBIT E)

WHEREAS, on April 26, 2018 the permit holder submitted application to the AG and Farmland Protection Board on forms produced by the NY State Department of Agriculture and Markets which was contradictory to what was submitted to the building and zoning department and the town assessor's office. (EXHIBIT F)

WHEREAS, by letter dated May 30, 2018, the Municipal Code Enforcement Inspector gave the Farmland Protection Board a statement of zoning violations at 18 Traver Road, in response to the board's inquiry. (EXHIBIT H). The violations stated in that letter are incorporated in this Notification of Intended Revocation.

WHEREAS, §240-54 Home Occupation states: *Purpose. The provisions of this section are to help provide peace, quiet, and domestic tranquility with all residential neighborhoods while recognizing that limited home occupational use can be useful to the general community as well as the resident-proprietor.*

FINDINGS CONTINUED

WHEREAS, §240-54 (B) Procedure. *Persons seeking to establish a home occupation must seek a use permit from the Zoning Administrator, who shall require, at a minimum, an application letter describing the use, hours of operation, traffic, parking, and effect on neighboring properties, with a sketch of the house and parking. The applicant shall notify all neighbors within 150 feet and shall certify to the Zoning Administrator that such notification has been given. The application shall be accompanied by an application fee; the amount of the fee shall be set forth on the prevailing fee schedule adopted by resolution of the Town Board and as such schedule is modified from time to time by resolution of the Town Board. The permit expires when the occupation changes or the property is sold. Permitted home occupations operated in any dwelling unit may be operated only if they comply with all of the following conditions*

WHEREAS, §240-54 Home Occupation (1) states: *A home occupation must be incidental to the use of a dwelling unit for residential purposes.*

WHEREAS, §240-26 General Regulations (A) states: *Lot for every building. Every building hereafter erected shall be located on a lot as herein defined, and there shall be not more than one principal building on one lot, except as specifically permitted elsewhere in this chapter.*

WHEREAS, §240-54 Home Occupation (6) states: *There shall be no outside evidence of the home occupation except that one sign shall be permitted as per* **§240-43** *of this chapter and* **Table 1** [1] *of that section.* (EXHIBIT B)

WHEREAS, §240-54 Home Occupation (8) states: *There shall be no exterior storage of materials to be used in conjunction with a home occupation.* (EXHIBIT B)

WHEREAS, §240-54 Home Occupation (10) states: *An existing accessory structure can be used for a home occupation, provided that there are no exterior modifications and that the use will not change the residential or agricultural character of the area.*

WHEREAS, §240-112 Definitions states: *Farm, An area of land consisting of not less than seven acres, unless the parcel is located in a state-certified agriculture district, where crops are grown or animals are reared for commercial purposes, together with appropriate buildings. Nothing herein shall be deemed to prohibit gardening, the raising of animals as may be regulated elsewhere in the Code, or other agricultural activities conducted for private use or consumption as an accessory use to a dwelling.*

DETERMINATION

WHEREAS, the business has exceeded the purpose of section §240-54 Home Occupation and has expanded into a principal commercial operation which is not subordinate to the residential use.

WHEREAS, the commercial operation is not providing peace, quiet, and domestic tranquility within the residential neighborhood.

WHEREAS, the use is not incidental and subordinate to the use of the property as a single-family residence therefore is no longer in compliance with section §240-54 Home occupation (1).

WHEREAS, bees are considered an insect, the permit holder stated *every practicable precaution shall be taken to exclude insects*, when in fact she is raising and selling queen bees. (EXHIBIT C).

WHEREAS, in a correspondence between Bob Somers, Manager of Agricultural Protection Unit Division of Land and Water Resources and Robert Taft regarding the concern of having bees on the property, Mr. Taft was advised by Paul Cappy, Director of the Apiary division that the permit holder cannot have nuisance bees on the property, queen bees fall under nuisance bees. (EXHIBIT D).

WHEREAS, the permit holder is storing numerous bee boxes on the exterior of the building, therefore is no longer in compliance with section §240-54 (6) and (8). (EXHIBIT B)

WHEREAS, the permit holder submitted contradicting information to the Building and Zoning department in order to obtain a use permit for a home occupation. (EXHIBIT A)

WHEREAS, the permit holder submitted alternate information to the Assessor's office in effort to obtain an agricultural exemption for the property in pursuit of an agricultural assessment. (EXHIBIT C)

WHEREAS, the permit holder submitted alternate information to New York State Department of Agriculture and Markets to be placed in an agriculture district. (EXHIBIT F)

THEREFORE, based upon review of the facts and findings, it is the intended **official determination** of this office that deceptive and misleading information was given in order to obtain a use permit for a home occupation. The commercial business exceeds the intent of a home occupation and no longer qualifies under §240-54 Home Occupation requirements.

INTENDED REVOCATION

As and for procedural due process, the permit holder is afforded the opportunity to respond in writing to be received by the Building Inspector within ten (10) days of this Notice.

RIGHT TO APPEAL

In the event that the Intended Revocation is issued after the permit holder is given the opportunity to be heard, the permit holder has a right to appeal to the Zoning Board of Appeals shall be taken within 60 days after the filing of any such order by filing with the official a notice of appeal specifying the grounds thereon and the relief sought. The official from whom the appeal is taken shall, forthwith, transmit to the Zoning Board of Appeals all of the papers constituting the record upon which the action appealed from was taken per §240-92 of the Town of LaGrange Zoning Code.

RECEIVED

Date: JUN 04 2018

LAGRANGE TOWN CLERK

Signed: _____

Justin Noyes
Municipal Code Enforcement Inspector

Town Clerk: Christine O'Reilly-Rao

VIA CERTIFIED AND REGULAR MAIL

PO Box 223
Pleasant Valley, NY 12569
845-891-6800
June 11, 2018

Town of LaGrange
Office of the Zoning Administrator
120 Stringham Rd
LaGrangeville, NY 12540

Attn: Building Inspector

To whom it may concern;

I am in receipt of your Notice of Intended Revocation. In response to your determination, I would argue that the Home Occupation is indeed subordinate to the residential use of the property and follows all of the Town's criteria for a home business and therefore is in compliance.

- It is incidental to the use of a dwelling unit for residential purposes.
- It is owner-occupied
- No more than 30% of the total floor area of the dwelling unit is used
- We are not open to the public
- We do not have employees

I am not sure what you are basing your 'alternative' facts on.

We have spoken at length to our immediate neighbors and not one is questioning their peace, quiet or domestic tranquility.

The reference to 'insects' in my application was derived from NYS Agriculture & Markets Regulations - it has nothing to do with bees on the property, it has to do with sanitary conditions during packaging (Ag & Markets - Section 276.4). It was not a condition directed by town code to qualify for our permit.

In our approved permit application it was made very clear that we produce honey. It is impossible to produce honey without honey bees. Let's face it, there are bees everywhere - with or without honey production. Any reasonable person would understand that in order to produce honey that honey bees would be required. We consider our bees livestock, they are an intricate part of the production of agriculture, they contribute to the farm industry across the county, they are not a pest or vermin that should be exterminated.

In the correspondence between Bob Somers and Robert Taft - your EXHIBIT D - Mr. Taft makes various quotes (hearsay) supposedly coming from Mr. Paul Cappy. During Mr. Taft's phone call, he conveniently failed to inform Mr. Cappy that the beekeeper in this operation is Dennis Remsburger, with whom Mr. Cappy has had a 20 year professional relationship with. Mr. Cappy is well aware that our bees are very well taken care of, and have been inspected numerous times over the years. Mr. Remsburger is registered with the state and has been inspected as required. Queen bees are not nuisance bees, and they are contained their entire lives until placed in a colony of their own - and Mr. Cappy would never state anything to the contrary. There are no laws/ordinances against us raising our own Queen Bees. For your information, nuisance bees by their very definition are either sick, contagious or africanized. We do not have nuisance bees on our property or anywhere else for that matter.

When we first moved into LaGrange, Mr. Taft had told us verbally that he was willing to give us the Ag assessment after our first year of living here, he would work with us he said, he

VIA CERTIFIED AND REGULAR MAIL

would help us in any way he could. Instead of being helpful he has tried at every twist and turn to put us out of business. Not sure what his motivation is, but perhaps it should be addressed by the powers that be.

The bee boxes mentioned in the determination that are periodically outside the building come and go very quickly and they are part of the process of honey extraction. They do not contain colonies of bees. They are not storage. If it would please the town and the neighbors we can certainly erect a fence along the side of the property so that no one has to see boxes coming off the truck and back onto the truck.

Regarding the accusation that I provided contradicting information, or alternate information on applications, that is a total falsehood. I take an incredible offense at the insinuation that I am lying or trying to manipulate. I mentioned Queen Bee rearing and Nucleus colony creation. As mentioned before that does NOT fall into the exclusion of insects. Nucleus colonies are created and sold within days, there are no local ordinances that preclude anyone in LaGrange from having bee hives on their property. It is weak minded people that will simply state someone is a liar based on others falsified information. You should all think twice and do your research before accusing anyone of lying. Your actions are considered defamation (in written form as libel) and are punishable by law.

In addition, I would also like to address the fact that you sent a letter to the Agriculture and Farmland Protection Board stating that we have land use violations. They apparently received this information before we had any knowledge of it.

You state that we are clearing land to bring bee boxes to our property?? - that is not the truth! We have removed two trees which were dead and two trees needed to be removed for our solar installation. Neither instance has anything to do with bee boxes - or our business for that matter. Are there local ordinances stating that I cannot remove a tree or trees from my property? Please advise.

We have spoken to our neighbors, no one has any concern for the bees, yet you tell the Ag Board that our residential neighbors have concerns about agitated bees. There are no agitated bees here.

You state to them that, "The request for inclusion in the Agricultural District is based on activity which is a zoning violation." What exactly is the activity/zoning violation you speak of?

You speak of an "advertised apiary," Again, I'm not sure what you are talking about, I would appreciate clarification.

We currently have one honey bee colony on our property. There are no ordinances that say I can't have a beehive on my property. If anyone in your office would like a lesson in beekeeping, Dennis teaches hundreds of people every year how to keep bees and he is more than willing to educate you also.

We do not have nuisance bees on our property or elsewhere.

We have complied with your Home Occupation definition in its' entirety.

Based on the true facts, we should not have our permit taken away.

Juliette Landi

Juliette Landi
Owner
18 Traver Rd, Pleasant Valley, NY

NEW YORK STATE OF OPPORTUNITY. | Agriculture and Markets

ANDREW M. CUOMO
Governor

RICHARD A. BALL
Commissioner

June 8, 2018

Juliette Landi
Dennis Remsburger
18 Traver Road
Pleasant Valley, NY 12569

To Whom it may concern,

Dennis Remsburger buys his queens from a queen producer. The queen producing operation is certified to be disease free. Dennis does not need to have his operation certified to raise queens for his own personal use. However, if he did raise queens for sale in the future, he would require a certificate from Agriculture and Markets to do just that activity. The queen's whole purpose is to lay the eggs in a colony. She is attended by her nurse bees and these bees that feed and groom her. Queen bees are not considered a "nuisance bee." There is only one queen in a colony and she stays mainly in the colony to lay the eggs.

Dennis Remsburger is a registered beekeeper in NYS apiary inspection program. When talking with Robert Taft, I did not realize Dennis was part of Juliette Landi in their beekeeping activities. I have known Dennis as a beekeeper for about twenty years as a good and knowledgeable beekeeper. If I had known Dennis was working with Juliette keeping colonies of bees, I would have had a better perspective and knowledge for what Robert Taft was indicating to me in our phone conversation.

NYS has for the past two years been inspecting beekeepers that sell starter colonies called "Nucs." Nucs is short for nucleus colonies. The apiary inspection program has been reaching out to beekeepers who produce and sell nucleus colonies locally. Dennis's name was added this year to the growing list of beekeepers. The plan is to inspect the colonies and provide him with a certificate to sell "Nucs."

The basic regulations for packaging honey or maple syrup by Agrriculture and Markets law says honey bees as an <u>insect</u> can be present at the time of extracting honey from the frames of honey. However, birds, other rodents, other vermin and animals should be excluded from the premises of the operation during extracting the honey.

If there are any further questions, I would be glad to answer them.

Sincerely,

Paul Cappy

Paul Cappy
Apiculturist

TOWN OF LAGRANGE

OFFICE OF CODE ENFORCEMENT

120 Stringham Road, LaGrangeville, NY 12540
845-452-1830 x122; Fax 845-452-7692

DATE: June 11, 2018

TO: Juliette Landi
18 Traver Road
Pleasant Valley NY, 12540

FROM: The Office of Code Enforcement

RE: Notice of Intended Revocation

Dear Ms. Landi

This letter will confirm our conversation of June 6, 2018 regarding your receipt of the Notice of Intended Revocation of your Home Occupation.

You were advised that you have 10 days from the date received of June 5, 2018 to reply to this office in writing addressing the concerns identified in the notice. Should the certificate for your home occupation be revoked, you will have 60 days to appeal the decision to the Zoning Board of Appeals.

A re-inspection will be conducted by this office on or after the 10 days. Please insure that your property is in compliance with the code.

Thank you for your cooperation in this matter.

Sincerely,

Justin Noyes
Municipal Code Enforcement Inspector

JN

Morris, Carolyn

From: Krista Waldron <Fourwaldrons@optonline.net>
Sent: Tuesday, September 4, 2018 11:35 PM
To: County Legislators
Subject: Remsburger Honeybee Farm

Based on how the Ag guidelines read why is this farm not allowed in? Better yet why was the resolution not signed by Marc Molinaro, after the vote of 13/10 on August 20th at the Dutchess County Fair Grounds. Why is this going back to a re vote? What seems to be the real issue here? What political games are being played and why? Why were other members bullied by emails to vote against the Remsburger's ?
There seems to be something more going on here? I think Gregg Pulver needs to explain why??? Don't just give us your not changing your vote. Come clean and explain yourself....

Krista M. Remsburger Waldron

Morris, Carolyn

From: cctang@aol.com
Sent: Tuesday, September 4, 2018 9:39 PM
To: County Legislators
Subject: Honey Farm

We do not understand the delay on affirming the Remsburger Honey Farm. What a great business--- something we all need (bees pollinating crops) and a great advantage to Dutchess.

Thanks for taking care of this expediently. Carole Tang (Poughquag)

Morris, Carolyn

From: Carol Loper <peniquid@yahoo.com>
Sent: Tuesday, September 4, 2018 8:16 PM
To: County Legislators
Subject: Resolution on Remsburger Honey Farm

What is the real hold up on signing the Resolution. This family has generations of farmers, we all need bees.

Thank you

Carol Loper
207 Beilke Rd
Millerton NY 12546

Morris, Carolyn

From: Joel Tyner <joeltyner@earthlink.net>
Sent: Tuesday, September 4, 2018 7:08 PM
To: County Legislators
Subject: Colleagues— Geoff Palmer is Director of Intergovernmental Affairs for NYS Ag & Markets... Fwd: Dutchess County Agricultural District
Attachments: [Untitled].pdf

Sent from my iPhone

Begin forwarded message:

> **From:** "Palmer, Geoff (AGRICULTURE)" <Geoff.Palmer@agriculture.ny.gov>
> **Date:** September 4, 2018 at 5:52:08 PM EDT
> **To:** "joeltyner@earthlink.net" <joeltyner@earthlink.net>
> **Subject: Dutchess County Agricultural District**
>
> Mr. Tyner,
>
> Thank you for contacting the Department regarding the County Ag. District inclusion process. The Department under Ag. District Law (§303-b) has a very limited authority concerning the mechanics of the local processes. Our role is quite narrow in that we are obligated to document that the specific process outlined by law, subparagraph 5 of Ag Districts Law 303b were followed, and if so, certify the inclusions to the District.
>
> The process starts with Ag. Districts Law 303-b (1)...See below for the actual law. The designation of starting the 30 day period is posted on our Website: https://www.agriculture.ny.gov/ap/agservices/30_Day_Period_Designation_List.pdf. For Dutchess County the dates are April 15 – May 14. During that time is when farmers petition to be included. The County must then meet the requirements of Agriculture and Markets Law 303-b (2, 3, 4, 5, 6 ..see below). Which means the County has 120 days from May 14 , 2018 to submit the inclusion.
>
> The County Legislature did submit an email request to the Department on August 27, 2018 requesting a one day extension from the Statutory requirement of 120 days because the next planned board meeting was on September 12, 2018. The County legislature's rationale was that "several of the supporting votes for a particular property's inclusion were unaware of pending legal matters between the town and property.
>
> The Department responded and noted that a delay beyond 120 days could subject the County Legislature to legal action by an aggrieved landowner or other party. We also let the County Legislature know that if they plan to have another meeting and consider repealing the resolution they already passed, the Legislature should consult its attorney as that action could be challenged by an aggrieved party or landowner in State Supreme Court. I would also point out that Our Division of Land and Water has no recent memory or historical reference of a

similar action taken by a County legislature to approve an inclusion and then acting to rescind it.

The County Legislature asked in their August 27, 2018 correspondence, if the County Executive has role to play in annual inclusions and could he Veto a County approved inclusion? We responded, that: "The County Executive does not have a role in annual inclusions under AML §303-b. The County Legislature makes a decision to 'adopt or reject the inclusion of the land requested to be included within an existing certified agricultural district.'"AML §303-b (4).

Additionally, attached is background that Bob Somers, our Manager of the Farmland Protection Unit has shared with Juliette Landi and Dennis Remsburger. The first document states clearly that Mr. Somers considers the Landi/Remsbruger apiary operation to be a farm operation as defined by AML 301 (11). The next document is the location of the Landi Property, which appears to be near the current Agricultural Districts. The next page includes information about Agricultural Districts Law and specifically the inclusion of Apiary products. The next page is a letter to the Suffolk county AFPB board that clarifies some issues we had when they were denying several "start-up" farm operations to be included in the Ag district.

Should you or any other members of your County legislature which to talk to the Department about the inclusion process we would be glad to discuss it. I can be reached at:
(518) 485-7728.

Sincerely,

Geoff

§ 303-b. Agricultural districts; inclusion of viable agricultural land. 1. The legislative body of any county containing a certified agricultural district shall designate an annual thirty-day period within which a land owner may submit to such body a request for inclusion of land which is predominantly viable agricultural land within a certified agricultural district prior to the county established review period. Such request shall identify the agricultural district into which the land is proposed to be included, describe such land, and include the tax map identification number and relevant portion of the tax map for each parcel of land to be included.

2. Upon the termination of such thirty-day period, if any requests are submitted, the county legislative body shall:

a. refer such request or requests to the county agricultural and farmland protection board, which shall, within thirty days report to the county legislative body its recommendations as to whether the land to be included in the agricultural district consists predominantly of "viable agricultural land" as defined in subdivision seven of section three hundred one of this article and the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the district; and

b. publish a notice of public hearing in accordance with subdivision three of this section.

3. The county legislative body shall hold a public hearing upon giving notice in the following manner:

a. The notice of public hearing shall contain a statement that one or more requests for inclusion of predominantly viable agricultural land within a certified agricultural district have been filed with the county

legislative body pursuant to this section; identify the land, generally, proposed to be included; indicate the time, date and place of the public hearing, which shall occur after receipt of the report of the county agricultural and farmland protection board; and include a statement that the hearing shall be held to consider the request or requests and recommendations of the county agricultural and farmland protection board.

b. The notice shall be published in a newspaper having a general circulation within the county and shall be given in writing directly to those municipalities whose territory encompasses the lands which are proposed to be included in an agricultural district and to the commissioner.

4. After the public hearing, the county legislative body shall adopt or reject the inclusion of the land requested to be included within an existing certified agricultural district. Such action shall be taken no later than one hundred twenty days from the termination of the thirty day period described in subdivision one of this section. Any land to be added shall consist of whole tax parcels only. Upon the adoption of a resolution to include predominantly viable agricultural land, in whole or in part, within an existing certified agricultural district, the county legislative body shall submit the resolution, together with the report of the county agricultural and farmland protection board and the tax map identification numbers and tax maps for each parcel of land to be included in an agricultural district to the commissioner.

5. Within thirty days after receipt of a resolution to include land within a district, the commissioner shall certify to the county legislative body whether the inclusion of predominantly viable agricultural land as proposed is feasible and shall serve the public interest by assisting in maintaining a viable agricultural industry within the district or districts.

6. If the commissioner certifies that the proposed inclusion of predominantly viable agricultural land within a district is feasible and in the public interest, the land shall become part of the district immediately upon such certification.

Geoff Palmer

Director of Intergovernmental Affairs

NYS Department of Agriculture and Markets
10B Airline Drive, Albany, NY 12235
(518) 485-7728 -- Geoff.Palmer@agriculture.ny.gov
http://www.agriculture.ny.gov

NEW YORK STATE OF OPPORTUNITY. | Agriculture and Markets

ANDREW M. CUOMO
Governor

RICHARD A. BALL
Commissioner

June 8, 2018

Juliette Landi
Dennis Remsburger
18 Traver Road
Pleasant Valley, NY 12569

RE: Treatment of Apiaries Under the Agriculture and Markets Law (AML)

Dear Ms. Landi:

You called yesterday concerning the Town's treatment of your farm operation, including the keeping of bees and the processing of honey and apiary products as defined in AML 301(2)(j). You also indicated that the Dutchess County Agriculture and Farmland Protection Board is reluctant to recommend the inclusion of your two-acre parcel of land, that is used as part of your farm operation, into a county adopted, State certified agricultural district.

Farming Activity

You stated that your farm operation consists of a two-acre parcel where "apiary products" are harvested, processed and stored in a newly constructed building that was built for that purpose. You indicated that the farm owns approximately 450 hives that are located on 14 parcels of land, within Dutchess County. The bees pollinate the crops of the respective landowners. You maintain the bees on-site and bring the supers back to your farm to harvest and store the honey and other apiary products prior to sale. You indicated that the direct gross sales associated with your apiary products operation are in excess of the $50,000 required to be eligible for an agricultural assessment on 7 or fewer acres of land.

To help verify your gross sales value, the Department examined USDA's National Agricultural Statistics Service (NASS) estimates for only honey produced in New York. The average production of honey, per hive, in 2017, was 56 pounds. The average price per pound for honey was $6.24. Based upon these figures, an average farm with 450 hives, in a normal year with sales at an average market (outside of NYC) would be expected to gross over $157,000. However, it is recognized that many beekeepers exceed both the average pounds of honey produced per hive and the sale price per pound. This estimated average gross sales figure does not include income received from the sale of other apiary products, such as beeswax, bee pollen, propolis, nucs, queens, etc. Most beekeepers sell some, if not all of the apiary products identified in §301(2)(j) of the AML.

Agricultural Districts Law, Land Used in Agricultural Production, AML §301(4)

In 2008, The Legislature amended the AML to add a new paragraph (j) to §301(2) that added "apiary products" to the definition of "crops, livestock and livestock products," a new paragraph (k) to §301(4) to independently qualify apiaries for an agricultural assessment and a new

Subdivision (16) to define "apiary products operation" (see attached compendium on the apiary amendments to the AML).

Apiary products, including honey..., are considered a crop under the AML. Furthermore, the land used to support an apiary products operation [AML §301(4)(k)] must be owned and consist of not less than seven acres nor more than ten acres with average gross sales of $10,000 or more or less than seven acres with an average gross sales value of $50,000 or more. This section of the statute includes land under a structure where apiary products are produced, harvested and stored for sale and a buffer area to maintain space between the operation and adjacent properties. Rented land associated with an apiary products operation is not eligible for an agricultural assessment based upon its use by bees.

Based upon information obtained from you, it would be difficult to dispute that you meet the acreage and income requirements as specified in the AML §301(4)(k). Your property, minus the footprint of the house, should be eligible for an agricultural assessment, including the land beneath the agricultural building and the open land (buffer) within the boundary of your parcel of land.

Addition of Land to an Agricultural District Under AML §303-b

Adding land to an Agricultural District, through an 8-year or annual review, is described by Law, and involves the landowner, affected municipality, County AFPB and County Legislature. I am not sure what criteria is being used by Dutchess County to guide the AFPB in making recommendations to the County Legislature under the AML §303-b process. However, I have attached a letter from the Department, to the Chair of the Suffolk County AFPB, concerning criteria they used to determine eligibility for inclusion into an agricultural district. This letter is not entirely on point with your situation, but it does describe the role of the parties under the AML §303-b annual inclusion process.

I have not visited your operation, but based upon information provided during our phone conversation, the Department would consider you to be a farm operation as defined in AML §301(11).

Sincerely,

Robert Somers, PhD, CF
Manager, Farmland Protection Unit

Encs.
Cc: Paul Cappy, NYS Apiculturist, Dept. of A&M

Landi Property

Town of LaGrange

18 Traver Rd, Pleasant Valley, NY, 12569
Traver Rd
Traver Rd
Traver Rd

ARTICLE 25-AA – Agricultural Districts Law

The AML was amended in 2008 to include §§ 301(11), 301(2)(j), 301(4)(k) and 301(16)

§301. Definitions. When used in this article:

§301(2). "Crops, livestock and livestock products" shall include but not be limited to the following:

§301(2)(j). Apiary products, including honey, beeswax, royal jelly, bee pollen, propolis, package bees, nucs and queens. For the purposes of this paragraph, "nucs" shall mean small honey bee colonies created from larger colonies including the nuc box, which is a smaller version of a beehive, designed to hold up to five frames from an existing colony.

§301(4). "Land used in agricultural production" means... Land used in agricultural production shall also include:

§301(4)(k). Land used to support an apiary products operation which is owned by the operation and consists of (i) not less than seven acres nor more than ten acres used as a single operation in the preceding two years for the production for sale of crops, livestock or livestock products of an average gross sales value of ten thousand dollars or more or (ii) less than seven acres used as a single operation in the preceding two years for the production for sale of crops, livestock or livestock products of an average gross sales value of fifty thousand dollars or more. The land used to support an apiary products operation shall include, but not be limited to, the land under a structure within which apiary products are produced, harvested and stored for sale; and a buffer area maintained by the operation between the operation and adjacent landowners. Notwithstanding any other provision of this subdivision, rented land associated with an apiary products operation is not eligible for an agricultural assessment based on this paragraph.

§301(9). "Gross sales value" means the proceeds from the sale of:

§301(9)(a). Crops, livestock and livestock products produced on land used in agricultural production provided, however, that whenever a crop is processed before sale, the proceeds shall be based upon the market value of such crop in its unprocessed state;

§301(9)(c). Honey and beeswax produced by bees in hives located on an otherwise qualified farm operation but which does not independently satisfy the gross sales requirement;

§301(11). "Farm operation" means the land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a "commercial horse boarding operation" as defined in subdivision thirteen of this section, a "timber operation" as defined in subdivision fourteen of this section, "compost, mulch or other biomass crops" as defined in subdivision sixteen of this section and "commercial equine operation" as defined in subdivision seventeen of this section. Such farm operation may consist of one or more parcels of owned or rented land, which parcels may be contiguous or noncontiguous to each other.

§301(16). "Apiary products operation" means an agricultural enterprise, consisting of land owned by the operation, upon which bee hives are located and maintained for the purpose of producing, harvesting and storing apiary products for sale.

NEW YORK STATE OF OPPORTUNITY | Agriculture and Markets

ANDREW M. CUOMO
Governor

RICHARD A. BALL
Commissioner

February 26, 2015

Ken Schmitt, Chair
Suffolk County AFPB
Old East Neck Road
Melville, NY 11747

Dear Mr. Schmitt:

The Department has been approached by several "start-up" farm operations to provide comments to the Suffolk County Agricultural and Farmland Protection Board (AFPB) on its "2014 Evaluation Guidelines" for the addition of properties into a county adopted, State certified agricultural district. These "start-up" farms have expressed concerns to the Department that upon submittal if their application, the County indicated unlikely success, because they do not meet the eligibility criteria contained within the County's Evaluation Guidelines. The Department has reached out to the Suffolk County Planning Staff through e-mails as well as a visit in January by John Brennan, Agricultural Districts Manager for the Department, where the County's Guidelines were discussed.

Based upon a review of the Guidelines, it appears that prior to the land being included within an agricultural district during the County's §303-b annual review process, the land has to be actively farmed and meet the agricultural assessment eligibility criteria as specified in §301(4) of the Agriculture and Markets Law (AML). The Department has been informed by the County planning staff that the AFPB does not wish to include non-agricultural land within an agricultural district since they should not be afforded benefits if the property is not actively farmed.

Please be advised that land within an agricultural district that is not part of a "farm operation", as defined in AML §301(11), is not extended any benefits under State Law. The Department has protected both "active" and "start-up" farm operations through the Agricultural District Law, but it appears that the County's criteria does not allow "start-up" farms to be added to an agricultural district.

Under AML §303-b, the law states that land added to an agricultural district by the County Legislature must consist of "predominantly viable agricultural land". Viable agricultural land is defined in AML §301(7) as "...land highly suitable for a farm operation as defined in this section" [AML §301(11)]. I have attached a complete definition of "farm operation" and all of the definitions contained therein. As you can see, there are no acreage or gross sales

requirements except for horse boarding/equine operations. Furthermore, the definition of "farm operation" is not linked, in any way, to the agricultural assessment eligibility criteria contained in AML §301(4) and in Suffolk County's 2014 Evaluation Guideline.

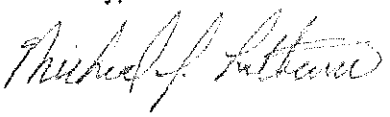
It is important that Suffolk County AFPB consider the needs of "start-up" farm operations. Without the ability to add such land to an agricultural district, new farm enterprises may not be able to become established and thrive. Furthermore, lack of protections under the AML from unreasonably restrictive local rules, regulations, laws and ordinances, will likely contribute to the conversion of more land to non-agricultural uses; which is not the intent of the AML.

Please consider the limiting language in the AML, which simply states that the AFPB provides its recommendations to the County Legislative Body on "whether the land to be included in the agricultural district consists predominantly of 'viable agricultural land' as defined in subdivision seven of section three hundred one of this article and the inclusion of such land" ...serves "the public interest by ... maintaining a viable agricultural industry within the district." Requiring land to be actively farmed and to meet the eligibility criteria for an agricultural assessment is not contained within this section of statute and is considered by the Department to be overly restrictive.

At the public hearing, the County Legislative Body may entertain comments from the public and affected municipalities concerning land to be added to an agricultural district. Statutorily, it is the Legislative Body that is charged with the responsibility of evaluating the sum considerations in adding or not adding viable agricultural land to the district.

We look forward to working with AFPB to address these concerns in support of agriculture in Suffolk County. If you have any questions or would like to discuss this issue further, please contact me at 518/457-3738 or michael.latham@agriculture.ny.gov.

Sincerely,



Michael J. Latham, Director

Cc: Robert Somers, Division of Land and Water Resources
John Brennan, Agricultural Districts Program Manager
Sarah Lansdale, Suffolk County Planning Director
Joanne Minieri, Suffolk County Deputy County Executive/Commissioner

SUFFOLK COUNTY
AGRICULTURAL AND FARMLAND PROTECTION BOARD

Suffolk County Agricultural & Farmland Protection Board
2014 Evaluation Guidelines
for Agricultural Districts Program Enrollment Applications

1) Does the proposal involve an **active** commercial agricultural production operation, a commercial horse boarding operation and/or a commercial equine operation?
2) Are there **≥ 7 acres** and **≥ $10,000** in annual gross sales or **< 7 acres** and **≥ $50,000** in annual gross sales for a commercial agricultural operation?
3) Are there **≥ 7 acres** and **≥ $10,000** in annual gross sales and at least 10 horses boarded/stabled for a commercial horse boarding or equine operation?
4) Is **≥ 50%** of the farmland in agricultural production and/or used in support of a commercial horse boarding operation and/or a commercial equine operation?

Additional Information Requested:

1) Does **≥ 50%** of the included land contain Prime Soils and/or Soils of Statewide Significance?
2) Have the farmland development rights been purchased by a municipality or not-for-profit on part or all of the farmland?

c/o SUFFOLK COUNTY DIVISION OF PLANNING AND ENVIRONMENT
H. LEE DENNISON BLDG., 4th FLOOR • PO BOX 6100 • HAUPPAUGE, NY 11788-0099 • T: (631) 853-5191 • F: (631) 853-4044

2015 Definition of Farm Operation

AML §301(11). "Farm operation" means the land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a "commercial horse boarding operation" as defined in subdivision thirteen of this section, a "timber operation" as defined in subdivision fourteen of this section and "compost, mulch or other biomass crops" as defined in subdivision sixteen of this section and "commercial equine operation" as defined in subdivision seventeen of this section. Such farm operation may consist of one or more parcels of owned or rented land, which parcels may be contiguous or noncontiguous to each other.

12. "Agricultural data statement" means an identification of farm operations within an agricultural district located within five hundred feet of the boundary of property upon which an action requiring municipal review and approval by the planning board, zoning board of appeals, town board, or village board of trustees pursuant to article sixteen of the town law or article seven of the village law is proposed, as provided in section three hundred five-a of this article.

13. "Commercial horse boarding operation" means an agricultural enterprise, consisting of at least seven acres and boarding at least ten horses, regardless of ownership, that receives ten thousand dollars or more in gross receipts annually from fees generated either through the boarding of horses or through the production for sale of crops, livestock, and livestock products, or through both such boarding and such production. Under no circumstances shall this subdivision be construed to include operations whose primary on-site function is horse racing. Notwithstanding any other provision of this subdivision, a commercial horse boarding operation that is proposed or in its first or second year of operation may qualify as a farm operation if it is an agricultural enterprise, consisting of at least seven acres, and boarding at least ten horses, regardless of ownership, by the end of the first year of operation.

14. "Timber operation" means the on-farm production, management, harvesting, processing and marketing of timber grown on the farm operation into woodland products, including but not limited to logs, lumber, posts and firewood, provided that such farm operation consists of at least seven acres and produces for sale crops, livestock or livestock products of an annual gross sales value of ten thousand dollars or more and that the annual gross sales value of such processed woodland products does not exceed the annual gross sales value of such crops, livestock or livestock products.

15. "Agricultural tourism" means activities, including the production of maple sap and pure maple products made therefrom, conducted by a farmer on-farm for the enjoyment and/or education of the public, which primarily promote the sale, marketing, production, harvesting or use of the products of the farm and enhance the public's understanding and awareness of farming and farm life.

* 16. "Apiary products operation" means an agricultural enterprise, consisting of land owned by the operation, upon which bee hives are located and maintained for the purpose of producing, harvesting and storing apiary products for sale.

* NB There are 2 subd. 16's

* 16. "Compost, mulch or other organic biomass crops" means the on-farm processing, mixing, handling or marketing of organic matter that

is grown or produced by such farm operation to rid such farm operation of its excess agricultural waste; and the on-farm processing, mixing or handling of off-farm generated organic matter that is transported to such farm operation and is necessary to facilitate the composting of such farm operation's agricultural waste. This shall also include the on-farm processing, mixing or handling of off-farm generated organic matter for use only on that farm operation. Such organic matter shall include, but not be limited to, manure, hay, leaves, yard waste, silage, organic farm waste, vegetation, wood biomass or by-products of agricultural products that have been processed on such farm operation. The resulting products shall be converted into compost, mulch or other organic biomass crops that can be used as fertilizers, soil enhancers or supplements, or bedding materials. For purposes of this section, "compost" shall be processed by the aerobic, thermophilic decomposition of solid organic constituents of solid waste to produce a stable, humus-like material.

17. "Commercial equine operation" means an agricultural enterprise, consisting of at least seven acres and stabling at least ten horses, regardless of ownership, that receives ten thousand dollars or more in gross receipts annually from fees generated through the provision of commercial equine activities including, but not limited to riding lessons, trail riding activities or training of horses or through the production for sale of crops, livestock, and livestock products, or through both the provision of such commercial equine activities and such production. Under no circumstances shall this subdivision be construed to include operations whose primary on site function is horse racing. Notwithstanding any other provision of this subdivision, an agricultural enterprise that is proposed or in its first or second year of operation may qualify as a commercial equine operation if it consists of at least seven acres and stables at least ten horses, regardless of ownership, by the end of the first year of operation.

FARM

An area of land consisting of not less than seven acres, unless the parcel is located in a state-certified agriculture district, where crops are grown or animals are reared for commercial purposes, together with appropriate buildings. Nothing herein shall be deemed to prohibit gardening, the raising of animals as may be regulated elsewhere in the Code, or other agricultural activities conducted for private use or consumption as an accessory use to a dwelling.
[Added 9-10-2014 by L.L. No. 4-2014]

The definition of farm operation in the AML includes land that is contiguous or non-contiguous to one another, owned and/or rented. This definition in Town Code appears to mean that "a" parcel used for farming cannot be less than 7 acres.

240 Attachment A1

APPENDIX A
Town of LaGrange
Schedule A1 (§ 240-27)
Permitted Uses and Special Permit Uses
Residential Districts
[Amended 10-28-2015 by L.L. No. 2-2015; 12-14-2016 by L.L. No. 15-2016]

Key:

P	Permitted	RFD	Residential Flexible-Density
SP	Special permit (§ 240-71)	RFS	Residential Frank & Sleight
N	Not permitted	RMD	Residential Moderate-Density
A	Permitted only as accessory use	RLD	Residential Low-Density
M	Permitted only as a mixed use	TCR	Town Center Residential

NOTE: Uses omitted from this table are not permitted

	Residential Districts						
Use[1]	RFD			RMD	RLD	RFS	TCR
	40	60	80				
Single-family dwelling	P	P	P	P	P	P	P
Two-family dwelling	N	N	N	N	N	N	P
Townhouse[37]	N	N	N	N	N	N	P
Multifamily[37]	N	N	N	N	N	N	P[19]
Rental apartment	N	N	N	N	N	N	P
Accessory apartment[37]	A, SP[12, 11, 17]	A, SP[12, 11, 17]	A, SP[12, 11, 17]	A, SP[12, 11, 17]	A, SP[12, 11, 17]	A, SP[12, 11, 17]	A, SP[12, 11, 17]
Carriage unit[37]	N	N	N	N	N	N	SP[12, 11, 15]
Detached accessory apartment	A, SP[12, 11, 17]	A, SP[12, 11, 17]	A, SP[12, 11, 17]	A, SP[12, 11, 17]	A, SP[12, 11, 17]	A, SP[12, 11, 17]	A, SP[12, 11, 17]
Second kitchen	A, SP[12, 11]	A, SP[12, 11]	A, SP[12, 11]	A, SP[12, 11]	A, SP[12, 11]	A, SP[12, 11]	A, SP[12, 11, 15]
Accessory structure[37]	A[22]	A[22]	AP[22]	A[22]	A[22]	A[22]	A[22]
Home occupation[37]	A[29]	A[29]	A[29]	A[29]	A[29]	A[29]	A[29]
Bed-and-breakfast[37]	SP[12, 11, 30]	SP[12, 11, 30]	SP[12, 30]	SP[12, 11, 30]	SP[12, 11, 30]	SP[12, 11, 30]	SP[12, 11, 30]
Residential health-care facilities, adult homes and group homes (congregate housing)[37]	P[20]	P[20]	P[20]	P[20]	P[20]	P[20]	N
Cemeteries	N	N	N	SP[12, 11, 23]	SP[12, 11, 23]	N	N
Civic buildings and place of public assembly, e.g., community buildings, churches, schools	SP[12, 11]	SP[12, 11]	SP[12, 11]	SP[12, 11]	SP[12, 11]	SP	SP[12, 11]
Commercial kennels[37]	N	N	N	SP[12, 11, 24]	SP[12, 11, 24]	N	N
Essential services[37]	P	P	P	P	P	P	P

	Residential Districts						
Use[1]	RFD			RMD	RLD	RFS	TCR
	40	60	80				
Excavation or removal of earth, topsoil, sand, gravel, clay, or stone; soil and stone crushing, washing and processing operations[3] (§ 240-67)							
Farming[37]	P	P	P	P	P	P	P
Farm stand	N	N	N	P[34]	P[34]	N	N
Retail sale of products of horticulture, as well as hand tools, fertilizer, seeds, bulbs, and other materials customarily used in horticulture on parcels of 5 acres or more	SP[12, 11]	SP[12, 11]	SP[12, 11]	SP[12, 11]	SP[12, 11]	N	N
Solar panels (roof mounted)	A	A	A	A	A	A	A
Solar panels (ground mounted)	A, SP[12, 11, 39]	A, SP[12, 11, 39]	A, SP[12, 11, 39]	A, SP[12, 11, 39]	A, SP[12, 11, 39]	A, SP[12, 11, 39]	A, SP[12, 11, 39]
Solar farms	P, SP[12, 11, 39]	P, SP[12, 11, 39]	P, SP[12, 11, 39]	P, SP[12, 11, 39]	P, SP[12, 11, 39]	P, SP[12, 11, 39]	P, SP[12, 11, 39]
Stables, riding establishments and clubs[37]	N	N	N	SP[12, 11, 31]	SP[12, 11, 31]	N	N
Swimming pool	A	A	A	A	A	A	SP[12, 11, 15]
Pool house/cabana	A[22]	A[22]	A[21]	A[22]	A[22]	A[22]	A[22]
Outdoor kitchen	A	A	A	A	A	A	A
Outdoor fuel-burning device	SP[12, 11, 38]	SP[12, 11, 38]	SP[12, 11, 38]	SP[12, 11, 38]	SP[12, 11, 38]	SP[12, 11, 38]	SP[12, 11, 38]
Tennis/sport court	A	A	A	A	A	A	A
Wireless communications facilities[7]	SP[12, 11, 32]	SP[12, 11, 32]	SP[12, 11, 32]	SP[12, 11, 32]	SP[12, 11, 32]	SP[12, 11, 32]	SP[12, 11, 32]
Outdoor sports/recreation	SP[12, 11, 37]	SP[12, 11, 37]	SP[12, 11, 37]	SP[12, 11, 37]	SP[12, 11, 37]	N	N

APPENDIX A
Schedules A1, A2 and A3 (§ 240-27)
Permitted Uses and Special Permit Uses
[Amended 10-28-2015 by L.L. No. 2-2015]

NOTES

1 Several overlay zones are not indicated on this table. These include the Stream Corridor (§ 240-31C), Historic (§ 240-31D), Scenic (§ 240-31E), Ridgeline Protection (§ 240-31F) and Groundwater Protection (§ 240-31G) Overlay Zones.

2 In H District maximum footprint per structure is 6,000 square feet.

3 With the exception of Industrial Districts, permitted only by the mapping of a floating zone as provided in § 240-34; however, excavation or removal in the following cases shall be permitted in all zoning districts, subject only to such other permits as this chapter may require:

(1) A landscape operation in which topsoil is removed from one part of the property and deposited on another part of the same property, provided that it is replaced with a cover of the earth in which the vegetable matter may take root and grow and is seeded with grass, permanent pasture mixture or other fast-growing vegetation repeatedly, as necessary, until the growth is established.

(2) The excavation of topsoil and other natural resources from within the limits of the right-of-way or slope rights of any Town, county or state highway or for the sole purpose of building roads and slopes incidental thereto which lie within the area of a subdivision approved by the Planning Board of the Town of LaGrange or on file in the County Clerk's office in Dutchess County, New York.

(3) The improvement of a single lot or parcel of land in connection with construction of a dwelling, multiple dwelling, building or any other structure or structures for which a building permit has been issued or in connection with agricultural land improvements such as farm ponds and soil conservation measures, provided that such improvement conforms to the following standards and conditions:

(a) Final slopes shall be finished at a grade no greater than the natural angle of repose, except where supported by a retaining wall.

(b) Any lakes or ponds that are created shall have a sufficient depth and inflow of water to prevent eutrophication and to prevent their becoming stagnant in dry periods.

(c) Topsoil may be disturbed and relocated in connection with any permitted excavation but shall be replaced with earth in which vegetable matter may take root and grow and shall be seeded with grass, permanent pasture mixture or other fast-growing vegetation repeatedly, as necessary, until the growth is established.

(d) Topsoil or other natural resources which are excavated to permit the improvement of property may be removed from the property, provided that this amount is specified in the building permit for such improvement.

(e) There shall be no processing of excavated materials by a rock crusher or similar equipment on the premises.

(f) Any regrading, removal or excavation that is permitted under these provisions of exception, subject to the issuance of a building permit, shall be completed within one year of the date of the issuance of said permit.

(g) In the event that the construction for improvements for which preparatory excavation is performed does not commence within six months of the commencement of such excavation, the permittee shall be required to immediately begin reclamation operations to restore the land to a condition that will minimize erosion and any unsightly conditions.

(4) The above provisions notwithstanding, excavation and removal shall be limited to not more than 100 cubic yards of material from each 40,000 square feet of lot area, in any calendar year, and not more than 600 cubic yards of materials may be removed from any parcel in any calendar year.

[4] A school that lawfully existed prior to, and that has been continuously used as a school since, February 18, 1988.

[5] Special permits required in some cases. See § 240-54.

[6] Limited to one model home per lot.

[7] The SP designation is qualified and limited by the standards for locating new towers set forth within § 240-49D(1),(2) and (3).

[8] Drive-through service facilities are prohibited.

[9] Passive recreation is permitted in all zoning districts as accessory to site plan or special permit uses. Passive recreation as an accessory use need not be open to the public. Whether the accessory use of passive recreation shall be open to the public shall be determined by the Planning Board during the site plan/project development plan review process.

[10] One or more apartments may be included in combination within a building predominantly devoted to commercial use, subject to service of the uses by public sewer and water, and availability of at least 1.65 parking spaces for each apartment unit in such mixed-use building, with discretion of the Planning Board, but not the obligation, to allow for allocated use of common parking spaces as between commercial and residential units as circumstances may reasonably allow.

[11] See § 240-72, Project development plans.

[12] See § 240-71, Standards for special permits.

[13] See § 240-38, Hamlet District.

[14] See § 240-39, Design standards for Commercial (C) and General Business (GB) Districts.

[15] See § 240-35, Town Center design standards.

[16] See § 240-40, Design standards for Industrial (I) District.

[17] See § 240-52, Accessory apartments.

[18] See § 240-69, Adult-oriented business.

[19] See § 240-51, Multifamily dwellings.

[20] See § 240-64, Residential health-care facilities, adult homes and group homes (long-term-care facilities).

[21] See § 240-59, Single-family residential units in TCB District.

[22] See § 240-47, Accessory structures.

[23] See § 240-63, Cemeteries.

[24] See § 240-61, Veterinary clinics and commercial kennels.

[25] See § 240-70, Summer day camps may be permitted in certain instances as an additional principal special permit use.

[26] (Reserved)

27 See § 240-112, the definition of "fast-food restaurant."
28 See § 240-65, Automotive repair and gasoline filling stations.
29 See § 240-54, Home occupations.
30 See § 240-55, Overnight accommodations.
31 See § 240-62, Boarding stable and horse riding school.
32 See § 240-49, Wireless communications towers and facilities.
33 See § 240-70.1, Drive-through service facilities.
34 See § 240-68, Farm stands.
35 See § 240-85, Use permits.
36 See § 240-38.1, Gateway Hamlet Districts.
37 See § 240-112, Definitions.
38 See Ch. 126, Furnaces (outdoor furnaces).
39 See § 240-70.2, Solar energy systems.

240 Attachment B1

APPENDIX B
Schedule B1 (§ 240-28)
Schedule of Bulk Regulations and Coverage Limitations
Residential Districts

Key:
RMD Residential Moderate-Density
RFS Residential Frank & Sleight
RFD Residential Flexible-Density
RLD Residential Low-Density
TCR Town Center Residential
TPK Town Park

	Residential Districts					
	RFD	**RLD**	**RMD**	**RFS[16]**	**TCR**	**TPK**
Minimum lot area (square feet) for single-family residential	40,000[1] 60,000 80,000	120,000	80,000	Note 16	N/A[2]	NA
Minimum lot area for single-family residential with public sewers	40,000	120,000	80,000	N/A	6,000[2]	NA
Minimum lot area (square feet) for townhouses with public sewers	N/A	N/A	N/A	N/A	2,500[2]	N/A
Minimum width of lot along building line (feet)	150	200	200	100	25	NA
Minimum width of lot at any point	50 (40,000) 75 (60,000) 100 (80,000)	150	100	60	25	NA
Minimum dimension of square on building lot (feet)[3]	150	200	200	75	NA	150
Minimum lot frontage on Town right-of-way line	50 (40,000) 50 (60,000) 75 (80,000)	100[4]	75[4]	60	25	N/A
Minimum lot frontage on county or state highway	125 (40,000) 125 (60,000) 200 (80,000)	225	200	Note 16	25	N/A
Maximum number of stories of a building	3	3	3	3	3	N/A
Maximum height of a building or structure	35	35	35	35	35	35
Minimum dimensions (in feet) from center line of NYS Route 55				N/A	48 1/2 to 58 1/2	
Front yard, state or county road	90	90	90	N/A		100
Front yard, Town road	55/80 See Note 6	55/80 See Note 6	55/80 See Note 6	35/60 See Note 6	Note 7	35
Rear yard[13]	20	40	30	20	Note 7	100
Side yard[13]	20	40	30	[14] 10/15 combo 25	Note 7	100

	Residential Districts					
	RFD	RLD	RMD	RFS[16]	TCR	TPK
Side yard for accessory structures[15]	20	40	30	10		N/A
Residential district boundary line	N/A	N/A	N/A	N/A	N/A	N/A
Maximum lot coverage by buildings as percent of lot area	15% - 40,000 15% - 60,000 10% - 80,000	10%	10%	Note	40%	N/A
Maximum floor area of buildings as percent of lot area	30% - 40,000 25% - 60,000 20% - 80,000	20%	20%	Note	70%[10]	N/A
Maximum total lot coverage as percent of lot area (buildings, structures, outdoor deposit, paving)	30% - 40,000 25% - 60,000 20% - 60,000	15%	20%	Note	60%	N/A
Minimum floor area of dwelling unit (square feet)[11]	1,000	1,200	1,000	1,000	500	600
Minimum floor area of apartment	N/A	N/A	N/A	N/A	400	400

Morris, Carolyn

From: Juldemar <juldemar13@aol.com>
Sent: Thursday, August 30, 2018 7:34 PM
To: County Legislators
Subject: Updated Memo from Agriculture & Markets
Attachments: Guidance_Memo_Agricultural_and_Farmland_Protection_Boards (1).pdf

Hello County Legislators,
Thank you to all who saw fit to vote us into the Agricultural District during the 8/20 meeting! We appreciate your support!

We have gotten word that the powers that be are trying to reverse this decision, and we have spoken to Marcus Molinaro and Sue Serino to, among other things, try to get a clearer understanding as to how anyone would try to undermine the Legislative voting process. Bullying shouldn't be accepted anywhere in society today let alone in our legislature! It truly demeans the integrity of the Dutchess County Legislature.

In the meantime, the NYS Agriculture and Markets Director, Michael Latham, has released a new Memo to better guide and define the 'criteria' for the AFPB in the future. Again, I feel it's important to mention that Director Latham and Dr. Robert Somers PhD, CF, Manager of the Farmland Protection Unit, NYS Ag & Markets, both agree that we belong in the Ag District.

I have attached this Memo for all of you to read, I think it will further clarify the fact that we belong in the agricultural district, to anyone that had a shred of doubt.

Please feel free to contact us if you have any questions!

Regards,
Juliette Landi
Dennis Remsburger
NYSHoney.com
845-392-5038

NEW YORK STATE | Agriculture and Markets

MEMORANDUM

TO: County Agricultural and Farmland Protection Boards

FROM: Michael Latham, Director

DATE: August 22, 2018

SUBJECT: Agriculture and Markets Law (AML) §303-b – Inclusion of Viable Agricultural Land

Under AML §303-b (2)(a) County Agricultural and Farmland Protection Boards (AFPBs) are charged with making recommendations to County Legislative Bodies (CLBs) *"as to whether the land to be included in the agricultural district consists predominantly of 'viable agricultural land' as defined in [AML §301(7)] and the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the district."*

AFPBs provide important advice and recommendations to CLBs on the creation, review and inclusion of land within county-adopted, State certified agricultural districts. AFPBs have a diverse membership, including at least four active farmers and six members that are county residents, and offer CLBs a unique, local perspective when making recommendations concerning requests for inclusion of land which is predominantly viable agricultural land within a certified agricultural district. AFPBs are well-suited to evaluate these requests, which are submitted on a parcel-by-parcel basis.

Evaluation Factors

AFPBs evaluate two factors when making recommendations: 1) Whether the parcel of land consist predominantly of "viable agricultural land" and 2) Whether the inclusion of the land serve the public interest by assisting in maintaining a viable agricultural industry within the district.

Viable Agricultural Land

Under AML §301(7), "viable agricultural land" is defined as "land *highly suitable for* a farm operation as defined in [§301(11)]" (emphasis added). Therefore, land need not be actively farmed to be considered for inclusion in an agricultural district. The term "farm operation"[1] is broadly defined to include land and on-farm buildings, equipment, manure

[1] "Farm operation" was first defined in 1997 as part of a package of amendments to the Agricultural Districts Law (AML Article 25-AA) that removed language which required farms to meet the agricultural assessment acreage and income thresholds to be eligible for protection from unreasonably restrictive

processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise. Commercial horse boarding operations, timber operations, compost, mulch or other biomass crops and commercial equine operations [defined in §301(13), (14), (16) and (17), respectively] are also included. A farm operation may consist of one or more parcels of owned or rented land; and such parcels may be contiguous or noncontiguous to each other.

The statutory definition of "farm operation" does not require minimum acreage and income thresholds for most operations.[2] Many viable farm operations are conducted on limited acreage (e.g., greenhouses, poultry and aquaculture); as well as on marginal lands (e.g., farmed deer on steep slopes and non-prime soils, etc.). Much of the land in a county could, therefore, be considered "highly suitable for a farm operation." Farm operations are much more than their land base, however; they rely on their owners and operators, including the ideas, skills and investment they bring, to become and remain viable.

Inclusion Assists in Maintaining a Viable Agricultural Industry

In light of the statutory definition of "farm operation," the more difficult task for AFPBs when making recommendations to CLBs is whether *"the inclusion of the land would serve the public interest by assisting in maintaining a viable agricultural industry within the district."* AFPBs, as a local advisory body, understand the agricultural industry within their county. AFPBs still need information about the land proposed to be included in a district, as well as the farm operation or start-up farm involved.

- Existing Farms - If an existing farm operation seeks inclusion in an agricultural district, certain information may make the AFPB's task easier, such as whether or not the farm is eligible for or receives an agricultural assessment; the farm's land base and sales; whether the land is subject to a conservation easement which includes agricultural uses as allowed uses; etc.

- Start-up Farm Operations - Start-ups may be more difficult to evaluate as they may have no, or limited, sales history. Therefore, information sought from these applicants may include land base, sales (if any), investment/planned investment, equipment, ideas/expertise/plans to become viable, whether subject to conservation easement, etc.

---

local laws under AML §305-a [and the former §305(2)]. These amendments allowed start-up farm operations to qualify for such protection. Prior to the amendments, some farms could not start up and begin to meet the agricultural assessment thresholds because farming was not allowed within the zoning district in which the land was located.

[2] "Commercial horse boarding operation" (CHB), "timber operation" and "commercial equine operation" (CEO) do have thresholds. CHBs and CEOs can qualify as farm operations during start-up, however.

Morris, Carolyn

From: Joel Tyner <joeltyner@earthlink.net>
Sent: Monday, August 20, 2018 6:51 PM
To: Pulver, Gregg; Incoronato, Joseph; County Legislators
Cc: Volkman, Scott
Subject: RE: Resolution 2018190 Memo- AG District 22

Hi all— recently a number of my constituents in Rhinebeck have reached out to me on this issue; don't want to surprise y'all so I'm letting you know here/now that tonight I'll be moving to amend this resolution/issue once it's on the floor so that Rhinebeck ag-oriented properties (Russell, Abela, Lancto) allowed in as part of county Ag district.

Joel

-----Original Message-----
From: "Pulver, Gregg"
Sent: Aug 20, 2018 10:51 AM
To: "Incoronato, Joseph" , County Legislators
Cc: "Volkman, Scott"
Subject: RE: Resolution 2018190 Memo- AG District 22

Yes, I agree that the issue is unresolved. Tonight we will be removing the Ag District resolution from the table and I am urging a no vote on any possible amendments to include the Landi property into the Ag District. Tonight is our last chance to vote on these recommendations from Ag and Farmland Protection Board so we will be voting on the resolution.

Gregg.

From: jincoronato@verizon.net [mailto:jincoronato@verizon.net]
Sent: Monday, August 20, 2018 10:31 AM
To: Pulver, Gregg; County Legislators
Cc: Volkman, Scott
Subject: Re: Resolution 2018190 Memo- AG District 22

Chairman Pulver:

Although your memo appearing in the attached documents explains your rationale for voting against inclusion of the Juliette Landi property in Ag Dist. 22, at the July 9 Legislative meeting the subject resolution called for tabling. Accordingly, I believe this resolution is still unresolved until it receives a further vote of the Legislature to determine the final disposition of the Landi appeal. Please advise.

Joe Incoronato

---Original Message-----
From: Pulver, Gregg <gpulver@dutchessny.gov>
To: County Legislators <CountyLegislators@dutchessny.gov>
Sent: Mon, Aug 6, 2018 5:13 pm
Subject: Resolution 2018190 Memo- AG District 22

Please see the attached memo and supporting documentation regarding Resolution 2018190. I am happy to answer any further questions.

Thanks, Gregg.

COUNTY OF DUTCHESS
STATE OF NEW YORK

A. GREGG PULVER
CHAIRMAN OF THE LEGISLATURE

Memorandum

To: All Legislators

From: A. Gregg Pulver, Chairman of the Legislature

Re: Resolution 2018190

Date: August 6, 2018

With this memo, I would like to explain the rationale behind my opposition, as well as the Farmland Protection Board's opposition, to the inclusion of Parcel Number 6462-03-172062 into certified Agricultural District 22. The Dutchess County Agricultural and Farmland Protection Board has met on and discussed this parcel on three separate occasions and each time has voted against inclusion unanimously.

According to Michael Latham's, Director of Soil and Water Conservation Committee, letter there are two evaluation factors when considering inclusion into an agriculture district: predominance of "viable agricultural land" and whether inclusion serves the agriculture district as a whole.

Viable Agricultural Land
Agriculture and Markets Section 301, paragraph 7 defines "viable agricultural land" as "land highly suitable for a farm."

Parcel 6462-03-172062 is 2.1 acres, located in the Town of LaGrange. It includes multiple buildings, pavement, numerous well-established trees, and a pond. Less than 50% of the parcel has open soil that that could be used for farming. The pond located in the rear has no evidence of aquaculture or sufficient tributaries and/or machinery to produce the flow of water necessary to farm fish.

Serves the Agriculture District as a whole
There is no evidence that the inclusion of this parcel benefits the agricultural district as a whole. Any piece of property with a building can be used for apiary purposes. An easily replicated business does not

22 Market Street, Poughkeepsie, New York 12601
Phone: 845.486.2112 Fax: 845.486.2113
gpulver@dutchessny.gov
www.dutchessny.gov

COUNTY OF DUTCHESS
STATE OF NEW YORK

A. GREGG PULVER
CHAIRMAN OF THE LEGISLATURE

serve the agriculture district as a whole. These buildings location within a previously established residential neighborhood, reduces its suitability as well. In conclusion, this parcel does not benefit the district as a whole.

Attached:
Agriculture Assessment vs. Agriculture District memo
Parcel picture
NYS Agriculture and Markets letter
Dutchess County Agriculture and Farmland Protection Board Criteria

22 Market Street, Poughkeepsie, New York 12601
Phone: 845.486.2112 Fax: 845.486.2113
gpulver@dutchessny.gov
www.dutchessny.gov

Kerrie Abela
PO Box 263
Germantown, N.Y. 12526

August 6, 2018

To Whom It May Concern,

Ed Russell has my approval to speak on my behalf about my property in Rhinebeck. Located at 28 Old Farm Rd., Parcel #6371-00-600224-0000, containing 50.55 acre's.

Thank you,

Kerrie M. T. Abela

Kerrie M. T. Abela

Background to 2018190

Remsburger Honey & Maple
18 Traver Rd
Pleasant Valley, NY 12569
845-891-6800
June 25, 2018

Dutchess County Legislature
22 Market St
Poughkeepsie, NY 12601

RECEIVED
JUL 0 2 2018
BY 12:15pm

Re: Parcel # 6462-03-172062

To whom it may concern;

I am in receipt of a letter from the Dutchess County Agriculture and Farmland Protection Board, dated June 14, 2018. The letter states that they have reviewed my application for inclusion in the Agricultural District but is recommending that we not be included.

We would like to respectfully request that the Dutchess County Legislature reconsider that decision based, in part, upon the attached letter we received from Robert Somers, PhD, CF, the Manager of Agriculture and Markets, Farmland Protection Unit. This letter clearly and accurately describes the nature of our business and states that, based on that information the Department would consider us to be a farm operation as defined in AML § 301(11) and therefore eligible for inclusion based on the criteria. Also attached is an email, also from Bob Somers, further defining apiary inclusion.

I think it is important to mention that our honey bees' pollination helps to generate approximately $15 million in revenue for local farmers, and assists in protecting our local food supply.

We will be attending the Dutchess County Legislature meeting on July 9 and would request the opportunity to speak on our behalf if the letter provided doesn't change the decision of the Legislature.

Sincerely,

Juliette Landi

Juliette Landi

Dutchess County Agriculture and Farmland Protection Board

Gregg Pulver
Chairman
Pulver Farms

Art Collings
Vice Chairman
Dutchess Land Conservancy

Peter Coon
Coon Brothers Partnership

Doug Giles
Walbridge Farm

Ken Migliorelli
Migliorelli Farms

Agri-business
Edward C. Hackett
Hackett Farm Supply, Inc.

Brian Scoralick
DC Soil & Water
Conservation District

Will Truitt
DC Legislator

Eric Axelsen
DC Real Property Tax

Eoin Wrafter
DC
Planning and Development

Jennifer Fimbel
Cornell Cooperative
Extension

Amy Cross
Secretary

Remsburger Honey and Maple
18 Traver Road
Pleasant Valley, 12569

June 14, 2018

Dear Ms. Landi,

The Agricultural and Farmland Protection Board (AFPB) has reviewed your application for one or more parcel (s) to be included in the Agricultural District at their meeting held on June 5, 2018. The function of the AFPB in this process is to review all submitted applications based on criteria set forth in NYS Ag & Markets Law (Section 300- 310) and submit recommendations to the Dutchess County Legislature who make the final decision on inclusion. The Legislature will be considering your application on July 9, 2018 at 7pm at 22 Market Street, Poughkeepsie, NY, at which time there is an opportunity for public comment.

Based on your application, this Board recommends that:

Parcel # 6462-03-172062

NOT BE INCLUDED since this parcel does not meet the criteria for inclusion in the Ag District.

If you have any questions, please email the Board at dutchessafpb@gmail.com.

Thank you,

Amy M Cross
Secretary

Access

ents | Parcel Text | Address # | Wetlands

Identify | Measure | Address Lists | Print Map

Buffer(ft): 100

Tax Map Number: 133400-6462-03-172062
Owner: Juliette Landi
Address: 18 Traver Road
Pleasant Valley, NY 12569

Re: Agricultural District Application

We are a well established honey, maple and bee product producer in Dutchess and Ulster Counties, Remsburger Honey & Maple. We have been beekeepers for more than two decades. On our land we process honey, pollen, beeswax and propolis; we manufacture beeswax candles, honey soap, beeswax lip balm and moisturizer. We also sell nucleus colonies and queen honey bees.

We provide honey for the Adams Fairacre Farms, Barton Orchards and Meadowbrook Farm's private labels. As well as dozens of other stores in the Hudson Valley.

We rent land on 14 + farms in Dutchess for our 450 bee hives and we pollinate 8 farms throughout Dutchess and Ulster every year for nearly a decade. Our honeybees are an essential part of the agricultural economy of the County as well as assisting the agritainment business too.

We have purchased our homestead in LaGrange consisting of 2.1 acres with 1.43 acres of agricultural land and have been utilizing the land for production of our product line as well other endeavors.

We have established a .5 acre pond for aquaculture containing brown, rainbow and brook trout as well as crayfish, all for human consumption.

It is important to us to be put into the agriculture district due to the nature of our business, it would cause us considerable hardship should someone challenge our ability to keep bees and process our products on our land.

We are also establishing a small fruit and apple orchard, we would like to be included in the Agricultural District to protect us from unforeseen issues that go along with farming.

Beekeeping is essential to human life! Thank you for your consideration in this matter.

Sincerely,

Juliette Landi

If you have any questions, please don't hesitate to contact:
Dennis Remsburger
Bee Steward
845-392-5038
NYSHoney.com
email: Juldemar13@aol.com

Dutchess County Agriculture and Farmland Protection Board

Board Guidelines and Checklist for Accepting Applications within Agricultural Districts for the Section 303-B Annual Enrollment.

Final with Preamble 3-11-2011

Section 303-b of the Agriculture and Markets Law states the Farmland Protection Board's responsibility is to "report to the county legislative body its recommendations as to whether the land to be included in the agricultural district consists predominately of 'viable agricultural land' as defined in subdivision seven of section three hundred one of this article and the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the district."

The NYS Department of Agriculture and Markets (NYSDAM) has not published guidelines to provide further interpretation of the program's criteria. Our board has developed the checklist below based on our experience since Section 303-b was adopted in 2004. It incorporates the verbal advice we have received since that time from NYSDAM. The purpose of the checklist is to assist the Farmland Protection Board to evaluate applications and document decisions in a way that is internally consistent, and consistent with requirements set out in the legislation. Our guidelines have been developed for evaluation purposes, and are intended to be for internal use. It is likely that revisions will be necessary after the Board has experience applying them in practical situations.

DC Agriculture and Farmland Protection Board Annual Inclusion Application Evaluation Checklist

1) Is there a major farm operation on the property? (If the farm grosses more than 10K or is receiving Agricultural Assessment, then yes)

☐ **If yes, the property can be admitted.**

2) Is there a non-major farm operation that is significant but does not gross 10K (Such as a start up farm operation, or a serious but part time farm)? And does the property contain sufficient viable farmland to sustain this operation?

☐ **If yes, the property can be admitted**

3) Is the property farmed by a major farm operation (rented, etc.)

☐ **If yes, the property can be admitted.**

4) Is the property viable agricultural land – consisting of any of the following:

A) Does the property meet the definition of Viable Agricultural Land as defined in Section 307 of the Agricultural and Markets Law: " 'Viable agricultural land' means land which is highly suitable for agricultural production of high value crops, including, but not limited to fruits, vegetables and horticultural specialties."

B) Does the property have a sufficient area of cleared, tillable land, open fields, or pasture and soils that are suitable (prime, statewide) and viable for a farm operation.

C) Has the property been operated as or by a major farm operation at any time during the last 5 years?

D) Is the property a woodlot for a major farm operation?

☐ **If any of the above 4 A through D are true (circle those which apply), the property can be admitted unless there is some over-riding consideration*.**

5. Other Woodlands

A) Does the property abut existing agricultural district parcels, have a preponderance of prime and statewide farmland soils, **and** lie outside areas of concentrated population such as villages, residential subdivisions, etc.

B) Does the property provide a buffer or potential buffer between a farm operation on land in the Agricultural District and residential or other incompatible nearby land uses?

☐ **If A and B are both yes, the property can be admitted.**

6) Livestock:

A) For larger farm operations, see also 1-3 above.

B) Small-scale livestock operations (that may not meet 1-3 above): Does the property have income producing livestock and suitable soils and infrastructure (paddocks, barns, sheds, etc) for a viable operation? Or have a workable plan to become income producing?

☐ **If yes, the property may be considered for admission providing there are not other over-riding considerations* (location in residential subdivision, for example)**

B) Livestock that are owned for personal pleasure.

In general, no. However, if property meets one or more of the criteria under #4 above, it may be considered.

7) Farmstands, Orchards and Special Operations

A) Farmstands: Is the property connected to an existing farm operation?

☐ **If yes, the property may be considered for admission, provided there are no other over-riding considerations.**

B) Orchards, Tree Farms, Nurseries, Green house operations, Vineyards, Sugar Bush, Deer Farms, Specialty Crops

For larger operations, see also 1-3 above.

i. Is the property suitable for viable operation (of the type named) based on soils, location, and other details?

ii. is farm operation income producing? Or is the farm operation a start-up with a workable plan to become income producing?

and

iii. Does the necessary infrastructure (orchard, fencing, cleared areas, sugaring facility) exist at the time of the application?

☐ **If i, ii, and iii are all yes, then the property may be admitted, provided there are not other overriding considerations*.**

If not, then, in general, the property should not be admitted. However, if property meets one or more of the criteria under #4 above, it may be considered.

*** Note:**

In the case where the Board believes that that there may be over-riding considerations to take into account, it may be necessary to request additional information or to seek input from the local municipality before making a decision.

Examples of over-riding consideration could include cases where we know or suspect that the land-owner may be out of compliance with zoning or other municipal law; where the property is located in a dense residential area; where parts of a property are currently being used for non-agricultural commercial uses (such as automobile junk yards); or where properties may have unresolved issues pertaining to toxic waste disposal.

The Board should make site inspections of properties where the decision to exclude or include the parcel is not obvious. Properties with negative recommendations should be notified as soon as possible.

Agricultural Assessment Program and Agricultural District Program
What are the differences?

The **Agricultural Assessment Program**, established under the Agriculture & Markets Law § 305, allows active farmland to receive a reduced assessment for property tax purposes – resulting in a partial exemption from real property taxes. ***Farmland qualifying for this reduction in assessed value does not have to be enrolled in an Agricultural District.*** Any owner of at least seven acres of land which produces a minimum of $10,000 annually, or any owner of less than seven acres of land which produces a minimum of $50,000 annually, on average in the preceding two years, from the sale of crops, livestock, or livestock products, or from a commercial equine operation, is eligible to receive an agricultural assessment. The program only applies to the land, not buildings or homesteads.

Certain start-up farm operations are eligible to receive an agricultural assessment in the first year of operation on owned or rented land if they meet the minimum acreage and sales thresholds.

Owners who rent productive land to farmers may qualify for agricultural assessment if the land independently satisfies the minimum acreage and sales requirements or is being used pursuant to a lease agreement of five or more years in conjunction with land which independently qualifies.

The Agricultural Assessment Program establishes a ceiling value for taxable assessments on eligible farmland. The local assessor is provided with State Certified ceiling values every year. Any assessed value which exceeds the agricultural assessment is exempt from Real Property taxation. Landowners must file an application annually, usually by March 1, with the local assessor to be considered for the Agricultural Assessment Program. Failure to file the application on time will result in denial of the exemption.

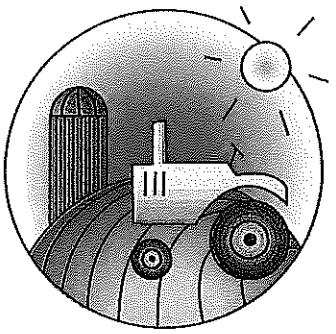
If land that benefited from an Agricultural Assessment is converted to non-agricultural use (within five years of last benefit if in an Agricultural District or within eight years if not in an Agricultural District) it may be liable for conversion payments based on the amount of taxes saved. The consequence of conversion is based on five times the taxes saved in the most recent year of benefit. The payment also includes a six percent interest charge compounded annually for each year during the last five, in which the land received an agricultural assessment. An encumbrance for this potential payment runs with the land from the last year in which the parcel benefited and continues for five years if in an Agricultural District and for eight years if outside a district. Owners contemplating a conversion may determine the payment owed by contacting their local assessor or the County Real Property Tax office.

The **Agricultural District Program**, was established under Agriculture & Markets Law § 303. It provides agricultural landowners a number of benefits and protections *not associated with property tax relief*, which encourage farmers to continue farming. ***Enrollment in an Agricultural District does not automatically qualify the property for the Agricultural Assessment Program.***

An agricultural district is a geographic area which consists of predominantly viable agricultural land. Districts may include land that is actively farmed, idle, forested, as well as land for residential and commercial uses.

The Agricultural District Law protects farm operations* within an agricultural district from the enactment and administration of unreasonably restrictive local regulations unless it can be shown that public health or safety is threatened. Under Agriculture and Markets Law § 308, known as the 'Right to Farm' law, if a question or dispute arises regarding farm practices that may threaten public health or safety, an opinion can be requested of the Commissioner of Agriculture and Markets as to whether or not sound agricultural practices are being followed.

Every eight years a full review of the Agricultural Districts is conducted pursuant to Agriculture & Markets Law § 303-a; the last review was in 2008. Agriculture & Markets Law 303-b opens an annual window of opportunity for certain parcels to be added to the district. An application for annual enrollment must be filed with the Dutchess County Soil and Water Conservation District between April 15 and May 14 to be considered for inclusion in an agricultural district. If approved, the land remains in the agricultural district for the remainder of the eight year period.



*In most cases, to be considered a 'farm operation' qualification for agricultural value assessment must be met.

Differences at a Glance

Agricultural Assessment Program

- Provides property tax reduction on farmland
- Does not have to be in an agricultural district to qualify
- Owner must file application annually with local assessor; usually no later than March 1
- Minimum 7 acres in active farm production and proof of minimum $10,000 gross annual income from farming
- If less than 7 acres, $50,000 gross income minimum
- Property annually committed to agricultural use for minimum of 8 years if **not in** an agricultural district; 5 years if **in** an agricultural district
- Property subject to payback of saved property tax dollars if land is converted to non-agricultural use within committed period
- Land in agricultural production and rented to farmer may qualify
- Eligibility determined by local assessor based upon State law specifications
- Assessed agricultural value based upon State certified land classifications

Agricultural District Program

- Provides certain protections for agricultural land
- Land may or may not qualify for Agricultural Assessment Program
- Districts are reviewed every eight years (last in 2008)
- Owner must apply for Ag District designation during established review period
- Annual window for inclusion available for certain types of agricultural land
- All applications for annual inclusion must be filed between April 15 and May 14 – contact Dutchess County Soil and Water Conservation office or Cornell Cooperative Extension Dutchess County for information on application process
- Applications reviewed by Dutchess County Agriculture and Farmland Protection Board and subject to approval of County Legislature and State Commissioner of Agriculture and Markets

For Further information:

Dutchess County Soil and Water Conservation District 845-677-8011 http://dutchessswcd.org/
Cornell Cooperative Extension Dutchess County 845-677-8223 www.ccedutchess.org
NYS Department of Agriculture and Markets
http://www.agmkt.state.ny.us/AP/agservices/agdistricts.html
Dutchess County Real Property Tax Service Agency 845-486-2148
Local Assessment Offices

Prepared by the Dutchess County Agriculture and Farmland Protection Board, 2011

From: **Somers, Bob (AGRICULTURE)** Bob.Somers@agriculture.ny.gov
Subject: Re: Remsburger - Ag District question
Date: June 9, 2018 at 9:30 AM
To: Jusala jusala13@aol.com
Cc: Latham, Michael (AGRICULTURE) Michael.Latham@agriculture.ny.gov, Cappy, Paul (AGRICULTURE) Paul.Cappy@agriculture.ny.gov

I really do not see where they conclude that viable farmland is all about soil. For an apiary, it has nothing to do with soil. Visble farmland/farm operation includes practices, equipment and buildings. Having nothing but prime farmland has no effect on apiaries as they do not use the soil. You have to look at the type of operation. Also, commercial horse biarding and equine operations are found on very poor soils at times but they are a farm and viable. Also, second page of memo discusses agricultural assessment. You qualify for the assessment. Bottom line is no apiary could be added to an agricultural district based upon a soil standard because the apiary does not depend upon soils. Soilsland used as part of and apiary, outside is a bee yard, is excluded from agricultural assessment eligibility. Mikes memo does not, in my opinion, lead to the conclusion reached by the board. You will have to attend the public hearing and petition to be included. Bob

Get Outlook for iOS

From: Jusala <jusala13@aol.com>
Sent: Saturday, June 9, 2018 9:05:24 AM
To: Somers, Bob (AGRICULTURE)
Subject: Remsburger - Ag District question

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Hi Bob, First, thank you so much for all of the information, it is extremely helpful and I thank you for your time and effort.

Dennis and I had a lengthy conversation with Gregg Pulver, from Dutchess County AFPB

His interpretation of evaluation factors for inclusion are very cut and dry. He is basing his opinion on a memo from Michael Latham, Director - which I have attached.

According to Gregg the information under the heading Evaluation Factors is all that they are going by to exclude us. Period!

"AFPBs evaluate two factors when making recommendations: 1) Whether the parcel of land consist predominantly of "viable agricultural land" and 2) Whether the inclusion of the land serve the public interest by assisting in maintaining a viable agricultural industry within the district."

He says that it's NOT the operation that is on the land - but THE ACTUAL SOIL/LAND itself, and therefore we do not qualify. In my interpretation our 'farm operation' serves the public interest by assisting in maintaining ag industry in our district.

Based on their very black and white interpretation, the entire board supposedly rejected 50% of the applications received this year.

Dennis is under the understanding that you are one of the authors of these laws, I would really love to get your take on this, is my interpretation way off?

It seems we are trapped in a crazy catch 22, with the AFPB and the Town of LaGrange. I thank you again for your letter and am hoping it will get this situation rectified for us.

Juliette Landi

NEW YORK STATE OF OPPORTUNITY. | Agriculture and Markets

ANDREW M. CUOMO
Governor

RICHARD A. BALL
Commissioner

June 8, 2018

Juliette Landi
Dennis Remsburger
18 Traver Road
Pleasant Valley, NY 12569

RE: Treatment of Apiaries Under the Agriculture and Markets Law (AML)

Dear Ms. Landi:

You called yesterday concerning the Town's treatment of your farm operation, including the keeping of bees and the processing of honey and apiary products as defined in AML 301(2)(j). You also indicated that the Dutchess County Agriculture and Farmland Protection Board is reluctant to recommend the inclusion of your two-acre parcel of land, that is used as part of your farm operation, into a county adopted, State certified agricultural district.

Farming Activity

You stated that your farm operation consists of a two-acre parcel where "apiary products" are harvested, processed and stored in a newly constructed building that was built for that purpose. You indicated that the farm owns approximately 450 hives that are located on 14 parcels of land, within Dutchess County. The bees pollinate the crops of the respective landowners. You maintain the bees on-site and bring the supers back to your farm to harvest and store the honey and other apiary products prior to sale. You indicated that the direct gross sales associated with your apiary products operation are in excess of the $50,000 required to be eligible for an agricultural assessment on 7 or fewer acres of land.

To help verify your gross sales value, the Department examined USDA's National Agricultural Statistics Service (NASS) estimates for only honey produced in New York. The average production of honey, per hive, in 2017, was 56 pounds. The average price per pound for honey was $6.24. Based upon these figures, an average farm with 450 hives, in a normal year with sales at an average market (outside of NYC) would be expected to gross over $157,000. However, it is recognized that many beekeepers exceed both the average pounds of honey produced per hive and the sale price per pound. This estimated average gross sales figure does not include income received from the sale of other apiary products, such as beeswax, bee pollen, propolis, nucs, queens, etc. Most beekeepers sell some, if not all of the apiary products identified in §301(2)(j) of the AML.

Agricultural Districts Law, Land Used in Agricultural Production, AML §301(4)

In 2008, The Legislature amended the AML to add a new paragraph (j) to §301(2) that added "apiary products" to the definition of "crops, livestock and livestock products," a new paragraph (k) to §301(4) to independently qualify apiaries for an agricultural assessment and a new

Subdivision (16) to define "apiary products operation" (see attached compendium on the apiary amendments to the AML).

Apiary products, including honey..., are considered a crop under the AML. Furthermore, the land used to support an apiary products operation [AML §301(4)(k)] must be owned and consist of not less than seven acres nor more than ten acres with average gross sales of $10,000 or more or less than seven acres with an average gross sales value of $50,000 or more. This section of the statute includes land under a structure where apiary products are produced, harvested and stored for sale and a buffer area to maintain space between the operation and adjacent properties. Rented land associated with an apiary products operation is not eligible for an agricultural assessment based upon its use by bees.

Based upon information obtained from you, it would be difficult to dispute that you meet the acreage and income requirements as specified in the AML §301(4)(k). Your property, minus the footprint of the house, should be eligible for an agricultural assessment, including the land beneath the agricultural building and the open land (buffer) within the boundary of your parcel of land.

Addition of Land to an Agricultural District Under AML §303-b

Adding land to an Agricultural District, through an 8-year or annual review, is described by Law, and involves the landowner, affected municipality, County AFPB and County Legislature. I am not sure what criteria is being used by Dutchess County to guide the AFPB in making recommendations to the County Legislature under the AML §303-b process. However, I have attached a letter from the Department, to the Chair of the Suffolk County AFPB, concerning criteria they used to determine eligibility for inclusion into an agricultural district. This letter is not entirely on point with your situation, but it does describe the role of the parties under the AML §303-b annual inclusion process.

I have not visited your operation, but based upon information provided during our phone conversation, the Department would consider you to be a farm operation as defined in AML §301(11).

Sincerely,

Robert Somers, PhD, CF
Manager, Farmland Protection Unit

Encs.
Cc: Paul Cappy, NYS Apiculturist, Dept. of A&M

Landi roperty

Town of LaGrange

Town Boundaries

Agricultural Districts

Dutchess County Parcel Boundaries

1:9,028

0 0.075 0.15 0.3 mi

0 0.1 0.2 0.4 km

ROBERT C JR SOMERS 08-JUN-2019 @ 10:59:43

ARTICLE 25-AA – Agricultural Districts Law

The AML was amended in 2008 to include §§ 301(11), 301(2)(j), 301(4)(k) and 301(16)

§301. Definitions. When used in this article:

§301(2). "Crops, livestock and livestock products" shall include but not be limited to the following:

§301(2)(j). Apiary products, including honey, beeswax, royal jelly, bee pollen, propolis, package bees, nucs and queens. For the purposes of this paragraph, "nucs" shall mean small honey bee colonies created from larger colonies including the nuc box, which is a smaller version of a beehive, designed to hold up to five frames from an existing colony.

§301(4). "Land used in agricultural production" means... Land used in agricultural production shall also include:

§301(4)(k). Land used to support an apiary products operation which is owned by the operation and consists of (i) not less than seven acres nor more than ten acres used as a single operation in the preceding two years for the production for sale of crops, livestock or livestock products of an average gross sales value of ten thousand dollars or more or (ii) less than seven acres used as a single operation in the preceding two years for the production for sale of crops, livestock or livestock products of an average gross sales value of fifty thousand dollars or more. The land used to support an apiary products operation shall include, but not be limited to, the land under a structure within which apiary products are produced, harvested and stored for sale; and a buffer area maintained by the operation between the operation and adjacent landowners. Notwithstanding any other provision of this subdivision, rented land associated with an apiary products operation is not eligible for an agricultural assessment based on this paragraph.

§301(9). "Gross sales value" means the proceeds from the sale of:

§301(9)(a). Crops, livestock and livestock products produced on land used in agricultural production provided, however, that whenever a crop is processed before sale, the proceeds shall be based upon the market value of such crop in its unprocessed state;

§301(9)(c). Honey and beeswax produced by bees in hives located on an otherwise qualified farm operation but which does not independently satisfy the gross sales requirement;

§301(11). "Farm operation" means the land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a "commercial horse boarding operation" as defined in subdivision thirteen of this section, a "timber operation" as defined in subdivision fourteen of this section, "compost, mulch or other biomass crops" as defined in subdivision sixteen of this section and "commercial equine operation" as defined in subdivision seventeen of this section. Such farm operation may consist of one or more parcels of owned or rented land, which parcels may be contiguous or noncontiguous to each other.

§301(16). "Apiary products operation" means an agricultural enterprise, consisting of land owned by the operation, upon which bee hives are located and maintained for the purpose of producing, harvesting and storing apiary products for sale.

NEW YORK STATE OF OPPORTUNITY | Agriculture and Markets

ANDREW M. CUOMO
Governor

RICHARD A. BALL
Commissioner

February 26, 2015

Ken Schmitt, Chair
Suffolk County AFPB
Old East Neck Road
Melville, NY 11747

Dear Mr. Schmitt:

The Department has been approached by several "start-up" farm operations to provide comments to the Suffolk County Agricultural and Farmland Protection Board (AFPB) on its "2014 Evaluation Guidelines" for the addition of properties into a county adopted, State certified agricultural district. These "start-up" farms have expressed concerns to the Department that upon submittal if their application, the County indicated unlikely success, because they do not meet the eligibility criteria contained within the County's Evaluation Guidelines. The Department has reached out to the Suffolk County Planning Staff through e-mails as well as a visit in January by John Brennan, Agricultural Districts Manager for the Department, where the County's Guidelines were discussed.

Based upon a review of the Guidelines, it appears that prior to the land being included within an agricultural district during the County's §303-b annual review process, the land has to be actively farmed and meet the agricultural assessment eligibility criteria as specified in §301(4) of the Agriculture and Markets Law (AML). The Department has been informed by the County planning staff that the AFPB does not wish to include non-agricultural land within an agricultural district since they should not be afforded benefits if the property is not actively farmed.

Please be advised that land within an agricultural district that is not part of a "farm operation", as defined in AML §301(11), is not extended any benefits under State Law. The Department has protected both "active" and "start-up" farm operations through the Agricultural District Law, but it appears that the County's criteria does not allow "start-up" farms to be added to an agricultural district.

Under AML §303-b, the law states that land added to an agricultural district by the County Legislature must consist of "predominantly viable agricultural land". Viable agricultural land is defined in AML §301(7) as "...land highly suitable for a farm operation as defined in this section" [AML §301(11)]. I have attached a complete definition of "farm operation" and all of the definitions contained therein. As you can see, there are no acreage or gross sales

requirements except for horse boarding/equine operations. Furthermore, the definition of "farm operation" is not linked, in any way, to the agricultural assessment eligibility criteria contained in AML §301(4) and in Suffolk County's 2014 Evaluation Guideline.

It is important that Suffolk County AFPB consider the needs of "start-up" farm operations. Without the ability to add such land to an agricultural district, new farm enterprises may not be able to become established and thrive. Furthermore, lack of protections under the AML from unreasonably restrictive local rules, regulations, laws and ordinances, will likely contribute to the conversion of more land to non-agricultural uses; which is not the intent of the AML.

Please consider the limiting language in the AML, which simply states that the AFPB provides its recommendations to the County Legislative Body on "whether the land to be included in the agricultural district consists predominantly of 'viable agricultural land' as defined in subdivision seven of section three hundred one of this article and the inclusion of such land" ...serves "the public interest by ... maintaining a viable agricultural industry within the district." Requiring land to be actively farmed and to meet the eligibility criteria for an agricultural assessment is not contained within this section of statute and is considered by the Department to be overly restrictive.

At the public hearing, the County Legislative Body may entertain comments from the public and affected municipalities concerning land to be added to an agricultural district. Statutorily, it is the Legislative Body that is charged with the responsibility of evaluating the sum considerations in adding or not adding viable agricultural land to the district.

We look forward to working with AFPB to address these concerns in support of agriculture in Suffolk County. If you have any questions or would like to discuss this issue further, please contact me at 518/457-3738 or michael.latham@agriculture.ny.gov.

Sincerely,

Michael J. Latham

Michael J. Latham, Director

Cc: Robert Somers, Division of Land and Water Resources
John Brennan, Agricultural Districts Program Manager
Sarah Lansdale, Suffolk County Planning Director
Joanne Minieri, Suffolk County Deputy County Executive/Commissioner

SUFFOLK COUNTY
AGRICULTURAL AND FARMLAND PROTECTION BOARD

Suffolk County Agricultural & Farmland Protection Board
2014 Evaluation Guidelines
for Agricultural Districts Program Enrollment Applications

1) Does the proposal involve an **active** commercial agricultural production operation, a commercial horse boarding operation and/or a commercial equine operation?
2) Are there **≥ 7 acres** and **≥ $10,000** in annual gross sales or **< 7 acres** and **≥ $50,000** in annual gross sales for a commercial agricultural operation?
3) Are there **≥ 7 acres** and **≥ $10,000** in annual gross sales and at least 10 horses boarded/stabled for a commercial horse boarding or equine operation?
4) Is **≥ 50%** of the farmland in agricultural production and/or used in support of a commercial horse boarding operation and/or a commercial equine operation?

Additional Information Requested:

1) Does **≥ 50%** of the included land contain Prime Soils and/or Soils of Statewide Significance?
2) Have the farmland development rights been purchased by a municipality or not-for-profit on part or all of the farmland?

c/o SUFFOLK COUNTY DIVISION OF PLANNING AND ENVIRONMENT
H. LEE DENNISON BLDG., 4th FLOOR • PO BOX 6100 • HAUPPAUGE, NY 11788-0099 • T: (631) 853-5191 • F: (631) 853-4044

2015 Definition of Farm Operation

AML §301(11). "Farm operation" means the land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a "commercial horse boarding operation" as defined in subdivision thirteen of this section, a "timber operation" as defined in subdivision fourteen of this section and "compost, mulch or other biomass crops" as defined in subdivision sixteen of this section and "commercial equine operation" as defined in subdivision seventeen of this section. Such farm operation may consist of one or more parcels of owned or rented land, which parcels may be contiguous or noncontiguous to each other.

12. "Agricultural data statement" means an identification of farm operations within an agricultural district located within five hundred feet of the boundary of property upon which an action requiring municipal review and approval by the planning board, zoning board of appeals, town board, or village board of trustees pursuant to article sixteen of the town law or article seven of the village law is proposed, as provided in section three hundred five-a of this article.

13. "Commercial horse boarding operation" means an agricultural enterprise, consisting of at least seven acres and boarding at least ten horses, regardless of ownership, that receives ten thousand dollars or more in gross receipts annually from fees generated either through the boarding of horses or through the production for sale of crops, livestock, and livestock products, or through both such boarding and such production. Under no circumstances shall this subdivision be construed to include operations whose primary on-site function is horse racing. Notwithstanding any other provision of this subdivision, a commercial horse boarding operation that is proposed or in its first or second year of operation may qualify as a farm operation if it is an agricultural enterprise, consisting of at least seven acres, and boarding at least ten horses, regardless of ownership, by the end of the first year of operation.

14. "Timber operation" means the on-farm production, management, harvesting, processing and marketing of timber grown on the farm operation into woodland products, including but not limited to logs, lumber, posts and firewood, provided that such farm operation consists of at least seven acres and produces for sale crops, livestock or livestock products of an annual gross sales value of ten thousand dollars or more and that the annual gross sales value of such processed woodland products does not exceed the annual gross sales value of such crops, livestock or livestock products.

15. "Agricultural tourism" means activities, including the production of maple sap and pure maple products made therefrom, conducted by a farmer on-farm for the enjoyment and/or education of the public, which primarily promote the sale, marketing, production, harvesting or use of the products of the farm and enhance the public's understanding and awareness of farming and farm life.

* 16. "Apiary products operation" means an agricultural enterprise, consisting of land owned by the operation, upon which bee hives are located and maintained for the purpose of producing, harvesting and storing apiary products for sale.

* NB There are 2 subd. 16's

* 16. "Compost, mulch or other organic biomass crops" means the on-farm processing, mixing, handling or marketing of organic matter that

is grown or produced by such farm operation to rid such farm operation of its excess agricultural waste; and the on-farm processing, mixing or handling of off-farm generated organic matter that is transported to such farm operation and is necessary to facilitate the composting of such farm operation's agricultural waste. This shall also include the on-farm processing, mixing or handling of off-farm generated organic matter for use only on that farm operation. Such organic matter shall include, but not be limited to, manure, hay, leaves, yard waste, silage, organic farm waste, vegetation, wood biomass or by-products of agricultural products that have been processed on such farm operation. The resulting products shall be converted into compost, mulch or other organic biomass crops that can be used as fertilizers, soil enhancers or supplements, or bedding materials. For purposes of this section, "compost" shall be processed by the aerobic, thermophilic decomposition of solid organic constituents of solid waste to produce a stable, humus-like material.

17. "Commercial equine operation" means an agricultural enterprise, consisting of at least seven acres and stabling at least ten horses, regardless of ownership, that receives ten thousand dollars or more in gross receipts annually from fees generated through the provision of commercial equine activities including, but not limited to riding lessons, trail riding activities or training of horses or through the production for sale of crops, livestock, and livestock products, or through both the provision of such commercial equine activities and such production. Under no circumstances shall this subdivision be construed to include operations whose primary on site function is horse racing. Notwithstanding any other provision of this subdivision, an agricultural enterprise that is proposed or in its first or second year of operation may qualify as a commercial equine operation if it consists of at least seven acres and stables at least ten horses, regardless of ownership, by the end of the first year of operation.

FARM

An area of land consisting of not less than seven acres, unless the parcel is located in a state-certified agriculture district, where crops are grown or animals are reared for commercial purposes, together with appropriate buildings. Nothing herein shall be deemed to prohibit gardening, the raising of animals as may be regulated elsewhere in the Code, or other agricultural activities conducted for private use or consumption as an accessory use to a dwelling.
[Added 9-10-2014 by L.L. No. 4-2014]

The definition of farm operation in the AML includes land that is contiguous or non-contiguous to one another, owned and/or rented. This definition in Town Code appears to mean that "a" parcel used for farming cannot be less than 7 acres.

NEW YORK STATE | Agriculture and Markets

MEMORANDUM

TO: County Agricultural and Farmland Protection Boards

FROM: Michael Latham, Director

DATE: December 5, 2016 (Reissued)

SUBJECT: Agriculture and Markets Law (AML) §303-b – Inclusion of Viable Agricultural Land

Under AML §303-b (2)(a) County Agricultural and Farmland Protection Boards (AFPBs) are charged with making recommendations to County Legislative Bodies (CLBs) *"as to whether the land to be included in the agricultural district consists predominantly of 'viable agricultural land' as defined in [AML §301(7)] and the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the district."*

AFPBs provide important advice and recommendations to CLBs on the creation, review and inclusion of land within county-adopted, State certified agricultural districts. AFPBs have a diverse membership, including at least four active farmers and six members that are county residents, and offer CLBs a unique, local perspective when making recommendations concerning requests for inclusion of land which is predominantly viable agricultural land within a certified agricultural district. AFPBs are well-suited to evaluate these requests, which are submitted on a parcel-by-parcel basis.

Evaluation Factors

AFPBs evaluate two factors when making recommendations: 1) Whether the parcel or land consist predominantly of "viable agricultural land" and 2) Whether the inclusion of the land serve the public interest by assisting in maintaining a viable agricultural industry within the district.

Viable Agricultural Land

Under AML §301(7), "viable agricultural land" is defined as "land *highly suitable for* a farm operation as defined in [§301(11)]" (emphasis added). Therefore, land need not be actively farmed to be considered for inclusion in an agricultural district. The term "farm operation"[1] is broadly defined to include land and on-farm buildings, equipment, manure

[1] "Farm operation" was first defined in 1997 as part of a package of amendments to the Agricultural Districts Law (AML Article 25-AA) that removed language which required farms to meet the agricultural assessment acreage and income thresholds to be eligible for protection from unreasonably restrictive

processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise. Commercial horse boarding operations, timber operations, compost, mulch or other biomass crops and commercial equine operations [defined in §301(13), (14), (16) and (17), respectively] are also included. A farm operation may consist of one or more parcels of owned or rented land; and such parcels may be contiguous or noncontiguous to each other.

The statutory definition of "farm operation" does not require minimum acreage and income thresholds for most operations.[2] Many viable farm operations are conducted on limited acreage (e.g., greenhouses, poultry and aquaculture); as well as on marginal lands (e.g., farmed deer on steep slopes and non-prime soils, etc.). Much of the land in a county could, therefore, be considered "highly suitable for a farm operation." Farm operations are much more than their land base, however; they rely on their owners and operators, including the ideas, skills and investment they bring, to become and remain viable.

Inclusion Assists in Maintaining a Viable Agricultural Industry

In light of the statutory definition of "farm operation," the more difficult task for AFPBs when making recommendations to CLBs is whether *"the inclusion of the land would serve the public interest by assisting in maintaining a viable agricultural industry within the district."* AFPBs, as a local advisory body, understand the agricultural industry within their county. AFPBs still need information about the land proposed to be included in a district, as well as the farm operation or start-up farm involved.

- Existing Farms - If an existing farm operation seeks inclusion in an agricultural district, certain information may make the AFPB's task easier, such as whether or not the farm is eligible for or receives an agricultural assessment; the farm's land base and sales; whether the land is subject to a conservation easement which includes agricultural uses as allowed uses; etc.

- Start-up or Hedging Farms - Start-ups and hedging farms may be more difficult to evaluate as they may have no, or limited, sales history. Therefore, information sought from these applicants may include land base, sales (if any), investment/planned investment, equipment, ideas/expertise/plans to become viable, whether subject to conservation easement, etc.

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local laws under AML §305-a [and the former §305(2)]. These amendments allowed start-up and hedging farms to qualify for such protection. Prior to the amendments, some farms could not start up and begin to meet the agricultural assessment thresholds because farming was not allowed within the zoning district in which the land was located.

[2] "Commercial horse boarding operation" (CHB), "timber operation" and "commercial equine operation" (CEO) do have thresholds. CHBs and CEOs can qualify as farm operations during start-up, however.

COUNTY OF DUTCHESS

MARCUS J. MOLINARO
COUNTY EXECUTIVE

MEMORANDUM

TO: A. Gregg Pulver, Chairman Dutchess County Legislature
Members, Dutchess County Legislature

FROM: Marcus J. Molinaro, County Executive

RE: Resolution 2018190

DATE: August 31, 2018

I return Resolution 2018190 unsigned. I understand it is being reconsidered by the Dutchess County Legislature.

Thank you.

Enc.

22 Market Street, Poughkeepsie New York 12601 • (845) 486-2000 • Fax: (845) 486-2021
mmolinaro@dutchessny.gov

MARCUS J. MOLINARO
COUNTY EXECUTIVE

EOIN WRAFTER, AICP
COMMISSIONER

COUNTY OF DUTCHESS

DEPARTMENT OF PLANNING AND DEVELOPMENT

To: Marcus J. Molinaro, County Executive

From: Eoin Wrafter, Commissioner Planning & Development

Re: Parcel 6462-03-172062 being included in Agricultural District 22

Date: August 31, 2018

As requested, below is a summary of my reasoning for opposition to parcel 6462-03-172062 being included in Agricultural District 22.

Section 303-b of the Agriculture and Markets Law states that the County Agricultural and Farmland Protection Board's (AFPB) responsibility is to "report to the county legislative body its recommendations as to whether the land to be included in the agricultural district consists predominately of **'viable agricultural land' as defined in [AML §301(7)] and the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the district.**"

> Under AML §301(7), "viable agricultural land" is defined as "land *highly suitable* for a farm operation as defined in [§301(11)]" (emphasis added). Farm operation is defined in AML §301(7)as the land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a "commercial horse boarding operation" as defined in subdivision thirteen of this section, a "timber operation" as defined in subdivision fourteen of this section, "compost, mulch or other biomass crops" as defined in subdivision seventeen of this section and "commercial equine operation" as defined in subdivision eighteen of this section. Such farm operation may consist of one or more parcels of owned or rented land, which parcels may be contiguous or noncontiguous to each other.

The NYS Department of Agriculture and Markets (NYSDAM) has not published guidelines to provide further interpretation of the program's criteria. Our Dutchess County AFPB has developed an internal annual enrollment checklist based on our experience since Section 303-b was adopted in 2003. It incorporates the verbal advice that the AFPB has received from the New York State Department of Agriculture and Markets (NYSDAM) since that time. The checklist asks questions pertaining to the definition of viable agricultural land, start-up vs existing operations, and suitable soil types (i.e. prime and statewide important soils). In addition, the checklist/criteria acknowledges that various over-riding considerations may be at play when reviewing a property, *"such as: the land-owner may be out of compliance with zoning or other municipal laws; the property may be in a dense residential area; part(s) of a property may currently be used for non-agricultural commercial uses (such as automobile junk yards); or*

properties may have unresolved issues pertaining to toxic waste disposal. In these instances, it may be necessary for the AFPB to request additional information or to seek input form the local municipality before making a decision."

My rational/review:

1. Viable Agricultural Land
    - The subject parcel (6462-03-172062) is 2.1 acres, located in the Town of LaGrange. The parcel is in a well-established residential neighborhood and includes multiple buildings, pavement, numerous well-established trees, and a pond.
    - Less than 50% of the parcel has open soil that that could be used for farming (prime soils). The pond located in the rear has no evidence of aquaculture or sufficient tributaries, and/or machinery to produce the flow of water necessary to farm fish.
    - It is important to note that the *suitability* and *viability* referenced in AML is required for all potential farm operations, not just the use that is currently on the parcel. This begs the question: Could the property support a horse operation, a sheep operation, or a hay operation? I feel that it could not and, therefore, it is not viable agricultural land.

2) Serves the agriculture district as a whole
    - This piece of property is not contiguous to a parcel already in the district or a farm operation; its inclusion in the district would not assist in maintaining a viable agricultural industry within the district.
    - Any piece of property with a building could potentially be used for apiary purposes. Without the apiary, the property by itself does not promote or further surrounding agricultural operations in the district.
    - In New York State, agricultural districts were initially established to counteract development pressures resulting in a loss of farmland. This property was residential prior to its use for the apiary; as such, the conversion already occurred.

Over-riding considerations:

- The Town of Lagrange expressed concerns in writing to the AFPB regarding conformance with zoning and the apiary being a subordinate use to the residence.
- As mentioned at the Agricultural forum the Department and Planning Federation will be hosting training in the fall on Making Your Community More Farm Friendly through Planning and Zoning. It will include examples of definitions for use in zoning codes, templates for right to farm laws, modified site plan review laws, and ag data statements to mention a few examples.

Based on the reasons stated above, I believe it is not appropriate to include this parcel in the district. If you have any questions, please let me know.

On July 9, 2018, Assistant Majority Leader Sagliano, duly seconded by Legislator Miccio, moved Resolution No. 2018190. Discussion proceeded as follows:

Legislator Borchert, duly seconded by Assistant Majority Leader Sagliano, made a motion to move the property of Juliette Landi, parcel 6462-03-172062, from the rejected table of properties to the accepted table of properties included in Agricultural District 22.

Art Collings, Vice Chair of Farmland Protection Board, stated this property was an existing property in an existing subdivision that met neither the criteria for being viable farmland nor the criteria of improving the agricultural district as a whole. He added that the Farmland Protection Board received a letter from the town of LaGrange requesting this property not be included in the agricultural district because of open zoning issues on the property and that the Farmland Protection Board historically weighs heavily any concerns that were expressed by municipalities.

Legislator Miccio questioned if the Legislature could amend this resolution without any consequences.

Scott L. Volkman, Legislative Counsel, stated the resolution can be amended to move properties one way or the other. He added that the board had the final authority on what's in, what's out. He further stated that the motion was appropriate and in order but it was up to the Legislature to accept the determination of the Farmland Protection Board or not. He stated the purpose of the public hearing was to see if there was any merit in including them or not at this point in time.

Assistant Minority Leader Munn, duly seconded by Minority Leader Black, made a motion to table the resolution until the Agriculture and Farmland Protection Board could meet and provide an updated recommendation to the Legislature.

Assistant Majority Leader Sagliano called Point of Order and requested the Legislative Counsel's opinion on tabling the resolution because an amendment was on the floor.

Scott L. Volkman, Legislative Counsel, stated a motion to table was not debatable and took priority over any pending motion on the floor.

On Roll call on the foregoing motion resulted as follows:

AYES:	15	Pulver, Roman, Black, Munn, Llaverias, Edwards, Brendli, Jeter-Jackson, Metzger, Amparo, Zernike, Garito, Thomes, Surman, Houston
NAYS:	9	Sagliano, Borchert, Truitt, Johnson, Tyner, Incoronato, Miccio, Page, Horton

ABSENT: 1 Bolner

Motion adopted.

The foregoing resolution was tabled on July 9, 2018.

Legislator Black requested an update from the Farmland Protection Board's next meeting regarding this parcel.

Legislator Miccio called Point of Order because there was no discussion on a tabled resolution.

On August 20, 2018, Majority Leader Roman, duly seconded by Legislator Llaverias, made a motion, unanimously carried, to reconsider Resolution No. 2018190. Discussion proceeded as follows:

The Chair 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.

Edward Russell, Rhinebeck, requested his property be included within an existing certified Agricultural District.

Karrie Abela, Rhinebeck, requested her property be included within an existing certified Agricultural District.

Dennis Remsburger and Juliette Landi, requested their property be included within an existing certified Agricultural District.

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

Legislator Borchert, duly seconded by Assistant Majority Leader Sagliano, made a motion to move the property of Juliette Landi from the rejected table of properties to the accepted table of properties included in Agricultural District 22.

Roll call on the foregoing amendment resulted as follows:

AYES: 13 Black, Llaverias, Borchert, Edwards, Brendli, Johnson, Jeter-Jackson, Tyner, Incoronato, Zernike, Page, Horton, Thomes

NAYS: 10 Pulver, Roman, Sagliano, Munn, Truitt, Metzger, Bolner, Garito, Surman, Houston

ABSENT: 2 Miccio, Amparo

Amendment adopted.

Legislator Tyner, duly seconded by Legislator Llaverias, made a motion to move the properties of Michael Lancto, Kerrie Abela, and Edward Russell from the rejected table of properties to the accepted table of properties included in Agricultural District 20.

Roll call on the foregoing amendment resulted as follows:

AYES:	8	Llaverias, Edwards, Brendli, Johnson, Jeter-Jackson, Tyner, Zernike, Page
NAYS:	15	Pulver, Roman, Sagliano, Black, Munn, Borchert, Truitt, Metzger, Bolner, Incoronato, Horton, Garito, Thomes, Surman, Houston
ABSENT:	2	Miccio, Amparo

Amendment defeated.

Roll call on the foregoing resolution resulted as follows:

AYES:	22	Pulver, Roman, Sagliano, Black, Munn, Llaverias, Borchert, Edwards, Truitt, Brendli, Johnson, Jeter-Jackson, Metzger, Bolner, Incoronato, Zernike, Page, Horton, Garito, Thomes, Surman, Houston
NAYS:	1	Tyner
ABSENT:	2	Miccio, Amparo

The foregoing Resolution was adopted.

The foregoing Resolution was returned unsigned by the County Executive on August 31, 2018.

NEW YORK STATE OF OPPORTUNITY. | Agriculture and Markets

ANDREW M. CUOMO
Governor

RICHARD A. BALL
Commissioner

RECEIVED
OCT 04 2018
By 11:56am

Carolyn Morris, Clerk
Dutchess County Legislature
22 Market Street
Poughkeepsie, New York 12601

Dear Ms. Morris:

In accordance with Section 303-b of the Agriculture and Markets Law, the Dutchess County Legislature submitted to me, by Resolution No. 2018190, a report and plan to modify Dutchess County Agricultural Districts No. 20, No. 21, No. 22 and No. 23 by including predominantly viable agricultural land into the districts.

Following review of the plan and its related documents, I hereby certify that the inclusion of predominantly viable agricultural land, as proposed, is feasible and shall serve the public interest by assisting in maintaining a viable agricultural industry within the districts.

Signed and sealed at the Town of Colonie
County of Albany, New York
This 19th Day of September, 2018

Sincerely,

Richard A. Ball
Commissioner

cc: Susan Hoskins, IRIS
Gregg Pulver, Chair, Dutchess County AFPB
Eoin Wrafter, Commissioner, Dutchess Co. Dept. of Planning & Dev.
Brian Scoralick, Dutchess Co. SWCD
Ruth Moore, ED, CCE of Dutchess County

Environment Committee Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*		
District 20 - Town of Red Hook/Tivoli	Munn*		
District 3 - Town of LaGrange	Borchert (C)		
District 6 - Town of Poughkeepsie	Edwards		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 22 - Towns of Beekman and Union Vale	Garito		
District 24 - Towns of Dover and Union Vale	Surman (VC)		

Present: 12 **Resolution:** ✓ **Total :** 12 (Yes) 0 (No)

Absent: 0 **Motion:** ___

Vacant: 0 **Abstentions:** 0

2018190 PROPERTY OWNER REQUESTS TO BE INCLUDED WITHIN DUTCHESS COUNTY'S CERTIFIED AGRICULTURAL DISTRICTS 20, 21, 22, AND 23

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 Resolution: ___ Total : _____ _____

Absent: 1 Motion: ✓ Yes No

Vacant: 0 Abstentions: ____

D Borchert / D Sagliano

2018190 Motioned to move Juliette Landi,

7/9/18 Parcel 6462-03-172062, from rejected table of properties to the accepted table of properties

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	1	
District 5 - Town of Poughkeepsie	Roman	2	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		1
District 4 - Town of Hyde Park	Black	3	
District 20 - Town of Red Hook/Tivoli	Munn	4	
District 1 - Town of Poughkeepsie	Llaverias	5	
District 3 - Town of LaGrange	Borchert		2
District 6 - Town of Poughkeepsie	Edwards	6	
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		3
District 8 - City and Town of Poughkeepsie	Brendli	7	
District 9 - City of Poughkeepsie	Johnson		4
District 10 - City of Poughkeepsie	Jeter-Jackson	8	
District 11 - Towns of Rhinebeck and Clinton	Tyner		5
District 12 - Town of East Fishkill	Metzger	9	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo	10	
District 15 - Town of Wappinger	Incoronato		6
District 16 - Town of Fishkill and City of Beacon	Zernike	11	
District 17 - Town and Village of Fishkill	Miccio		7
District 18 - City of Beacon and Town of Fishkill	Page		8
District 21 - Town of East Fishkill	Horton		9
District 22 - Towns of Beekman and Union Vale	Garito	12	
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes	13	
District 24 - Towns of Dover and Union Vale	Surman	14	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston	15	

Present: 24 Resolution: ____ Total : 15 (Yes) 9 (No)

Absent: 1 Motion: ✓

Vacant: 0 Abstentions: ____

KM/HB - Motion to "Table"

7/9/18

2018190

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 14 - Town of Wappinger	Amparo	absent	
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio	absent	
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 23 Resolution: ✓ Total : 23 0
Absent: 2 Motion: ✓ Yes No
Vacant: 0 Abstentions: 0

KR/GL

Remove from Table

8/20/18
2018190

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	1
District 5 - Town of Poughkeepsie	Roman	✓	2
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	✓	3
District 4 - Town of Hyde Park	Black	✓1	
District 20 - Town of Red Hook/Tivoli	Munn		4
District 1 - Town of Poughkeepsie	Llaverias	✓2	
District 3 - Town of LaGrange	Borchert	✓3	
District 6 - Town of Poughkeepsie	Edwards	✓4	
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		5
District 8 - City and Town of Poughkeepsie	Brendli	5	
District 9 - City of Poughkeepsie	Johnson	6	
District 10 - City of Poughkeepsie	Jeter-Jackson	7	
District 11 - Towns of Rhinebeck and Clinton	Tyner	8	
District 12 - Town of East Fishkill	Metzger		6
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		7
District 14 - Town of Wappinger	Amparo	absent	
District 15 - Town of Wappinger	Incoronato	9	
District 16 - Town of Fishkill and City of Beacon	Zernike	10	
District 17 - Town and Village of Fishkill	Miccio	absent	
District 18 - City of Beacon and Town of Fishkill	Page	11	
District 21 - Town of East Fishkill	Horton	12	
District 22 - Towns of Beekman and Union Vale	Garito		8
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes	13	
District 24 - Towns of Dover and Union Vale	Surman		9
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		10

Present: 23 **Resolution:** ✓ **Total :** 13 (Yes) 10 (No)

Absent: 2 **Motion:** ✓

Vacant: 0 **Abstentions:** 0

D Borchert / D Sagliano

8/20/18 Include below:
2018198 land in existing certified Ag District
Juliette Landi, LaGrange

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		1
District 5 - Town of Poughkeepsie	Roman		2
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		3
District 4 - Town of Hyde Park	Black		4
District 20 - Town of Red Hook/Tivoli	Munn		5
District 1 - Town of Poughkeepsie	Llaverias	1	
District 3 - Town of LaGrange	Borchert		6
District 6 - Town of Poughkeepsie	Edwards	2	
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		7
District 8 - City and Town of Poughkeepsie	Brendli	3	
District 9 - City of Poughkeepsie	Johnson	4	
District 10 - City of Poughkeepsie	Jeter-Jackson	5	
District 11 - Towns of Rhinebeck and Clinton	Tyner	6	
District 12 - Town of East Fishkill	Metzger		8
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		9
District 14 - Town of Wappinger	Amparo	absent	
District 15 - Town of Wappinger	Incoronato		10
District 16 - Town of Fishkill and City of Beacon	Zernike	7	
District 17 - Town and Village of Fishkill	Miccio	absent	
District 18 - City of Beacon and Town of Fishkill	Page	8	
District 21 - Town of East Fishkill	Horton		11
District 22 - Towns of Beekman and Union Vale	Garito		12
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		13
District 24 - Towns of Dover and Union Vale	Surman		14
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		15

Present: 23 Resolution: ✓ Total : 8 15

Absent: 2 Motion: ✓ Yes No

Vacant: 0 Abstentions: ____

JT / GL

LAVCTO / Russel Abella

8/20/18

2018190

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	1	
District 5 - Town of Poughkeepsie	Roman	2	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	3	
District 4 - Town of Hyde Park	Black	4	
District 20 - Town of Red Hook/Tivoli	Munn	5	
District 1 - Town of Poughkeepsie	Llaverias	6	
District 3 - Town of LaGrange	Borchert	7	
District 6 - Town of Poughkeepsie	Edwards	8	
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt	9	
District 8 - City and Town of Poughkeepsie	Brendli	10	
District 9 - City of Poughkeepsie	Johnson	11	
District 10 - City of Poughkeepsie	Jeter-Jackson	12	
District 11 - Towns of Rhinebeck and Clinton	Tyner	13	1
District 12 - Town of East Fishkill	Metzger	13	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	14	
District 14 - Town of Wappinger	Amparo	absent	
District 15 - Town of Wappinger	Incoronato	15	
District 16 - Town of Fishkill and City of Beacon	Zernike	16	
District 17 - Town and Village of Fishkill	Miccio	absent	
District 18 - City of Beacon and Town of Fishkill	Page	17	
District 21 - Town of East Fishkill	Horton	18	
District 22 - Towns of Beekman and Union Vale	Garito	19	
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes	20	
District 24 - Towns of Dover and Union Vale	Surman	21	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston	22	

Present: 23 Resolution: ✓ Total : 22 1

Absent: 2 Motion: . Yes No

Vacant: 0 Abstentions: 0

2018190
~~208214~~

2018190 PROPERTY OWNER REQUESTS TO BE INCLUDED WITHIN DUTCHESS COUNTY'S CERTIFIED AGRICULTURAL DISTRICTS 20, 21, 22, AND 23

8/20/18
2018190

RESOLUTION NO. 2018191

RE: AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE GRANT AGREEMENTS AND THE FINANCE DEPARTMENT TO RECEIVE AND DISBURSE FUNDS ALLOCATED TO DUTCHESS COUNTY UNDER THE 2017 U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S CONTINUUM OF CARE PROGRAM

Legislators BORCHERT, SAGLIANO, HORTON, BOLNER, and TRUITT offer the following and move its adoption:

WHEREAS, the County has been notified by the U.S. Department of Housing and Urban Development that funding is available to the County in the sum of $711,695 under the Continuum of Care Program, and

WHEREAS, the Continuum of Care Program is designed to continue to improve the lives of men, women and children through their local planning efforts and through the direct housing and service programs, and

RESOLVED, that the County Executive, or his designee, is hereby authorized to execute any and all necessary Grant Agreements in connection with the information set forth below, and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to establish, if necessary, a Community Development account for the acceptance, receipt and disbursement of these funds:

APPROPRIATIONS - Increase

CD.8676.4400.4425	Contract Agency - Hudson River Housing Shelter Plus Care	$117,636
CD.8676.4400.4425	Contract Agency - Hudson River Housing HB1	162,594
CD.8676.4400.4425	Contract Agency-Hudson River Housing Moving On	36,139
CD.8676.4400.4466	Contract Agency - Rehabilitation Support Services: MICA	195,435
CD.8676.4400.4645	Contract Agency - Mid-Hudson Addiction Recovery Ctr.	160,914
CD.8686.4408.1314	Contractual Admin – CoC Program Planning Admin.	38,977
		$711,695

REVENUES - Increase

CD.8676.49890.03	Special Grant Provision for Public Services Other HC Continuum of Care (#14.267)	$672,718
CD.8686.49890.03	CD Act CoC Program Planning (#14.267)	38,977
		$711,695

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/18/2018

CA-114-18
LDF/kvh/G-179
06/07/18 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 9th day of July 2018, 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 9th day of July 2018.

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 $ 711,695

Total Current Year Revenue and Source $ 711,695

U.S. Department of Housing and Urban Development Continuum of Care Program.

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

Identify Line Items(s):

See attached detail.

Related Expenses: Amount $ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): _____

Over Five Years: _____

Additional Comments/Explanation:

This resolution will authorize the County Executive to execute the grant agreements and enable the Finance Department to accept $711,695 for the 2017 Federal Continuum of Care (CoC) Program.

Prepared by: Gail Ouimet, Planning and Development 486-3635 Prepared On: May 31, 2018

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

OFFICE OF ASSISTANT SECRETARY
FOR COMMUNITY PLANNING AND DEVELOPMENT

RECEIVED
APR 09 2018
BY

March 15, 2018

Mr. Marcus Molinaro
County Executive
County of Dutchess
22 Market Street
Poughkeepsie, NY 12601

Dear Mr. Molinaro:

Congratulations! I am delighted to inform you that HUD selected the project application(s) your organization submitted for funding under Fiscal Year (FY) 2017 Continuum of Care (CoC) Program project application(s) in the total amount of $672,718.

The CoC Program is an important part of HUD's mission. CoCs around the country will continue to improve the lives of men, women, and children through their local planning efforts and through the direct housing and service programs funded under the FY 2017 CoC Program Competition. Projects like your organization's, funded through the CoC program, continue to demonstrate their value by improving accountability and performance every year.

The enclosure details the conditionally obligated funds for your organization's award(s) which listes: the name(s) of the individual project(s); the project number(s); and the specific amount(s) of the obligation(s) for each conditionally selected application. Your local HUD field office will send a letter to providing more information to your organization about finalizing the award(s), and executing of your grant agreement(s). After all conditions are satisfied and the grant agreement is executed, your organization can expend funds.

HUD commends your organization's work and encourages it to continue to strive for excellence in the fight to end homelessness.

Sincerely,

Neal Rackleff
Assistant Secretary

Enclosure

Dutchess County Planning and Development

Continuum of Care Program Grant -- 2017 Allocation Summary

Agency		Description	In G/L Account Number Order	Amount to Increase
Contract Agency	Hudson River Housing, Inc.	Shelter Plus Care	CD.8676.4400.4425	$117,636.00
	Hudson River Housing, Inc.	Home Base	CD.8676.4400.4425	$162,594.00
	Hudson River Housing, Inc.	Moving On	CD.8676.4400.4425	$36,139.00
	Rehabilitation Support Services, Inc.	MICA Shelter Plus Care	CD.8676.4400.4466	$195,435.00
	Mid-Hudson Addiction Recovery Center	Shelter Plus Care	CD.8676.4400.4645	$160,914.00
Contractual Admin	Planning	CoC Program Administration	CD.8686.4408.1314	$38,977.00
			Total Appropriations	**$711,695.00**
Revenue	Special Grant Provision for Public Services, Other HC Continuum of Care (#14.267)		CD.8676.49890.03	$672,718.00
	CD Act CoC Program Planning (#14.267)		CD.8686.49890.03	$38,977.00
			Total Revenue	**$711,695.00**

Enclosure

NY0429L2T011710
HRH Home Base I
$162,594

NY0431L2T011710
HRH Shelter Plus Care
$117,636

NY0432L2T011710
MARC Shelter Plus Care
$160,914

NY0436L2T011710
RSS MICA Shelter Plus Care
$195,435

NY1116L2T011701
HRH Moving On
$36,139

Total Amount: **$672,718**

Fiscal Year 2017
Continuum of Care Competition
Homeless Assistance Award Report

State

CoC Name

Project Name	Program	Awarded Amount
New York		
NY-500 - Rochester, Irondequoit, Greece/Monroe County CoC		
CoC Planning Project Application FY2017	CoC	$345,678
Coordinated Entry	CoC	$252,622
HMIS for RMCCoC	CoCR	$251,880
Home Safe	CoC	$362,907
Home Safe Bonus	CoC	$124,735
Lafayette Housing	CoCR	$142,868
Lafayette Housing 2	CoCR	$125,019
Parenting Teens	CoCR	$83,935
PCHO Housing First	CoCR	$948,992
PCHO RRH	CoCR	$127,837
PCHO RRH II	CoCR	$470,717
Permanent Housing Supportive Services	CoCR	$39,046
Providence PBV Permanent Housing	CoC	$592,796
Providence Shelter Plus Care	CoCR	$464,728
Providence Supportive Suburban Housing Initiative	CoCR	$279,027
Providence Veterans Permanent Housing Program	CoCR	$181,170
RHA/1630 Dewey Ave PSH-PBRA #23	CoCR	$243,311
RHA/East House Phase II PSH-RA #19	CoCR	$59,815
RHA/Frederick Douglass Apartments PSH-PBRA #24	CoCR	$24,581
RHA/JPC PSH-RA #18	CoCR	$133,781
RHA/Monroe County DHS PSH-RA #5	CoCR	$2,338,757
RHA/OMH PSH-RA #16	CoCR	$76,036

State

CoC Name

Project Name	Program	Awarded Amount
West Harlem Transitional Services	CoCR	$1,327,350
White Plains Road CR/SRO	CoCR	$669,306
WISH Families	CoCR	$1,223,993
Women In Need SPC 1 Triangle House	CoCR	$151,737
Women In Need SPC 2 Brooklyn Recovery	CoCR	$230,383
Women In Need SPC 3 Bronx Recovery	CoCR	$344,721
Women In Need SPC 4 Families in Recovery	CoCR	$134,600
WSFSSH Consolidated	CoCR	$587,412
WWC renewal project 2017	CoCR	$198,827
Young Mothers Program 2 2017 Renewal	CoCR	$122,361
NY-600 Total:		$107,934,572
NY-601 - Poughkeepsie/Dutchess County CoC		
DC MICA FY2017 Renewal	CoCR	$45,501
J VA FY2017 Renewal	CoCR	$27,980
Dutchess County Portion of the Capital Region HMIS (2017)	CoCR	$45,120
HRH COACH	CoCR	$148,419
HRH Garden Street Housing	CoCR	$52,272
HRH Hillcrest House	CoCR	$141,619
HRH Home Base I	CoCR	$162,594
HRH Moving On	CoCR	$36,139
HRH Noxon Street Housing	CoCR	$28,165
HRH River Haven Transitional Living	CoCR	$41,079
HRH Shelter Plus Care	CoCR	$117,636
MARC Shelter Plus Care	CoCR	$160,914
NY-601 CoC Planning Application FY2017	CoC	$38,977
PEOPLe Home Project FY2017	CoCR	$94,284
RSS MICA Shelter Plus Care	CoCR	$195,435

State

CoC Name

Project Name	Program	Awarded Amount
NY-601 Total:		$1,336,134

NY-602 - Newburgh, Middletown/Orange County CoC

CoC Planning Project Application FY2017	CoC	$79,860
Family Supportive Housing FY 2017	CoCR	$144,307
Home To Stay FY 2017	CoCR	$261,482
HONOR ehg (PSH) Bonus	CoCR	$375,939
HONOR Housing First III	CoCR	$135,746
MHA HDH FY 2017	CoCR	$115,496
MHA NY0437 Enhanced MH/DD	CoCR	$73,512
MHA NY0448 Individuals	CoCR	$73,512
NY-602-REN Regional Economic Community Action Program	CoCR	$604,300
Orange CoC HMIS (2017)	CoCR	$65,809
Permanent Housing Bonus Money	CoCR	$66,796
oject LIFE Rapid Rehousing Program	CoC	$160,092
RECAP NY 0811 Veterans	CoCR	$211,511
Safe Harbors Cornerstone Residence	CoCR	$171,006
Stephen Saunders Residence,	CoCR	$90,058
NY-602 Total:		$2,629,426

NY-603 - Nassau, Suffolk Counties CoC

AHAL I	CoCR	$208,063
AHAL II	CoCR	$106,376
Beacon House III	CoCR	$178,436
Bethpage SHP	CoCR	$42,025
Casa Salva RRH	CoC	$147,989
Casa Serenidad FY 2017	CoCR	$200,878
COC Planning Project 2017	CoC	$306,742
ordinated Assessment/Entry 2017	CoC	$31,737

Environment Committee Roll Call

District	Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*		
District 20 - Town of Red Hook/Tivoli	Munn*		
District 3 - Town of LaGrange	Borchert (C)		
District 6 - Town of Poughkeepsie	Edwards		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 22 - Towns of Beekman and Union Vale	Garito		
District 24 - Towns of Dover and Union Vale	Surman (VC)		

Present: 12 **Resolution:** ✓ **Total :** 12 (Yes) 0 (No)

Absent: 0 **Motion:** ___

Vacant: 0 **Abstentions:** 0

2018191 AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE GRANT AGREEMENTS AND THE FINANCE DEPARTMENT TO RECEIVE AND DISBURSE FUNDS ALLOCATED TO DUTCHESS COUNTY UNDER THE 2017 U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S CONTINUUM OF CARE PROGRAM

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 **Resolution:** ✓ **Total :** 24 Yes 0 No

Absent: 1 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018191 AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE GRANT AGREEMENTS AND THE FINANCE DEPARTMENT TO RECEIVE AND DISBURSE FUNDS ALLOCATED TO DUTCHESS COUNTY UNDER THE 2017 U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S CONTINUUM OF CARE PROGRAM

July 9, 2018

RESOLUTION NO. 2018192

RE: AUTHORIZING COUNTY EXECUTIVE TO EXECUTE THE GRANT AGREEMENTS AND THE FINANCE DEPARTMENT TO RECEIVE AND DISBURSE FUNDS ALLOCATED TO DUTCHESS COUNTY UNDER THE 2018 FEDERAL HOME INVESTMENT PARTNERSHIP PROGRAM

Legislators BORCHERT, SAGLIANO, HORTON, BOLNER, and TRUITT offer the following and move its adoption:

WHEREAS, as a result of the County's participation in Community Development Block Grant Programs pursuant to the Housing and Community Development Act, the U.S. Department of Housing and Urban Development has notified the County that funding is available to the County under the HOME Investment Partnership Program, and

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

WHEREAS, Dutchess County's 2018 HOME Investment Partnership allocation has been established at $921,020, now therefore, be it

RESOLVED, that the County Executive, or his designee, is hereby authorized to execute any and all necessary Grant Agreements in connection with the information set forth below, and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to establish, if necessary, a Community Development account for the acceptance, receipt and disbursement of this Program as follows:

APPROPRIATIONS		
Increase		
CD.8692.4402.4404	Grants to Coop Municipalities HOME Program 2018	$921,020
REVENUES		
Increase		
CD.8692.49100.02	CD Act. HOME Program 2018	$921,020

CA-113-18
LDF/kvh/G-179
06/07/18 Fiscal Impact: See attached statement

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
7/18/2018
Date

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 9th day of July 2018, 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 9th day of July 2018.

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 $ 921,020

Total Current Year Revenue $ 921,020
and Source

2017 Federal HOME Investment Partnership Program

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

Identify Line Items(s):
CD.8692.4402.4404

Related Expenses: Amount $ 0
Nature/Reason:

Anticipated Savings to County:

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

Additional Comments/Explanation:
This resolution will authorize the County Executive to execute the grant agreements and enable the Finance Department to accept $921,020 for the 2018 Federal HOME Investment Partnership Program.

Prepared by: Gail Ouimet, Dept. of Planning & Development Prepared On: May 31, 2018

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

ASSISTANT SECRETARY FOR
COMMUNITY PLANNING AND DEVELOPMENT

May 1, 2018

Mr. Marcus Molinaro
County Executive of Dutchess County
22 Market Street
Poughkeepsie, NY 12601-3222

RECEIVED
MAY 14 2018
By

Dear County Executive Molinaro:

I am pleased to inform you of your jurisdiction's Fiscal Year (FY) 2018 allocations for the Office of Community Planning and Development's (CPD) formula programs, which provide funding for housing, community and economic development activities, and assistance for low and moderate-income persons and special needs populations across the country. President Donald J. Trump signed Public Law 115-141 on March 23, 2018, which includes FY 2018 funding for these programs. Your jurisdiction's FY 2018 available amounts are:

Community Development Block Grant (CDBG)	$1,422,737
HOME Investment Partnerships (HOME)	$921,020
Housing Opportunities for Persons With AIDS (HOPWA)	$ 0
Emergency Solutions Grants (ESG)	$ 0
Housing Trust Fund (HTF)	$ 0

This letter highlights several important points related to these programs. We remind grantees that CPD seeks to develop viable communities by promoting integrated approaches that provide quality, affordable housing, a stable living environment, expand economic opportunities for low and moderate-income and special needs populations including people living with HIV/AIDS. The primary means towards this end is the development of partnerships among all levels of government and the private sector, including both for-profit and non-profit organizations.

The Department continues to emphasize the importance of effective performance measurements in all its formula grant programs. Proper reporting in the Integrated Disbursement and Information System (IDIS) is critical to ensuring grantees are complying with program requirements and policies; providing demographic and income information about the persons that benefited from a community's activities; and allowing HUD to monitor grantees. Your ongoing attention to ensuring complete and accurate reporting of performance measurement data continues to be an invaluable resource with regards to the impact of these formula grant programs.

To strengthen controls for the effective use of these formula funds, HUD urges grantees to continually evaluate policies and procedures governing implementation of these programs and to make adjustments as necessary. As a former local official who implemented CPD programs, I understand the benefit this funding brings to the local level as well as the management responsibilities that come with these Federal dollars. Only with constant analysis of how these critical funds are being used can we expect to fulfill our stewardships. The CPD team is prepared to assist you and your staff in achieving these goals through a wide range of training and technical assistance opportunities.

CPD is looking forward to working with you to promote simple steps that will enhance the performance of these critical programs and successfully meet the challenges that our communities face. If you or any member of your staff have questions, please contact your local CPD Field Office Director.

Sincerely,

Neal J. Rackleff
Assistant Secretary

Environment Committee Roll Call

District	Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*		
District 20 - Town of Red Hook/Tivoli	Munn*		
District 3 - Town of LaGrange	Borchert (C)		
District 6 - Town of Poughkeepsie	Edwards		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 22 - Towns of Beekman and Union Vale	Garito		
District 24 - Towns of Dover and Union Vale	Surman (VC)		

Present: 12 **Resolution:** ✓ **Total :** 12 (Yes) 0 (No)

Absent: 0 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018192 AUTHORIZING COUNTY EXECUTIVE TO EXECUTE THE GRANT AGREEMENTS AND THE FINANCE DEPARTMENT TO RECEIVE AND DISBURSE FUNDS ALLOCATED TO DUTCHESS COUNTY UNDER THE 2018 FEDERAL HOME INVESTMENT PARTNERSHIP PROGRAM

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
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District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 **Resolution:** ✓ **Total :** 24 0

Absent: 1 **Motion:** ___ Yes No

Vacant: 0 **Abstentions:** 0

2018192 AUTHORIZING COUNTY EXECUTIVE TO EXECUTE THE GRANT AGREEMENTS AND THE FINANCE DEPARTMENT TO RECEIVE AND DISBURSE FUNDS ALLOCATED TO DUTCHESS COUNTY UNDER THE 2018 FEDERAL HOME INVESTMENT PARTNERSHIP PROGRAM

July 9, 2018

ENVIRONMENT

RESOLUTION NO. 2018193

RE: AUTHORIZING COUNTY EXECUTIVE TO EXECUTE GRANT AGREEMENTS AND FINANCE DEPARTMENT TO RECEIVE AND DISBURSE FUNDS ALLOCATED TO DUTCHESS COUNTY, AS AN URBAN COUNTY, UNDER THE 2018 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

Legislators BORCHERT, PULVER, SAGLIANO, HORTON, SURMAN, and BOLNER offer the following and move its adoption:

WHEREAS, pursuant to Resolution No. 2015184, this Legislature authorized the County's participation, as an Urban County, in the Community Development Block Grant (CDBG) Program for Fiscal Years 2016 through 2018 pursuant to the Housing and Community Development Act, approving the filing of applications for federal assistance for said program, and

WHEREAS, the application for 2018 was accepted and approved by the U.S. Department of Housing and Urban Development for a grant in the amount of $1,422,737, and

WHEREAS, for internal control it is necessary to assign a Community Development account to receive and disburse the 2018 funds, now, therefore, be it

RESOLVED, that the County Executive or his designee is hereby authorized to execute any and all necessary Grant Agreements in connection with the information set forth below, and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to establish, if necessary, a Community Development account for the acceptance, receipt and disbursement of the 2018 Community Development Block Grant (CDBG) as follows:

COMMUNITY DEVELOPMENT BLOCK GRANT
2018 FUNDING ALLOCATIONS

INCREASE	MUNICIPALITY AND PROJECT	AMOUNT
CD.8662.2700.0200	CITY OF BEACON Blackburn Avenue Sidewalks	$170,728
CD.8662.2700.4803	VILLAGE OF TIVOLI Pine Street Improvements – Phase 2	$150,000
CD.8662.4412	MUNICIPAL INFRASTRUCTURE RESERVE – Special Grant, PW, Facilities, Site Improvement, Grant Project Costs	$11,456
CD.8670.2700.2600	TOWN OF DOVER J.H. Ketcham Memorial Park ADA Improvements	$96,006
CD.8670.2700.3089	TOWN OF FISHKILL Town Hall Entrance ADA Access	$75,300
CD.8670.2700.3801	VILLAGE OF MILLERTON and TOWN OF NORTH EAST Village and Town Hall ADA Improvements	$189,700

CD.8670.2700.4001	VILLAGE and TOWN OF PAWLING West Main Street ADA Sidewalks	$200,000
+		
CD.8670.2700.4689	TOWN OF POUGHKEEPSIE Overocker Park Improvements	$95,000
	MUNICIPAL FUNDING TOTAL	$988,190

INCREASE	PUBLIC SERVICE AGENCY AND PROJECT	AMOUNT
CD.8676.4400.4425	HUDSON RIVER HOUSING Housing First Support Services	$25,000
CD.8676.4400.4425	HUDSON RIVER HOUSING River Haven Youth Homeless Program	$25,000
CD.8676.4400.4451	FRIENDS OF SENIORS Senior Medical Transportation and Support Services	$25,000
CD.8676.4400.4453	CATHOLIC CHARITIES DC Eviction Prevention Program	$25,000
CD.8676.4400.4645	MID-HUDSON ADDICTION RECOVERY CENTER Residential Recovery Services-Chemical Dependency	$25,000
CD.8676.4400.4658	NORTHEAST COMMUNITY COUNCIL Youth Development: Teen Team and CPSB	$25,000
	HUMAN SERVICES TOTAL	$150,000

INCREASE	ADMINISTRATION	AMOUNT
CD.8686.4408.1313	DUTCHESS COUNTY – ADMINISTRATION (TOTAL)	$284,547
	TOTAL	$1,422,737

INCREASE	REVENUE	AMOUNT
CD.8662.49100.01	(PW, FACILITIES SITE IMPROVEMENT)	$332,184
CD.8670.49100.01	(SPECIAL PROJ – ELDERLY/HANDICAP)	$656,006
CD.8676.49100.01	(PROVISION OF PUBLIC SERVICE)	$150,000
CD.8686.49100.01	(ADMINISTRATION)	$284,547
	TOTAL	$1,422,737

CA-112-18
LDF/kvh/G-0179
06/13/18
Fiscal Impact: See attached statement

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 7/18/2018

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 9th day of July 2018, 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 9th day of July 2018.

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 $ 1,422,737

Total Current Year Revenue $ 1,422,737
and Source

2018 Community Development Block Grant Program (CDBG).

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

Identify Line Items(s):
See attached detail

Related Expenses: Amount $ 0
Nature/Reason:

Anticipated Savings to County:

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

Additional Comments/Explanation:
This resolution will authorize the County Executive to execute the grant agreements and enable the Finance Department to accept $1,422,737 for the 2018 Community Development Block Grant Program.

Prepared by: Gail Ouimet, Planning and Development Prepared On: May 31, 2018

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

ASSISTANT SECRETARY FOR
COMMUNITY PLANNING AND DEVELOPMENT

May 1, 2018

Mr. Marcus Molinaro
County Executive of Dutchess County
22 Market Street
Poughkeepsie, NY 12601-3222

RECEIVED
MAY 14 2018
By

Dear County Executive Molinaro:

I am pleased to inform you of your jurisdiction's Fiscal Year (FY) 2018 allocations for the Office of Community Planning and Development's (CPD) formula programs, which provide funding for housing, community and economic development activities, and assistance for low and moderate-income persons and special needs populations across the country. President Donald J. Trump signed Public Law 115-141 on March 23, 2018, which includes FY 2018 funding for these programs. Your jurisdiction's FY 2018 available amounts are:

Community Development Block Grant (CDBG)	$1,422,737
HOME Investment Partnerships (HOME)	$921,020
Housing Opportunities for Persons With AIDS (HOPWA)	$ 0
Emergency Solutions Grants (ESG)	$ 0
Housing Trust Fund (HTF)	$ 0

This letter highlights several important points related to these programs. We remind grantees that CPD seeks to develop viable communities by promoting integrated approaches that provide quality, affordable housing, a stable living environment, expand economic opportunities for low and moderate-income and special needs populations including people living with HIV/AIDS. The primary means towards this end is the development of partnerships among all levels of government and the private sector, including both for-profit and non-profit organizations.

The Department continues to emphasize the importance of effective performance measurements in all its formula grant programs. Proper reporting in the Integrated Disbursement and Information System (IDIS) is critical to ensuring grantees are complying with program requirements and policies; providing demographic and income information about the persons that benefited from a community's activities; and allowing HUD to monitor grantees. Your ongoing attention to ensuring complete and accurate reporting of performance measurement data continues to be an invaluable resource with regards to the impact of these formula grant programs.

To strengthen controls for the effective use of these formula funds, HUD urges grantees to continually evaluate policies and procedures governing implementation of these programs and to make adjustments as necessary. As a former local official who implemented CPD programs, I understand the benefit this funding brings to the local level as well as the management responsibilities that come with these Federal dollars. Only with constant analysis of how these critical funds are being used can we expect to fulfill our stewardships. The CPD team is prepared to assist you and your staff in achieving these goals through a wide range of training and technical assistance opportunities.

CPD is looking forward to working with you to promote simple steps that will enhance the performance of these critical programs and successfully meet the challenges that our communities face. If you or any member of your staff have questions, please contact your local CPD Field Office Director.

Sincerely,

Neal J. Rackleff
Assistant Secretary

Environment Committee Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
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District 20 - Town of Red Hook/Tivoli	Munn*		
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District 18 - City of Beacon and Town of Fishkill	Page		
District 22 - Towns of Beekman and Union Vale	Garito		
District 24 - Towns of Dover and Union Vale	Surman (VC)		

Present: 12 **Resolution:** ✓ **Total :** 12 (Yes) 0 (No)

Absent: 0 **Motion:** ___ **Abstentions:** 0

Vacant: 0

2018193 AUTHORIZING COUNTY EXECUTIVE TO EXECUTE GRANT AGREEMENTS AND FINANCE DEPARTMENT TO RECEIVE AND DISBURSE FUNDS ALLOCATED TO DUTCHESS COUNTY, AS AN URBAN COUNTY, UNDER THE 2018 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
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District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 **Resolution:** ✓ **Total :** 24 Yes 0 No

Absent: 1 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018193 AUTHORIZING COUNTY EXECUTIVE TO EXECUTE GRANT AGREEMENTS AND FINANCE DEPARTMENT TO RECEIVE AND DISBURSE FUNDS ALLOCATED TO DUTCHESS COUNTY, AS AN URBAN COUNTY, UNDER THE 2018 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

July 9, 2018

ENVIRONMENT

RESOLUTION NO. 2018194

RE: DECLARING DUTCHESS COUNTY LEAD AGENCY AND ADOPTION OF NEGATIVE DECLARATION WITH RESPECT TO GRANT AWARD TO PARTIALLY FUND THE PURCHASE OF A CONSERVATION EASEMENT ON PROPERTY KNOWN AS BROOKBY FARM IN THE TOWN OF DOVER, NEW YORK

Legislators BORCHERT, SAGLIANO, SURMAN, and BOLNER offer the following and move its adoption:

WHEREAS, Dutchess County is considering a recommendation of the Dutchess County Planning Board (Resolution No. 01/2017) for an award in an amount not to exceed $266,792 in grant funds available through the Dutchess County Partnership for Manageable Growth Program (the "Program") to partially fund the purchase of a conservation easement, to be held by the Dutchess Land Conservancy (the "Conservancy"), on approximately 49+/- acres of property, known as Brookby Farm (Tax Grid Number: 132600-7061-00-572452) located on Dover Furnace Road in the Town of Dover, Dutchess County, New York, and

WHEREAS, the development rights for the proposed conservation easement have been appraised at $208,849, and

WHEREAS, as a result of the Conservancy's organizing efforts and an application to the Program, Dutchess County shall contribute an amount not to exceed $133,396, and the Conservancy shall contribute an amount not to exceed $133,396, for a total contribution not to exceed $266,792, and

WHEREAS, the easement shall provide, among other things, that it shall be held by the Conservancy, which shall assume primary responsibility to monitor and enforce the easement, and

WHEREAS, the Dutchess County Department of Planning and Development has concluded, after review of a Full Environmental Assessment Form, that the proposed Project: 1) is an unlisted action; and 2) will not have a significant adverse impact on the environment, and

WHEREAS, the County is the only involved agency and it is the purpose of this Resolution to establish Dutchess County as the lead agency in the purchase of this conservation easement and to adopt the Full Environmental Assessment Form and the Negative Declaration reflecting the finding of non-significance, annexed hereto and made a part hereof, now therefore, be it, and

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

RESOLVED, that the County hereby assumes lead agency status, adopts and confirms the Full Environmental Assessment Form and Negative Declaration attached hereto with respect to a grant award to partially fund the purchase of a conservation easement of 49 +/- acres on the property known as Brookby Farm (Tax Grid No. 132600-7061-00-572452) in the Town of Dover, Dutchess County, New York.

CA-117-18
LDF/kvh
G-1739
06/11/18
Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/18/2018

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 9th day of July 2018, 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 9th day of July 2018.

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 $ 133,396

Total Current Year Revenue and Source $ 0

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

Identify Line Items(s):

H0476.8020.3006.7015 - Easement-Conservation Brookby Farm

Related Expenses: Amount $ 0

Nature/Reason:

Anticipated Savings to County: $0

Net County Cost (this year): $133,396

Over Five Years: $133,396

Additional Comments/Explanation:

The total not to exceed cost of the acquisition of a conservation easement at the Brookby Farm is $266,792. 50% of the project cost, or $133,396, will be provided by funding from the Dutchess County Partnership for Manageable Growth Program. The Dutchess Land Conservancy will provide the remaining 50% of the project cost, or $133,396, and will hold the easement and provide the required monitoring.

The source of County funds is Capital Account H0476, bonds approved by Dutchess County Legislature Resolution No. 2014323 to support the Partnership for Manageable Growth (PMG) Program.

Prepared by: Brad Barclay

Prepared On: 6/5/2018

Agency Use Only [If applicable]

Project:

Date:

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

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

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer **"Yes"** to a numbered question, please complete all the questions that follow in that section.
- If you answer **"No"** to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)
If "Yes", answer questions a - j. If "No", move on to Section 2.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☐	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☐	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☐	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☐	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☐	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☐	☐
h. Other impacts: _____		☐	☐

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) ☑ NO ☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) ☑ NO ☐ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

l. Other impacts: _____		☐	☐

4. Impact on groundwater
The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. ☑ NO ☐ YES
(See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)
If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____		☐	☐

5. Impact on Flooding
The proposed action may result in development on lands subject to flooding. ☑ NO ☐ YES
(See Part 1. E.2)
If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____		☐	☐

6. Impacts on Air

The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D,2,h, D.2.g) ☑ NO ☐ YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO_2)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____		☐	☐

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☑ NO ☐ YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☐	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☐	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☐	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	☐	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☐	☐
j. Other impacts: _____		☐	☐

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, Elb	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	El a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) ☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", go to Section 10.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	 ☐ ☐	 ☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	 ☐ ☐	 ☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½ -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____		☐	☐

10. Impact on Historic and Archeological Resources

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) ☑ NO ☐ YES

If "Yes", answer questions a - e. If "No", go to Section 11.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	☐	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☐	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☐	☐

d. Other impacts: _____		☐	☐
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☐	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☐	☐

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.)

☑ NO ☐ YES

If "Yes", answer questions a - e. If "No", go to Section 12.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____		☐	☐

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)

☑ NO ☐ YES

If "Yes", answer questions a - c. If "No", go to Section 13.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts: _____		☐	☐

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems. (See Part 1. D.2.j) ☑ NO ☐ YES

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____		☐	☐

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy. (See Part 1. D.2.k) ☑ NO ☐ YES

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting. (See Part 1. D.2.m., n., and o.) ☑ NO ☐ YES

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☐	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☐	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) ☑ NO ☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No,or small impact may cccur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____			

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans. ☑ NO ☐ YES
(See Part 1. C.1, C.2. and C.3.)
If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____		☐	☐

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character. ☑ NO ☐ YES
(See Part 1. C.2, C.3, D.2, E.3)
If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____		☐	☐

PRINT FULL FORM

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Purchase of Development Rights on Farmland (Brookby Farm)		
Project Location (describe, and attach a general location map): Dover Furnace Road, Town of Dover, Dutchess County (Brookby Farm) - Please see Location Map in Part C of application		
Brief Description of Proposed Action (include purpose or need): Purchasing development rights/establishing a conservation easement to preserve 49 acres of working farmland in the Town of Dover.		
Name of Applicant/Sponsor: Dutchess Land Conservancy	Telephone: 845-677-3002 E-Mail:	
Address: 4289 Route 82		
City/PO: Millbrook	State: NY	Zip Code: 12545
Project Contact (if not same as sponsor; give name and title/role): Karin Roux, Senior Land Projects Manager	Telephone: 845-677-3002 E-Mail: karinr@dutchessland.org	
Address: 4289 Route 82		
City/PO: Millbrook	State: NY	Zip Code: 12545
Property Owner (if not same as sponsor): Steven Vincent	Telephone: E-Mail:	
Address: 60-64 Dover Furnace Road		
City/PO: Dover	State: NY	Zip Code: 12522

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	**If Yes: Identify Agency and Approval(s) Required**	**Application Date (Actual or projected)**
a. City Council, Town Board, or Village Board of Trustees ☐Yes☑No		
b. City, Town or Village Planning Board or Commission ☐Yes☑No		
c. City Council, Town or Village Zoning Board of Appeals ☐Yes☑No		
d. Other local agencies ☐Yes☑No		
e. County agencies ☑Yes☐No	Dutchess County Legislature	12/5/2016
f. Regional agencies ☐Yes☑No		
g. State agencies ☐Yes☑No		
h. Federal agencies ☐Yes☑No		

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes☑No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☑Yes☐No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑Yes☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☑Yes☐No

If Yes, identify the plan(s):

Dutchess County Greenway Compact Community, Hudson River Valley National Heritage Area, Dutchess County Agriculture and Farmland Protection Plan

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☑Yes☐No

If Yes, identify the plan(s):

Town of Dover Open Space Plan

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
RU - Rural District, Stream Corridor Buffer Overlay and Floodplain Overlay

b. Is the use permitted or allowed by a special or conditional use permit? ☑ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Dover Union Free School District

b. What police or other public protection forces serve the project site?
Dutchess County Sheriff and New York State Police

c. Which fire protection and emergency medical services serve the project site?
J H Ketcham Hose Co Inc and Northern Dutchess Paramedics EMS

d. What parks serve the project site?
Dover Stone Church Preserve, Nellie Hill Preserve

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Conservation Easement for Farmland Protection

b. a. Total acreage of the site of the proposed action? 49 acres
b. Total acreage to be physically disturbed? 0 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? ☐ Yes ☑ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐Yes ☑No
If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐Yes ☑No
If Yes,
i. Total number of structures _____
ii. Dimensions (in feet) of largest proposed structure: _____height; _____width; and _____ length
iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes ☑No
If Yes,
i. Purpose of the impoundment: _____
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐Other specify:
_____
iii. If other than water, identify the type of impounded/contained liquids and their source.
_____
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
_____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐Yes ☑No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
If Yes:
i. What is the purpose of the excavation or dredging? _____
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.
_____
_____
iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes ☐No
If yes, describe. _____
_____
v. What is the total area to be dredged or excavated? _____ acres
vi. What is the maximum area to be worked at any one time? _____ acres
vii. What would be the maximum depth of excavation or dredging? _____ feet
viii. Will the excavation require blasting? ☐Yes ☐No
ix. Summarize site reclamation goals and plan: _____
_____
_____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐Yes ☑No
If Yes:
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____
_____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

_____

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐Yes☐No
If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes☐No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐Yes☑No
If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐Yes☐No
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐Yes☐No
- Is the project site in the existing district? ☐Yes☐No
- Is expansion of the district needed? ☐Yes☐No
- Do existing lines serve the project site? ☐Yes☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes☐No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐Yes☐No
If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐Yes☑No
If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐Yes☐No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐Yes☐No
- Is the project site in the existing district? ☐Yes☐No
- Is expansion of the district needed? ☐Yes☐No

- Do existing sewer lines serve the project site? ☐Yes☐No
- Will line extension within an existing district be necessary to serve the project? ☐Yes☐No

  If Yes:
  - Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes☐No

If Yes:
- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

_____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☐Yes☑No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

_____

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐Yes☐No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐Yes☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐Yes☑No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

_____

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

_____

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

_____

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes☑No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes☐No

ii. In addition to emissions as calculated in the application, the project will generate:
- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☐No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

_____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☑No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend ☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☑No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

_____

iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: not applicable
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: not applicable
- Saturday: _____
- Sunday: _____
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☑ No

If yes:

i. Provide details including sources, time of day and duration:

_____

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No

Describe: _____

n.. Will the proposed action have outdoor lighting? ☐ Yes ☑ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

_____

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☑ No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

_____

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☑ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☑ Rural (non-farm)
☑ Forest ☑ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.5	0.5	0
• Forested	15	15	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.8	0.8	0
• Agricultural (includes active orchards, field, greenhouse etc.)	40	40	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	1250 ft stream	1250 ft	0
• Wetlands (freshwater or tidal)	6.7	6.7	0
• Non-vegetated (bare rock, earth or fill)	0	0	n/a
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐Yes ☑No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☑Yes ☐No

If Yes,

i. Identify Facilities:

Dover Union Free School District #2

e. Does the project site contain an existing dam? ☐Yes ☑No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

_____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐Yes ☑No

If Yes:

i. Has the facility been formally closed? ☐Yes ☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

_____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐Yes ☑No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐Yes ☑ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐Yes ☐No

☐ Yes – Spills Incidents database Provide DEC ID number(s): _____

☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐Yes ☑No

If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

_____

v. Is the project site subject to an institutional control limiting property uses? ☐Yes ☐No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐Yes ☐No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? unkown feet

b. Are there bedrock outcroppings on the project site? ☐Yes ☑No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

Stockbridge silt loam	18 %
Sun silt loam	13 %
Undulating Copake gravelly silt loam	12 %

d. What is the average depth to the water table on the project site? Average: unknown feet

e. Drainage status of project site soils:
☑ Well Drained: 39 % of site
☑ Moderately Well Drained: 9 % of site
☑ Poorly Drained 13 % of site

f. Approximate proportion of proposed action site with slopes:
☑ 0-10%: 45 % of site
☑ 10-15%: 35 % of site
☑ 15% or greater: 20 % of site

g. Are there any unique geologic features on the project site? ☐Yes ☑No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑Yes ☐No

ii. Do any wetlands or other waterbodies adjoin the project site? ☑Yes ☐No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☑Yes ☐No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 825-29 Classification C(T)
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... Approximate Size 6.7
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐Yes ☑No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐Yes ☑No

j. Is the project site in the 100 year Floodplain? ☑Yes ☐No

k. Is the project site in the 500 year Floodplain? ☐Yes ☑No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☑Yes ☐No
If Yes:

i. Name of aquifer: Principal Aquifer

m. Identify the predominant wildlife species that occupy or use the project site:
white tailed deer | wild turkey | gray squirrel

n. Does the project site contain a designated significant natural community? ☑ Yes ☐ No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation): Floodplain Forest, Red Maple-Hardwood Swamp, Rich Sloping Fen
ii. Source(s) of description or evaluation: NYS DEC
iii. Extent of community/habitat:
- Currently: 548.1, 458.0, 0.37 acres
- Following completion of project as proposed: 548.1, 458.0 0.37 acres
- Gain or loss (indicate + or -): 0 acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☑ Yes ☐ No

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☑ No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☑ No
If yes, give a brief description of how the proposed action may affect that use:

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☑ No
If Yes, provide county plus district name/number:

b. Are agricultural lands consisting of highly productive soils present? ☑ Yes ☐ No
i. If Yes: acreage(s) on project site? 29.7
ii. Source(s) of soil rating(s): USDA

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☑ No
If Yes:
i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent:

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☑ No
If Yes:
i. CEA name:
ii. Basis for designation:
iii. Designating agency and date:

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? ☐ Yes ☑ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based:

_____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☑ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☑ Yes ☐ No

If Yes:

i. Identify resource: Appalachian Trail

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): National Scenic Trail

iii. Distance between project and resource: 4 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name Dutchess Land Conservancy Date 11/29/2016

Signature Eventtoaglund Title Land Projects Manager

PRINT FORM

Project:
Date:

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:
To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

proposed action is the purchase of a conservation easement on +/- 49 acre Brookby Farm (owned by the Vincent Family), in the Town of Dover (Parcel #132600-7061-00-572452)

The action will have no direct physical impacts on the involved property.

The purchase of a conservation easement on the +/- 49 acre Brookby Farm (owned by the Vincent Family), located in Dutchess County, will reduce the remaining development rights for the involved farmland and help to ensure that the farm remains in agricultural use.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☐ Type 1 ☑ Unlisted

Identify portions of EAF completed for this Project: ☑ Part 1 ☑ Part 2 ☑ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ as lead agency that:

☑ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Brookby Farm Conservation Easement

Name of Lead Agency: County of Dutchess

Name of Responsible Officer in Lead Agency: Brad Barclay

Title of Responsible Officer: Senior Planner

Signature of Responsible Officer in Lead Agency: Brad Barclay Date: 6/5/18

Signature of Preparer (if different from Responsible Officer) Date:

For Further Information:

Contact Person: Brad Barclay

Address: 27 High Street, Poughkeepsie, NY 12601

Telephone Number: (845) 486-3600

E-mail: bbarclay@dutchessny.gov

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

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html

PRINT FULL FORM

Environment Committee Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*		
District 20 - Town of Red Hook/Tivoli	Munn*		
District 3 - Town of LaGrange	Borchert (C)		
District 6 - Town of Poughkeepsie	Edwards		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 22 - Towns of Beekman and Union Vale	Garito		
District 24 - Towns of Dover and Union Vale	Surman (VC)		

Present: 12 **Resolution:** ✓ **Total :** 12 (Yes) 0 (No)

Absent: 0 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018194 DECLARING DUTCHESS COUNTY LEAD AGENCY AND ADOPTION OF NEGATIVE DECLARATION WITH RESPECT TO GRANT AWARD TO PARTIALLY FUND THE PURCHASE OF A CONSERVATION EASEMENT ON PROPERTY KNOWN AS BROOKBY FARM IN THE TOWN OF DOVER, NEW YORK

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 **Resolution:** ✓ **Total :** 24 0

Absent: 1 **Motion:** ____ Yes No

Vacant: 0 **Abstentions:** 0

2018194 DECLARING DUTCHESS COUNTY LEAD AGENCY AND ADOPTION OF NEGATIVE DECLARATION WITH RESPECT TO GRANT AWARD TO PARTIALLY FUND THE PURCHASE OF A CONSERVATION EASEMENT ON PROPERTY KNOWN AS BROOKBY FARM IN THE TOWN OF DOVER, NEW YORK

July 9, 2018

ENVIRONMENT

RESOLUTION NO. 2018195

RE: AUTHORIZING EXECUTION OF GRANT AGREEMENT TO PARTIALLY FUND THE PURCHASE OF A CONSERVATION EASEMENT ON PROPERTY KNOWN AS BROOKBY FARM IN THE TOWN OF DOVER NEW YORK AND REALLOCATING FUNDS THEREFORE

Legislators BORCHERT, SAGLIANO, SURMAN, and BOLNER offer the following and move its adoption:

WHEREAS, Dutchess County is considering a recommendation of the Dutchess County Planning Board (Resolution No. 01/2017) for an award in an amount not to exceed $133,396 in grant funds available through the Dutchess County Partnership for Manageable Growth Program (the "Program") to partially fund the purchase of a conservation easement, to be held by the Dutchess Land Conservancy (the "Conservancy"), on approximately 49+/- acres of property, known as Brookby Farm, (Tax Grid Number: 132600-7061-00-572452), located on Dover Furnace Road in the Town of Dover, Dutchess County, New York, and

WHEREAS, a real estate appraisal completed by McGrath & Company, Inc., on September 14, 2016, which is on file with the Clerk to the Legislature, supports the purchase price as it values the Easement at approximately $4,250 per acre for a total of $208,849, and

WHEREAS, as a result of the Dutchess Land Conservancy's organizing efforts and an application to the Program, Dutchess County shall contribute an amount not to exceed $133,396 and the Conservancy shall contribute an amount not to exceed $133,396, for a total contribution not to exceed $266,792, and

WHEREAS, the Easement shall provide, among other things, that it shall be held by the Conservancy which shall assume primary responsibility to monitor and enforce said easement; that the County shall have third party enforcement rights and the right to share proportionately in the proceeds which would become available upon extinguishment of said easement, if ever, and

WHEREAS, the proposed Grant Agreement is subject to various contingencies including approval and acceptance of the Easement and related closing documents (e.g. survey, title report and insurance) by the County, and receipt by the Conservancy of the necessary funding as outlined above, and

WHEREAS, Resolution 208206, a Bond Resolution, authorized the issuance of $1,600,000 serial bonds of the County for specific open space and farmland purposes, and Resolution 2014323, a subsequent Bond Resolution, authorized the issuance of $1,000,000 serial bonds of the County for specific open space and farmland protection purposes/projects, and

WHEREAS, as a result of reductions in the scope and cost of those specific projects referenced in Resolutions 208206 and 2014323, the funds are now available for reallocation to

partially fund the purchase of a conservation easement on the Brookby Farm which is a farmland protection project in accord with the objectives of said Bond Resolutions and the Partnership for Manageable Growth Program, and now therefore be it

RESOLVED, that the County Executive, or his designee, is hereby authorized to execute the Grant Agreement in substantially the same form as attached hereto, and any other related documents that may be necessary, and be it further, and

RESOLVED, that the County Executive is authorized to take such actions as are necessary and consistent with the requirements of the Dutchess County Partnership for Manageable Growth Program to complete the acquisition contemplated herein, including minor revisions to the documents, if necessary, and be it further

RESOLVED, that as a result of reductions in the scope and cost of specific projects referenced in Resolutions 208206 and 2014323, funds are now available in the Capital Projects Account H0476, and have been reallocated to partially fund the purchase of a conservation easement in the amount of $266,792, on property known as Brookby Farm, and be it further

RESOLVED, that to provide for expenses for the above referenced Project, the Commissioner of Finance, as appropriate, is hereby authorized, empowered and directed to amend the 2018 Adopted County Budget as follows:

APPROPRIATION		
Decrease		
H0476.8020.3006	Easement-Conservation	($133,396)
Increase		
H0476.8020.3006.7015	Brookby Farm	$133,396

CA-116-18
EW/LDF/kvh
G-1739
06/11/18
Fiscal Impact: See attached statement

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/18/2018

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 9th day of July 2018, 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 9th day of July 2018.

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 $ 133,396

Total Current Year Revenue $ 0
and Source

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

Identify Line Items(s):

H0476.8020.3006.7015 - Easement-Conservation Brookby Farm

Related Expenses: Amount $ 0
Nature/Reason:

Anticipated Savings to County: $0

Net County Cost (this year): $133,396
Over Five Years: $133,396

Additional Comments/Explanation:

The total not to exceed cost of the acquisition of a conservation easement at the Brookby Farm is $266,792. 50% of the project cost, or $133,396, will be provided by funding from the Dutchess County Partnership for Manageable Growth Program. The Dutchess Land Conservancy will provide the remaining 50% of the project cost, or $133,396, and will hold the easement and provide the required monitoring.

The source of County funds is Capital Account H0476, bonds approved by Dutchess County Legislature Resolution No. 2014323 to support the Partnership for Manageable Growth (PMG) Program.

Prepared by: Brad Barclay Prepared On: 6/5/2018

GRANT AGREEMENT

FOR THE ACQUISITION OF CONSERVATION EASEMENT

THIS AGREEMENT, made this day of _____, 2018, by **STEVEN P. VINCENT**, with an address at 62 Dover Furnace Road, Dover Plains, New York, 12522 (the "Owner"); the **COUNTY OF DUTCHESS**, a municipal corporation with offices at 22 Market Street, Poughkeepsie, New York 12601 (the "County"); and **DUTCHESS LAND CONSERVANCY, INC.** with offices at 4289 Route 82, Millbrook, New York 12545 (the "Conservancy").

WITNESSETH:

WHEREAS, the Owner is the sole owner in fee simple of real property (the "Property") which consists of approximately 49.141 acres located on Dover Furnace Road in the Town of Dover, Dutchess County, New York (Tax Grid Number 132600-7061-00-572452), more fully described in "Exhibit A" attached hereto and incorporated by reference. The Owner desires to sell and convey to the Conservancy a conservation easement reducing the development rights on the entire Property,

WHEREAS, the Conservancy wishes to purchase such conservation easement, provided that funds therefor are available through the Dutchess County Partnership for Manageable Growth/Open Space and Farmland Protection Matching Grant Program authorized by the County pursuant to Resolutions and . Additional funds will be provided by the Conservancy.

Now, therefore, the parties agree as follows:

1. **PURCHASE OF CONSERVATION EASEMENT**. The Owner agrees to sell and convey to the Conservancy, and the Conservancy agrees to purchase from the Owner, a conservation easement (the "Conservation Easement") on the Property upon the terms and conditions hereinafter set forth. The Conservancy shall hold the Conservation Easement and have enforcement rights pursuant to the terms of the Conservation Easement and the County shall have third party enforcement rights pursuant to the terms of the Conservation Easement. The Conservancy and the County shall have the right to claim portions of the monetary value of the Conservation Easement in the event the Conservation Easement is extinguished pursuant to the terms of the Conservation Easement. The Conservation Easement shall be substantially in the form attached to this Agreement as "Exhibit B." The Exhibit B Conservation Easement has been approved the Conservancy's Board of Directors.

2. **PAYMENT**. The development rights for the Property have been appraised at Two Hundred Eight Thousand Eight Hundred Forty Nine Dollars ($208,849), or approximately $4,250 per acre. The purchase price for the Conservation Easement for those development rights shall be Two Hundred Eight Thousand Eight Hundred Forty Nine Dollars ($208,849), payable in full at Closing in accordance with paragraph 3 below and subject to the contingencies set forth in paragraph "5". The purchase price will be raised from the following sources: the Dutchess

County Partnership For Manageable Growth/Open Space and Farmland Protection Matching Grant Program (an amount not to exceed $133,396), and the Conservancy (an amount not to exceed $133,396). See Exhibit C "Financial Worksheet" for more detail.

The total project costs, which include the purchase price, survey, appraisal, title insurance, closing and administrative costs will be paid by the Conservancy using Conservancy funds and funds provided by the County. The exact amount of costs other than the purchase price will be determined on or before the closing date. The Owners will be responsible for all of their own costs and fees in relation to this agreement, including the New York State Transfer Tax.

The Property to be subject to the conservation Easement is shown on a survey map completed by Kirk Horton, Licensed Land Surveyor, titled dated and last revised , attached hereto as "Exhibit D". The survey map will be filed with Office of the Dutchess County Clerk prior to closing. The survey shall be certified to the Owners, the County, the Conservancy, and Title Insurance Company.

3. **APPRAISAL**. The Real Property Appraisal Report prepared by McGrath & Company, Inc., dated September 14, 2016, values the Conservation Easement at Two Hundred Eight Thousand Eight Hundred Forty Nine Dollars ($208,849), or approximately $4,250 per acre.

4. **CLOSING**. Closing shall take place at the offices of the Conservancy at 4289 Route 82, Millbrook, New York on or about 2018, or at such other time and place as the parties shall mutually agree, promptly after funds are made available therefor, pursuant to the Dutchess County Partnership for Manageable Growth/Open Space and Farmland Protection Matching Grant Program, and the Conservancy, as referenced above.

5. **CONTINGENCIES**. This Agreement and the closing are subject to the following contingencies:

(a) Approval of the proposed Conservation Easement ("Exhibit B") by the County. If the Conservation Easement in Exhibit B is modified prior to closing, the modified Conservation Easement must also be approved by the Conservancy's Board of Directors.

(b) Approval by the Dutchess County Legislature of funds from the Dutchess County Partnership For Manageable Growth Program in an amount not to exceed $133,396 to be paid directly to the Owner at closing by the County as part of the purchase price; and the funds of the Conservancy ($133,396 to be used toward the purchase price, administrative costs and transaction costs (See Exhibit C, Financial Worksheet).

(c) Conveyance of title satisfactory to the County, and the Conservancy, subject only to utility company rights, licenses and/or easements to maintain pole, lines, wires and other installations presently servicing the property providing same do not, in the judgment of funding agencies, significantly impede the purposes of the Conservation Easement or significantly reduce its value.

(d) Any documentation, approvals or consents as may be required by the County, or the Conservancy in order to comply with Program requirements.

(e) Conveyance, free of all mortgages and encumbrances of any nature whatsoever or, if any such mortgages or encumbrances exist, subordination of such mortgages or encumbrances to the Conservation Easement to the satisfaction of the County, and the Conservancy.

6. **CANCELLATION**. If the contingencies set forth in Section 5 are not satisfied, the County or the Conservancy may cancel this Agreement on written notice to the Owner and no party will have any claim or cause of action against any other arising out of this Agreement. Notwithstanding the above, if the parties have not successfully closed this matter by June 28, 2019, the Owner may cancel this Agreement upon written notice to the Conservancy at its address as shown herein, attention Rebecca E. C. Thornton, President, and no party shall have any claim or cause of action for damages against any other party arising out of this Agreement.

7. **OWNER'S REPRESENTATIONS**. The Owner represents that: (a) he has, and will have at the closing, the power to sell, transfer and convey the Conservation Easement to the Conservancy subject only to the terms of this agreement; (b) he is not aware of any actions or proceedings which affect the his title to the Property; (c) there are no uncured notices which have been served upon the Owner by any governmental agency, notifying the Owner of any violations of law, ordinance or regulation which would affect the Property; (d) there are no actual impending mechanics liens against the Property; and (e) the Owner has not entered into, nor does there exist any license, lease, option, right of first refusal or other agreement, which affects title of the Property or would affect his obligations hereunder.

The Owner has no knowledge of any condition at, on, under or related to the Property presently or potentially posing a significant hazard to human health or to the environment, whether or not such condition constitutes a violation of law that would result in liability to the Owners, County or Conservancy under any Federal, State or local environmental laws.

Should any of the above representations or warranties cease to be true at any time prior to the closing, the Owner shall immediately so advise the County and Conservancy in writing, except insofar as the Owner has advised the County and Conservancy to the contrary. Each of the above representations and warranties shall be deemed to have been made as of the closing and shall survive the closing.

8. **NO BROKERS COMMISSION**. Each of the parties represents that no broker was used in connection with this Agreement or with any of the transactions contemplated herein.

9. **SEVERABILITY**. Each provision of this Agreement is severable from any and all other provisions of the Agreement. Should any provision of this Agreement be, for any reason, unenforceable, the parties shall negotiate an equitable adjustment in the provisions of this Agreement with a view to effecting the purpose of this Agreement and the enforceability of the remaining provisions of this Agreement shall not be affected thereby.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

APPROVED AS TO FORM:

_____
County Attorney's Office

ACCEPTED: COUNTY OF DUTCHESS

By: _____
Marcus J. Molinaro, County Executive

STATE OF NEW YORK)
) SS:
COUNTY OF DUTCHESS)

On this day of , 2018, before me, the undersigned, personally appeared **Marcus J. Molinaro**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

OWNER

By: _____
Steven P. Vincent

DUTCHESS LAND CONSERVANCY, INC.

By: _____
Rebecca E. C. Thornton
President

STATE OF NEW YORK)
) SS:
COUNTY OF DUTCHESS)

On this day of , 2018, before me, the undersigned, personally appeared **Steven P. Vincent**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

STATE OF NEW YORK)
) SS:
COUNTY OF DUTCHESS)

On this day of , 2018, before me, the undersigned, personally appeared **Rebecca E.C. Thornton**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

EXHIBIT "A"
LEGAL DESCRIPTION

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situated, lying and being in the Town of Dover, Dutchess County, New York, more particularly described as follows:

EXHIBIT "B"
CONSERVATION EASEMENT

EXHIBIT "C"
FINANCIAL WORKSHEET

EXHIBIT "D"
SURVEY MAP

MONITORING AGREEMENT

THIS AGREEMENT, made this day of , 2018, by and between the **COUNTY OF DUTCHESS**, a municipal corporation with offices at 22 Market Street, Poughkeepsie, New York 12601 (hereinafter referred to as the "County"), and **DUTCHESS LAND CONSERVANCY, INC.**, with offices at 4289 Route 82, Millbrook, New York 12545 (hereinafter referred to as the "Conservancy").

WITNESSETH:

WHEREAS, the Conservancy has secured funding, which will result in the acquisition by the Conservancy of a Conservation Easement of approximately 49.141 acres of property owned by **Steven P. Vincent**, located on Dover Furnace Road in the Town of Dover, Dutchess County, New York (the "Property"), and

WHEREAS, the Conservancy has secured funds for this acquisition through a private foundation and the County will provide a matching share through the Dutchess County Partnership for Manageable Growth/Open Space and Farmland Protection Matching Grant Program.

WHEREAS, the Conservancy will hold the Conservation Easement on the Property, assuming such rights, obligations, and responsibilities as set forth therein, and the County will have third party enforcement rights pursuant to the terms of the Conservation Easement, and

WHEREAS, the Conservancy, in its role as a land conservation organization, has obtained extensive experience monitoring and administering conservation easements, and as holder of the Conservation Easement, will monitor and administer this Conservation Easement in furtherance of the shared farmland conservation goals of the County and the Conservancy, and

WHEREAS, this Agreement further defines the rights, obligations and responsibilities associated with monitoring and administering the Conservation Easement,

NOW, THEREFORE, it is mutually agreed by and between the parties as follows:

1. SCOPE OF SERVICES. The Conservancy is primarily responsible for enforcement of the Conservation Easement and for monitoring the Property in a systematic manner to ensure compliance with the terms of the Conservation Easement, as further set forth in the Conservation Easement, attached hereto and incorporated herein as "Exhibit A." The Conservancy shall provide, following the Standards and Practices established by the Land Trust Alliance, and, in strict compliance with all applicable federal, state and local laws, regulations and procedures, the services as set forth on "Exhibit B" annexed hereto and made a part of this Agreement.

If any term of the Scope of Services (Exhibit B) contradicts or creates an ambiguity with any term of this Agreement, this Agreement shall govern.

2. TERM OF AGREEMENT. This Agreement shall become effective upon the conveyance of a Conservation Easement of approximately 49.141 acres by Steven P. Vincent, on the Property (Dutchess County Tax Map Number 132600-7061-00-572452) to the Conservancy and shall remain in effect as long as the Conservancy holds the Conservation Easement.

3. **PAYMENT.** The Conservancy has undertaken its responsibilities hereunder because the Conservation Easement to be acquired protects the agricultural values and natural resources of the Property and promotes the use of sound agricultural practices, which will further the Conservancy's charitable purposes of preserving the natural, ecological, cultural and scenic values of Dutchess County. In recognition of the costs the Conservancy may incur in monitoring compliance with the Conservation Easement, the Conservancy has secured, at no cost to the County, a stewardship fee of $10,000.00 to defray the costs of monitoring and administering the above referenced Conservation Easement.

4. **INDEPENDENT CONTRACTOR STATUS.** The Conservancy agrees that it is an independent contractor and that it shall not hold itself out to be an employee or office of the County, and that therefore, no federal, state or local income tax or payroll tax of any kind shall be withheld or paid by the County on behalf of the Conservancy or its employees; that the Conservancy shall not be eligible for, and shall not be entitled to participate in, any employee pension, health, retirement or other fringe benefit plan of the County; that the Conservancy shall have no workers' compensation or disability coverage through the County for the Conservancy or its employees, and that the Conservancy shall not be entitled to make any claim against the County for these or any other rights or privileges of an officer or employee of the County.

5. **INDEMNIFICATION BY THE CONSERVANCY.** The Conservancy shall hold the County harmless from any and all claims or causes of action for damages arising directly or indirectly out of its negligence in the discharge of its responsibilities pursuant to this Agreement.

6. **INDEMNIFICATION BY THE COUNTY.** The County shall hold the Conservancy harmless from any and all claims or causes of action for damages arising directly or indirectly out of its negligence in the discharge of its responsibilities pursuant to this Agreement.

7. **INSURANCE REQUIREMENTS.** At all times during the term of this Agreement, the Conservancy shall maintain at its own cost the following insurance and shall provide proof thereof to the County, in the form of a Certificate of Insurance, prior to commencing work under this Agreement:

(a) Statutory Worker's Compensation coverage in compliance with the Compensation Law of the State of New York.

(b) General Liability Insurance coverage in the comprehensive or commercial general liability form including blanket contractual coverage for the operation of the program under this Agreement in the amount of $1,000,000.00. This insurance shall include coverage for bodily injury and property damage and shall be on an occurrence form with a waiver of subrogation. The County must be listed as an additional named insured.

Prior to cancellation or material change in any policy, a thirty (30) day notice shall be given to the County Attorney at the address listed below:

Dutchess County Attorney
County Office Building
22 Market Street
Poughkeepsie, New York 12601

On receipt of such notice, the County shall have the option to cancel this Agreement without further expense or liability to the County, or to require the Conservancy to replace any cancelled insurance policy, or rectify any material change in the policy, so that the insurance coverage required by this paragraph is maintained continuously throughout the term of this Agreement in form and substance acceptable to the County. Failure of the Conservancy to take out or maintain, or the taking out or the maintenance of any required insurance, shall not relieve the Conservancy from any liability under this Agreement.

All Certificates of Insurance shall be approved by the County Director of Risk Management prior to commencement of any work under this Agreement.

All policies of insurance referred to above shall be underwritten by companies authorized to do business in the State of New York and acceptable to the County. In addition, every policy required above shall be primary insurance and any insurance carried by the County or its officers or employees shall be excess and not contributory insurance to that provided by the Conservancy. The additional insured endorsement for the Comprehensive General Liability insurance required above shall not contain any exclusion for bodily injury or property damage arising from completed operations. The Conservancy shall be solely responsible for any deductible losses under each of the policies required above. Proof of additional insured coverage shall be evidenced through an additional insured endorsement provided by the insurance carrier.

9. USE OF PRIVATE AUTOMOBILES. The Conservancy represents that it does not own any automobiles and its employees use their own private automobiles when an automobile is necessary for Conservancy business. The Conservancy will ensure all of its employees and any others, discharging responsibilities pursuant to this Agreement, shall be licensed to drive in New York State and shall have, at least, the statutory insurance coverage required by New York State Law.

10. QUALIFICATIONS OF CONSERVANCY. The Conservancy represents it is a New York not-for-profit corporation within the meaning of Article 49, Title 3 of the Environmental Conservation Law of the State of New York (together with any successor statute, the "ECL"), is organized for, among other purposes, conserving real property, is a tax-exempt and qualified organization within the meaning of Sections 501(c)(3), 509(a)(1) and 170(b)(1)(A)(iv) of the Internal Revenue Code, and is a "qualified organization" to accept, purchase, and hold Conservation Easements under Section 170(h) of the Internal Revenue Code and Treasury Regulation Section 1.170A-14(c); and the Conservancy covenants that it will take all actions necessary to maintain such status at all times during the term of this agreement.

The Conservancy specifically represents that it, and its members, officers, employees, agents, servants, consultants and sub-contractors, have the experience, knowledge, and character necessary to perform their particular duties under this Agreement.

11. NON-DISCRIMINATION. No services to be rendered pursuant to, or in connection with, this Agreement may be refused to any person because of age, race, color, creed, sex, national origin, disability or marital status.

The Conservancy shall take all affirmative steps necessary to ensure equal employment

opportunities without discrimination because of age, race, creed, color, sex, national origin, disability or marital status and to comply with all federal, state and local civil rights laws including, but not limited to, the Americans with Disabilities Act.

12. RETENTION OF RECORDS. The Conservancy agrees to maintain and have available for audit such records as may be required by the County, New York State or United States governmental agencies related to this Agreement and the Conservation Easement. These records shall be available for inspection by properly identified personnel of the above governmental agencies upon reasonable notice. The Baseline Documentation Report and the monitoring records shall be permanently maintained in an Archival Storage Facility. All correspondence pertaining to the Conservation Easement shall be maintained in perpetuity. Other records shall be maintained for a period of six (6) years on an ongoing basis unless the County requires otherwise. In such event, the County shall, upon request of the Conservancy, provide an Archival Storage Facility for such other records.

In the event that the Conservancy were to cease to exist, cease to be a qualified organization under Section 170(h) of the Internal Revenue Code, or cease to be qualified to acquire and hold conservation easements under Article 49, Title 3, of the Conservation Law, the Conservancy agrees to transfer all records associated with this Agreement and the Conservation Easement to the County or to such private non-governmental organization or public agency, which has agreed to assume the responsibility of holding the Conservation Easement.

13. NON-ASSIGNMENT. This Agreement may not be assigned by the Conservancy and its right, title or interest therein may not be assigned, transferred, conveyed, sublet or disposed of without the previous written consent of the County.

14. NO FINANCIAL OBLIGATION FOR COUNTY. It is understood and agreed that neither this Agreement nor any representation by any public employee or officer creates any legal or moral obligation for the County to request, appropriate, or make available moneys for the purpose of this Agreement.

15. NOTICE. Except as otherwise provided in this Agreement, notice required to be given pursuant to this Agreement shall be made in writing and addressed to the following or such other person as the parties may designate:

If to the County: any notices necessary or convenient hereunder shall be directed in writing to the Dutchess County Attorney and the Dutchess County Commissioner of Planning and Development, or their successors at their official addresses, which at present are:

Dutchess County Attorney
22 Market Street
Poughkeepsie, New York 12601
Attn: Carol A. Bogle, Chief Assistant County Attorney

Dutchess County Commissioner of Planning and Development
27 High Street
Poughkeepsie, New York 12601
Attn: Eoin Wrafter, Commissioner

If to the Conservancy: any notices necessary or convenient hereunder shall be directed in writing to the President, or her successor at her official address, which at present is:

Dutchess Land Conservancy, Inc.
PO Box 138
Millbrook, New York 12545
Attn: Rebecca E. C. Thornton, President

16. NON-WAIVER. Failure of any party to exercise any rights under this Agreement for a breach thereof shall not be deemed a waiver thereof or a waiver of any subsequent breach.

17. SEVERABILITY. If any provision of this Agreement shall be held unenforceable, the rest of the Agreement shall nevertheless remain in full force and effect.

18. CHOICE OF LAW, VENUE. Any dispute arising directly or indirectly out of this Agreement shall be determined pursuant to the laws of the State of New York. The parties hereby choose the New York State Supreme Court, Dutchess County as the forum for any such dispute.

19. NO ARBITRATION. Disputes involving this Agreement, including the breach or alleged breach thereof, may not be submitted to binding arbitration but must instead be heard in accordance with the paragraph above entitled "Choice of Law, Venue."

20. SERVICE OF PROCESS. In addition to the methods of service allowed by the New York State Civil Practice Law & Rules ("CPLR"), the Conservancy hereby consents to service of process on it by registered or certified mail, return receipt requested or by facsimile (fax) transmission. Service hereunder shall be complete when deposited in the United States mail, duly addressed and with proper postage or when the fax has connected. The Conservancy must promptly notify the County, in writing, of each and every change of address to which service of process can be made. Service by the County to the last known addresses shall be sufficient. The Conservancy will have thirty (30) calendar days after service is complete in which to respond.

21. CAPTIONS. The captions are inserted only as a matter of convenience and reference, and in no way define, limit or describe the scope or intent of this Agreement nor in any way affect the terms hereof.

22. COUNTERPARTS. This Agreement may be executed in any number of counterparts, each of which shall be an original and shall constitute the same Agreement.

23. GENDER. Words of the masculine or feminine gender in this Agreement, unless the meaning of the sentence indicates otherwise, shall be deemed to refer to either male or female persons.

24. ENTIRE AGREEMENT. The terms of this Agreement, including its attachments and exhibits, represent the final intent of the parties. Any modification, rescission or waiver of the terms of this Agreement must be in writing and executed and acknowledged by the parties with the same formalities accorded this basic Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

APPROVED AS TO FORM:

_____
County Attorney's Office

ACCEPTED: COUNTY OF DUTCHESS

By: _____
Marcus J. Molinaro, County Executive

APPROVED AS TO CONTENT:

_____
Commissioner of Planning & Development

ACCEPTED: Dutchess Land Conservancy, Inc

By: _____
Rebecca E. C. Thornton, President

STATE OF NEW YORK)
) SS:
COUNTY OF DUTCHESS)

On this day of , 2018, before me, the undersigned, personally appeared **Marcus J. Molinaro** , personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

STATE OF NEW YORK)
) SS:
COUNTY OF DUTCHESS)

On this day of , 2018, before me, the undersigned, personally appeared **Rebecca E.C. Thornton**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

EXHIBIT "A"

CONSERVATION EASEMENT

EXHIBIT B
SCOPE OF SERVICES

The parties recognize that this Scope of Service outlines the monitoring techniques presently contemplated. As these techniques change over time, the general intent of this Scope of Services will be maintained.

A. General Approach

• In-person site visit and/or fly over property by aerial over flight by Conservancy staff to ensure compliance with the Conservation Easement.

B. Minimum Frequency for Monitoring Visits

• Aerial monitoring to occur annually, typically in the late fall to early spring when the foliage is off vegetation. Ground monitoring of the property to occur approximately once every three years. Monitoring during hunting season will be avoided.

C. Procedure

• Verify property ownership before monitoring to detect any changes.

• Contact landowner by letter well in advance of visit. Site visits can be done with landowner present, although it is not necessary for the landowner to be present during the visit.

• Review baseline file including:

(1) Conservation Easement or Conservation Easement Summary
(2) Baseline documentation maps and photographs
(3) Existing Conditions Report
(4) Previous monitoring records

D. Ground Monitoring

• Visit property, bringing:

(1) easement summary
(2) copy of easement
(3) camera, back up camera
(4) survey plan (or other detailed map)
(5) baseline documentation map showing site features (or topographic map with property boundaries drawn in)
(6) easement inspection form/monitoring log (attached hereto)
(7) compass, measuring tape, measuring wheel or string, fluorescent flagging, bug repellent (in season), sturdy clothing, boots, blaze orange/red hat and/or vest/jacket, whistle, compass, pens/pencils, field notebook, scale, Swiss army knife, water bottle, etc.
(8) photo location map/baseline photos
(9) copy of baseline map to make notes on

• Meet with landowner (upon request), review easement terms, answer any questions

• Inspect property:

(1) find and walk boundaries
(2) check any likely trouble spots
(3) check special conservation features, e.g. location of rare plants
(4) note any significant changes, natural or manmade

(5) photograph changes or trouble area and map photo locations on baseline copy
(6) fill out inspection form (this can be done back at the office using notes taken in the field)
(7) identify problems that need follow-up

E. Aerial Monitoring

• Aerial monitoring to be performed by Conservancy staff who know the property and can interpret the property from the air
• Prepare flight plan
(1) Easement summary
(2) Camera, back up camera
(3) Baseline documentation map showing features (or topographic map of aerial photograph with property boundaries drawn in)
(4) Notebook, pens/pencils
• Note any changes/questionable areas and take photographs
• Follow up questionable areas with on-the-ground inspection

F. Post-Inspection Record Keeping

• Fill out inspection form, sign and date it
• Key new photos to map using field notes and map; label and file photographs in baseline file
• Send landowner letter summarizing findings
• Send County letter summarizing findings
• Store monitoring records safely together. Archive originals with original Baseline Documentation Report and keep one copy in the office for reference.

G. Landowner Relationships

• Landowner Contact – a good working relationship with the landowner is fundamental to a successful stewardship program
(1) Build a spirit of cooperation, beginning before easements are signed
(2) Explain monitoring program, easement holder's role in enforcement, what the landowner can expect
(3) Personally contact a new landowner any time land changes hands, even within the same family
(4) Make sure new owner understands the purposes and terms of the easement and the monitoring program
(5) Maintain personal contact with all landowners periodically, even if aerial monitoring

H. Handling Violations

• In the event of a violation of, or non-compliance with, the terms of the Conservation Easement, the Conservancy will notify the County in writing within 48 hours or two business days of the discovery.
• The Conservancy, as lead monitor, will then notify the landowner about the violation.
• The Conservancy will try to resolve the problem through negotiation:
(1) Establish plan for restoration and set a deadline for compliance
(2) Follow up all contacts in writing, via certified mail
(3) Inspect restoration work and document compliance

• Consult County Attorney's office if violation activity continues or if landowner refuses to cooperate with restoration plan.

CONSERVATION EASEMENT

Between

STEVEN P. VINCENT

as Grantor

and

DUTCHESS LAND CONSERVANCY, INC.,

as Grantee

Deed of Conservation Easement

THIS CONSERVATION EASEMENT ("Easement") is granted this _____ day of _____ 2018, by **STEVEN P. VINCENT**, the "Grantor", having a mailing address at 62 Dover Furnace Road, Dover Plains, New York, 12522 and DUTCHESS LAND CONSERVANCY, INC., the "Grantee," a New York not-for-profit corporation having an office at 4289 Route 82, Millbrook, New York, 12545 and a mailing address at P.O. Box 138 Millbrook, New York, 12545.

WHEREAS:

A. Grantor is the sole owner in fee simple of certain real property (the "Property") consisting of approximately 49.141 acres, in one (1) tax map parcel located on Dover Furnace Road in the Town of Dover, Dutchess County, New York, more fully described in the survey description of the Property attached hereto as "Exhibit A" and shown on the Easement Map attached hereto as "Exhibit B", and on a survey map attached hereto as "Exhibit C" titled " ", prepared by Kirk Horton, Licensed Land Surveyor, dated and last revised on , and filed in the Dutchess County Clerk's Office on as Filed Map No. .

B. Grantee is a New York not-for-profit conservation organization within the meaning of Article 49, Title 3 of the Environmental Conservation Law of the State of New York (together with any successor statute, the "NYS ECL"), is organized for, among other purposes, conserving real property, is a tax exempt and qualified organization within the meaning of Sections 501(c)(3), 509(a) and 170(b)(1)(A)(vi) of the Internal Revenue Code (the "Code"), and is a "qualified organization" to accept, purchase, and hold conservation easements under Section 170(h) of the Code and Treasury Regulation Section 1.170A-14(c).

C. The Property meets the criteria for acceptance of conservation easements of the Grantee and is in close proximity to private land which is permanently protected by the Grantee.

D. The Property is located within the Harlem Valley Calcareous Wetlands Complex, an area comprised of the valleys and adjacent ridges in the Taconic Highlands of easternmost Putnam, Dutchess, and Columbia Counties in New York State, as described in *Significant Habitats and Habitat Complexes of the New York Bight Watershed* (hereafter, "Bight Watershed Report"), a report compiled by the U.S. Fish and Wildlife Service, Southern New England – New York Bight Coastal Ecosystems Program, published in 1997. "The mosaic of calcareous wetlands and adjacent uplands in the Harlem Valley supports regionally significant rare reptile populations and rare calcareous communities and plants species…" The Harlem Valley Calcareous Wetlands Complex includes the Great Swamp, a habitat area which includes wetlands of the Harlem Valley, the mountainous slopes on its east and west sides, and the Swamp River. The Property is located along Route 22, east of West Mountain in the Dover Furnace area shown on the Harlem Valley Calcareous Wetlands Complex Map 2 of 4, in the Bight Watershed Report. The Bight Watershed Report recommends the use of conservation easements as a strategy for protecting these valuable wildlife habitats.

D.

E. The Property is located in the Hudson Valley and is actively farmed. The 2016 New York State Open Space Conservation Plan prepared by the Department of Environmental Conservation, the Office of Parks, Recreation and Historic Preservation, and the Department of State (the "NYS OS Plan") identifies farmland in the Hudson Valley as a "vital component of the New York City/Hudson Valley "Foodshed" due to its potential to provide fresh local foods and "bolster food security of the New York City metropolitan region and the Hudson Valley". The NYS OS Plan refers to priority farmland clusters of important agricultural areas as shown in a 2013 report generated by Scenic Hudson, Inc. titled Securing Fresh, Local Food for New York City and the Hudson Valley: *A Foodshed Conservation Plan for the Region* and the *Dutchess County Agricultural and Farmland Protection Plan* adopted by Dutchess County in 2015. The Property is partially included in the priority areas identified in both documents.

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The Property is also located in the Taconic Ridge/Harlem Valley, a high priority for protection in the NYS OS Plan "due to the region's high biodiversity, presence of threatened and endangered species, scenic views, substantial recreational value, thousands of acres of intact/unfragmented forestland, steeply sloping hillsides, unique geologic segments, historic architecture, working farm landscapes, and multiple connection opportunities to land currently protected by the State, federal government, counties, towns and private land conservation organizations. In addition, acquisition of properties in the Taconic Ridge/Harlem Valley and Route 22 corridor will protect important open spaces, scenic view sheds, working farm landscapes, and watersheds and water quality, and preserve critical wildlife habitat for several threatened and endangered species." The Property is highly visible from Route 22 and is an important component of the scenic view shed.

The NYS OS Plan also identifies protection of the Great Swamp as a regional priority for its "critical habitat for bird and aquatic species, water purification for millions of New York residents, it is an aquifer recharge area, moderates droughts, reduces flooding and provides outstanding educational and recreational opportunities". The Property is bisected by, and has frontage on, over 1,200 feet of the Swamp River as it flows north from its source in the Great Swamp.

F. The Property is located in an area identified as the Hudson River Estuary Area of Biological Concern in Wildlife and Habitat Conservation Framework: An Approach for Conserving Biodiversity in the Hudson River Estuary Corridor, (the "Conservation Framework") produced in 2006 by New York Cooperative Fish and Wildlife Research Unit at Cornell University, and New York State Department of Environmental Conservation, Hudson River Estuary Program. Located within the Hudson River Valley, the Hudson River Estuary Area is an area of high biological and geological diversity, and significant within the context of biodiversity in New York State and the New England and Mid-Atlantic portions of the United States. The Hudson River Estuary Area faces conservation threats such as habitat loss and fragmentation, and the Conservation Framework recommends protecting large, contiguous, unaltered tracts of land, including preservation of farmland through the use of conservation easements, as means to protect the biodiversity of the Hudson River Estuary Area.

As described above, the Property is located in an area containing Harlem Valley Calcareous Wetlands which are known for their high quality habitat for wetland-dependent species, and support rare reptiles, waterfowl, raptors and rare plant habitats and communities.

G. The Comprehensive Wildlife Conservation Strategy Plan ("the CWCS Plan") prepared by New York State Department of Environmental Conservation identifies the area in which the Property is located as the Upper Hudson Basin, an ecologically vital area with high plant and wildlife diversity across a landscape that includes grasslands and agricultural habitats. The CWCS Plan identifies grasslands as critical habitats for New York State's Species of Greatest Conservation Need (SGCN). The Property contains upland meadow grassland habitat associated with agricultural areas. Grassland habitat is described in the CWCS Plan as being both natural and human created areas that support grassland species of conservation concern. Work done by the NYS DEC and New York Natural Heritage Program (NYNHP) for the Grassland Reserve Program (USDA Farm Bill) indicates that there are significant grassland habitats and associated plant and animal communities (e.g., butterflies, birds) throughout the Hudson River corridor. Furthermore, areas with significant amounts of agriculture in the Hudson Valley (Dutchess County) can provide habitat for grassland-dependent species. The CWCS Plan also identifies the top prominent hazard in the Hudson Valley as being habitat loss and fragmentation and encourages the use of easements as a land protection mechanism.

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H. The Property is located within Dutchess County, which adopted an Agricultural and Farmland Protection Plan in March, 2015. The Plan recommends that Dutchess County and its partners "Continue to purchase the development rights on key farm properties – through multiple funding partners including federal, state, and local government, and local land trusts." and the Plan also recommends identifying "opportunities to create and/or build upon existing core areas of preserved farmland in each of the County's farming communities." The Plan emphasizes the strong farmland conversion pressure that exists in Dutchess County, which can result in "a loss of farm production, open space, and loss of agricultural jobs…" The Property is partially located within an Agricultural Priority Area in the Plan, the priority areas containing farmland identified as being important for preservation.

I. The Dutchess County Legislature, in the County Master Plan, *Directions*, adopted by the Dutchess County Legislature in 1988, has identified the area in which the Property is located as an area in which agricultural lands, open space, and streams and wetlands should be preserved. *Directions* emphasizes the preservation of prime agricultural soils and wetlands and encourages open space land uses and the protection of scenic resources. Policy 4.4 supports efforts to maintain the vitality, and increase the diversity of agricultural enterprises in the county. Policy 4.5 supports local land use management techniques that serve to protect agricultural lands, especially within the agricultural districts. Policy 5.14 advocates the protection of wetlands and their buffers from development activities. Policy 5.15 encourages municipalities to preserve their 100-year floodplains by prohibiting uses that either interfere with the flood – carrying functions of the floodplain, create safety hazards, or increase the risk of property damage. Policy 5.16 supports measures to preserve the county's prime and important

agricultural soils. Policy 5.20 advocates the preservation of the county's scenic resources and significant natural areas. Policy 5.24 encourages the preservation of woodland "greenbelt" corridors through communities, especially along streams, floodplains, wetlands, and other sensitive areas, to provide recreational space, wildlife habitat, natural buffers and aquifer protection. Policy 7.11 encourages the provision of open space areas and greenbelt corridors as a fundamental land use that is carefully planned as part of the land use pattern. Policy 7.13 discourages the subdivision of prime and important agricultural soils and large forested tracts into lots which preclude the future use for agriculture and forestry. Policy 11.3 encourages the use of innovative development techniques, such as planned unit development, conservation easement and cluster subdivision, to provide recreational areas and facilities at minimal public cost. Policy 11.18 encourages the maintenance of open space as a technique for preserving unique ecological features, such as floodplains, wetlands, steep slopes and major aquifers. Directions recommends low density development to prevent degradation of the area's rural, natural and scenic characteristics through subdivision and development; Policy 11.21 supports the use of conservation easements to preserve open space in rural areas.

J. The Property is located within Dutchess County's Agricultural District #23, created pursuant to Article 25-AA of the New York State Agriculture and Markets Law (the "AML"). Section 300 states: "It is hereby found and declared that many of the agricultural lands in New York State are in jeopardy of being lost for any agricultural purposes. When nonagricultural development extends into farm areas, competition for limited resources results. It is, therefore, the declared policy of the state to conserve, protect and encourage the development and improvement of its agricultural land for production of food and other agricultural products. It is the purpose of this article to provide a locally-initiated mechanism for the protection and enhancement of New York State's agricultural land as a viable segment of the local and state economies and as an economic and environmental resource of major importance;"

K. The Property is located within the Western New England Marble Valley EcoRegion which extends through towns along the eastern border of Dutchess County, an area characterized by "steep-sided valleys with floodplains, terraces, and rolling to hilly terrain" with springs, seeps, and wetlands; including the Great Swamp, one of the largest wetlands in the Hudson Valley, covering an area of almost 2,000 acres in Dutchess County, as described in Chapter 6, Biological Resources and Biodiversity of Dutchess County, written by Mary Ann Cunningham, Neil Curri, and Robert Wills for the Natural Resource Inventory of Dutchess County (the "Dutchess NRI"), a 2010 collaborative project of Cornell Cooperative Extension Dutchess County (CCEDC) Environment and Energy Program, Cary Institute of Ecosystem Studies, Dutchess County Department of Planning and Development, Dutchess County Environmental Management Council (EMC) and Vassar College Environmental Research Institute. The Hudson Valley EcoRegion extends along the entire western boundary of Dutchess County.

Priority habitats identified in the Western New England Marble Valley EcoRegion include streams, wetlands, contiguous forest and open grasslands; habitats represented on the Property include streams and grasslands. The Dutchess NRI recommends the use of conservation easements as a component of a habitat conservation strategy.

L. The Master Plan of the Town of Dover, adopted by the Town Planning Board on September 21, 1993 and amended April 28, 1999 (the "Master Plan"), includes in its goals and objectives the preservation of the Town's scenic resources, open space, important wildlife habitats, natural resources, and the enhancement of the overall rural character. Policy 3.2 states that the Town should prohibit uses in the federally designated 100-year floodplains that may interfere with their flood carrying function, create safety hazards, increase the threat of property damage, or shift floodplain boundaries downstream. Policy 3.4 states that the Town should promote a land use pattern that protects surface and groundwater resources. Policy 3.6 states that important wildlife habitats, rare or endangered plant communities, and other significant environmental areas should be identified and protected. Policy 3.10 states that the town should identify and protect its scenic resources, including open space views and vistas. Policy 3.11 states that conservation easements and similar approaches should be encouraged to help implement desired natural resource, open space and prime agricultural soils protection.

M. The Dover Open Space Plan which is incorporated into the Master Plan described above, identifies agricultural resources as an open space priority, including promoting agricultural activities and agricultural businesses, and protecting prime and important agricultural soils.

N. The Property consists primarily of productive agricultural land. The Property contains approximately 10 acres of prime soils, and approximately 20 acres of soils of statewide importance as defined by the U.S. Department of Agriculture Natural Resources Conservation Service.

O. The Property is in the watershed of the Ten Mile River which is in an area of direct drainage to the Housatonic River. The Ten Mile River drainage basin is 54 square miles and is contained within Dutchess County, Litchfield County in Connecticut to the east, and partly in Columbia County to the north, as described in the *Natural Resource Inventory of Dutchess County* referenced earlier. The portion of the Housatonic River Watershed in Dutchess County drains the Taconic and Berkshire Mountains and eventually empties into Long Island Sound.

P. The policy of New York State, as set forth in Title 5, Article 15 of the Conservation Law, is to preserve and protect the state's lakes, rivers, streams and ponds. The Property contains frontage on more than 1,200 feet of length of the Swamp River a Class C stream (CT-15-4), which has been classified by the New York State Department of Environmental Conservation according to its best use for fishing. This classification helps to meet the goals of the Federal Clean Water Act and encourages continuous protection to keep the stream clean for the future.

Q. The majority of the Property, approximately 43 acres, is part of a "Zone I" Aquifer Recharge Area, an area of permeable deposits directly overlying the aquifer through which water can move downward with little or no natural filtration because the water is moving too quickly, as defined by the *Dutchess County Water Supply Protection Program Report* prepared by Horsley, Witten, Inc., in 1993 for the Dutchess County Water and Wastewater Authority.

R. The Property contains approximately seven (7) acres of wetlands designated on the National Wetlands Inventory by the United States Department of the Interior.

S. Approximately six (6) acres of the Property lies within a 100-year flood plain as designated by the Federal Emergency Management Agency.

T. The Property contains approximately 15 acres of woodlands in the above described 100-year floodplain, which serves as important wildlife habitat and flood-plain protection.

U. Dutchess County is a municipal corporation with an address at 22 Market Street, Poughkeepsie, New York (the "County"), The County has authorized a grant through the Dutchess County Partnership For Manageable Growth Grant Program to partially fund the purchase of this Easement. The grant is in the amount of One Hundred Thirty-Three Thousand, Three Hundred Ninety-Six Dollars ($133,396) and as a condition to the County's participation, the County is granted a third-party enforcement right in this Conservation Easement, as provided in Section 24 below, and a right to claim a portion of the proceeds resulting from an extinguishment of this Conservation Easement as provided in Sections 29 and 30 below.

V. Dutchess Land Conservancy, Inc. is a not-for-profit corporation with an address at 4289 Route 82, Millbrook, New York ("DLC"), DLC has contributed funds to partially fund the purchase of this Easement. The funds are in the amount of One Hundred Thirty-Three Thousand, Three Hundred Ninety-Six Dollars ($133,396) and, as provided in Section 24 below, a right to claim a portion of the proceeds resulting from an extinguishment of this Conservation Easement as provided in Sections 29 and 30 below.

W. Grantor has received independent legal and financial advice regarding this Easement to the extent that Grantor has deemed necessary. Grantor freely signs this Easement in order to accomplish its conservation purposes.

NOW, THEREFORE, in consideration of the foregoing, Two Hundred Eight Thousand Eight Hundred Forty Nine Dollars ($208,849) and the mutual covenants, terms, conditions and restrictions contained herein, the parties agree as follows:

1. **Grant of Conservation Easement.**
   Grantor hereby grants and conveys to Grantee a perpetual conservation easement (the "Easement"), an immediately vested interest in real property defined by Article 49 of Title 3 of the ECL of the nature and character described herein, for the benefit of the general public, which Easement shall run with and bind the Property in perpetuity. Grantor will neither perform, nor knowingly allow others to perform, any act on or affecting the Property that is inconsistent with the covenants contained herein. Grantor authorizes Grantee to enforce these covenants in the manner described below.

2. **Purpose.**
   The Primary Purpose of this Easement is to conserve Viable Agricultural Land by preventing the conversion of the Property to non-farm uses, except for those allowed herein. In achieving such

prevention the Property shall be forever reserved for continued Agricultural Use. All other purposes listed below shall be secondary and none shall conflict with or significantly diminish the Primary Purpose of this Easement.

The Secondary Purpose of this Easement is to conserve the scenic, open, wooded, and natural character of the Property and protect the quality of its woodlands, prime and important farmland soils, habitat, scenic character, and streams and wetlands.

3. **Implementation.**
This Easement shall be implemented by limiting and restricting the non-agricultural development and non-farm use of the Property in accordance with its provisions. The Property remains subject to all applicable local, state and federal laws and regulations. This Easement and the administration of its provisions shall not unreasonably restrict or regulate Farm Operations in contravention of the purposes of Article 25-AA of the AML.

4. **Definitions.**

4(a). **Accessory Apartment:** A dwelling unit containing complete housekeeping facilities, including kitchen and bathroom facilities for one family, located within a Principal Residence, Accessory Structure or Agricultural Structure, and that is subordinate or accessory to, and located on the same lot as, a Principal Residence.

4(b). **Accessory Residence:** a Residential Dwelling that is detached and separate from the Principal Residence and Farm Labor Housing, that is subordinate and secondary to the Principal Residence and located on the same lot, and that is typically used to house farm operator/manager, tenants, or guests of the Owner.

4(c). **Accessory Structure:** a Structure that is incidental and subordinate to the Principal Residence and which is not intended for human habitation (unless it includes an Accessory Apartment), including but not limited to, a shed, garage, swimming pool, related changing facility, lean-to, woodshed, sculpture, indoor recreational court, outdoor recreational court, well house, and gazebo.

4(d). **Agricultural Structure or Improvement:** a Structure or Improvement built for the purpose of, or utilized for, Agricultural Uses. An Agricultural Structure or Improvement may include, but is not limited to, a customary barn, shed, greenhouse, animal shelter and/or equestrian facility. An Agricultural Structure may contain facilities or uses directly related to Agricultural Use, such as a farm office and bathroom facility, but may not be used for human habitation except as specifically permitted by this Easement.

4(e). **Agricultural Use:** shall be defined as those activities necessary to:
(i.) produce "Crops, Livestock and Livestock Products"; or
(ii.) use the Property as a "Farm Operation" to the extent permitted by this

Easement; or

(iii.) be actively enrolled in any federal or state or local program whose intent is to temporarily suspend (for a specified period of one or more years or crop seasons) the production of Crops, Livestock and Livestock Products for the stipulated purpose of soil and water conservation, wildlife habitat, or similar conservation purpose; or

(iv.) manage the Property or a portion thereof in a fallow or otherwise idled manner provided such management is described in a Conservation Plan.

4(f) **Agri-tourism:** Activities conducted by a farmer on the Property for the recreation, enjoyment, and/or education of the general public and paying or non-paying guests of the farmer. Such activities must have the primary purposes of promoting the sale, marketing, production, harvesting or use of the products of the farm, enhancing the public's understanding and awareness of farming and farm life, and/or increasing public understanding of the importance of agriculture and its contribution to local economies and quality of life. Agri-tourism includes but is not limited to education about and marketing of farm products, including crops, maple products, on-farm wine production, recreational activities such as corn mazes and hay rides, farm-related tours and events, and retail shops primarily selling items produced on the farm.

4(g) **Commercial Uses:** Any use or activity undertaken for business purposes, excluding activities such as hobbies, in which obtaining a financial benefit is incidental to the purpose of the activity. Commercial Uses include the Agricultural and Forestry Uses permitted herein. Membership Clubs, as defined herein, shall not be considered Commercial Uses.

4(h). **Conservation Plan:** an Agricultural Environmental Management (AEM) Conservation Plan (Tier 3 or higher), or such equivalent document that has been prepared by the local Soil and Water Conservation District, or other qualified conservation professional, in cooperation with the Grantor.

4(i). **Crops, Livestock and Livestock Products:** as defined in Article 25-AA of the AML, or such successor law as enacted or amended. In the event that this definition or all of Article 25-AA (and all such successor laws) shall be repealed, then the definition existing at the time of repeal shall serve thereafter.

4(j). **Farm Labor Housing:** dwellings or structures, together with accessory Improvements used to house seasonal and/or full-time employees where such residences are provided by the farm owner and/or operator, the worker is an essential employee of the farm owner and/or operator employed in the operation of the farm and the farm worker is not a partner or owner of the Farm Operation. A structure used as the primary residence of a farm owner and/or operator is not "Farm Labor Housing".

4(k). **Farm Operation:** as defined in Article 25-AA of the AML, or such successor law as

enacted or amended. In the event that this definition or all of Article 25-AA (and all such successor laws) shall be repealed, then the definition existing at the time of repeal shall serve thereafter.

4(l). **Footprint Area:** the area of the Structure at the horizontal ground plane measured along the exterior walls of a Structure. In the case of a Structure or Improvement that is not enclosed by walls, the Footprint Area shall be the total area covered by impervious surfaces.

4(m) **Forestry Uses:** gathering, cultivating, maintaining, harvesting or managing forests, woodlands, or tree plantations for timber, firewood or other products or for water quality, wildlife habitat and other conservation purposes. *See Section 14.*

4(n). **Grantor:** the original Grantor and his heirs, successors and assigns, as future Owners of the Property or a portion thereof.

4(o). **Grantee:** the original Grantee and its successors and assigns.

4(p). **Height:** the measurement from the natural mean grade (prior to construction or grade alteration) to the top of the Structure or Improvement. Natural mean grade shall be calculated by averaging the natural grade at the highest and lowest points of the building's proposed footprint. In the case of a Structure or Improvement with a roof, the top of the Structure or Improvement, including any decorative Improvement but exclusive of chimneys, shall be considered the top of the roof line and measured accordingly.

4(q). **Impervious Surfaces:** Structures or Improvements that permanently cover soil resources. Impervious Surfaces do not include permeable surfaces such as gravel roads and parking areas; structures whose principal purpose is to protect soil and water resources, such as manure storage areas; and Structures and Improvements lacking permanent foundations. As used herein, "permanent foundations" are defined to be any continuous hardened surface (e.g., concrete, asphalt, or other similar stabilizing material) that is attached to, placed on or inserted in the ground and that underlies such building, Structure or Improvement.

4(r). **Improvement:** anything, temporary or permanent, that is constructed, installed or placed on, over, under or across the Property (including a Structure as defined herein), including but not limited to, driveways, farm roads and woods roads, trails, bridges, parking areas, ponds, dams, wells, septic systems, drainage ways, and utility lines.

4(s). **Industrial Uses:** Commercial Uses that involve the manufacture, assembly, treatment, processing, or packaging of products. Industrial Uses shall not include Agricultural Uses, Forestry Uses, or Customary Home Occupations as permitted by this Easement.

4(t). **Institutional Uses:** uses that provide services and/or accommodations to groups of

unrelated individuals on a non-profit or for-profit basis for specific commercial or non-commercial purposes, including but not limited to hospitals, assisted living facilities, nursing homes, prisons, juvenile detention facilities, monasteries, retreat centers, religious worship and educational facilities, schools, universities, research institutes, conference centers, educational facilities, and mental health facilities.

4(u). **Membership Club:** a facility catering exclusively to members and their guests, which may be conducted outdoors and/or within permitted Structures for social and recreational purposes.

4(v). **Owner:** any individual or entity, including any heir, successor or assign, which has any legal or equitable interest in all or any portion of the Property.

4(w). **Principal Residence:** the primary or main Residential Dwelling on the Property, typically occupied by the Owner or farm operator and family when such Owner or operator is in residence on the Property.

4(x). **Recreational Uses:** personal or commercial activities conducted for the enjoyment of the participants including, but not limited to, hunting, fishing, cross-country skiing, camping, horseback riding and snowmobiling. For purposes of this definition, Recreational Uses shall not include golf courses and golf driving ranges.

4(y). **Renewable Energy Facilities:** Structures or Improvements for the generation of energy from renewable resources, including, but not limited to, wind, solar, hydroelectric, methane, wood, biomass and alcohol. *See Section 10(h).*

4(z). **Residential Dwelling:** dwellings or Structures used for residential purposes, together with accessory Improvements that comprise single-family, multi-family, apartments, "in-law" apartments, guest houses and Farm Labor Housing, whether or not the structure(s) are used as the primary residence of a farm Owner and/or operator.

4(aa). **Rural Enterprises:** Commercial Uses which are clearly incidental, secondary, and subordinate to the Agricultural Use of the Property, and are owned by, and primarily operated by, the Grantor and other residents of the Property, with limited outside employees, including, but not limited to, professional office, home office of salesperson, artist's studio, arts instruction, bed and breakfast, crafts production and sales, computer repair, small engine repair, firewood distribution, and beauty salon.

4(bb). **Structure:** any building or object, temporary or permanent, with or without anchors or foundations, constructed, installed or placed on, over, under or across the Property and shall include but is not limited to a Residential Structure, barn, garage, shed, Renewable Energy Facility, porch, deck, recreational court and swimming pool.

4(cc). The following **"Use Areas"** are defined for the Easement and shown on Exhibits B and

C attached hereto:

Farmstead Area: an area that centers on existing farm structures or future planned structures, including Residential Dwellings.

Farm Area: the remaining area of the Property. The Farm Area contains those resources most worthy of protection, including but not limited to, prime and statewide important farmland soils, streams and wetlands, woodlands, habitat, scenic views and steep slopes. The protection of these areas is most important in promoting the conservation purposes of this Easement.

4(dd). **Viable Agricultural Land:** land highly suitable for a Farm Operation.

5. **Restrictions Applicable to the Property.** By this Easement, the Grantor agrees to restrictions that apply to the Property as set forth in this Easement. The Grantor may take certain actions relating to the Property as permitted by this Easement, and may take certain actions only after giving the Grantee prior notice and/or obtaining the Grantee's prior consent, as set forth herein. No Structures or Improvements shall be built, expanded or replaced anywhere on the Property except in compliance with this Easement. All Structures and Improvements allowed by this Conservation Easement may be expanded or replaced consistent with the restrictions set forth in this Conservation Easement and may be reconstructed if damaged, razed or destroyed. If the Grantor removes or razes any Structure or Improvement, and does not build a new Structure or Improvement in the same location, the Grantor shall restore the site to a relatively natural condition with suitable landscaping and re-vegetation and grading that matches the natural contours of the land, unless the Grantee otherwise consents.

6. **Use of Property.** Except as provided specifically herein, the Property shall be used solely for residential, Agricultural, Recreational, and Forestry Uses. Commercial Uses of the Property shall be limited to commercial Agricultural Uses, commercial Forestry Uses, Agri-tourism, and Rural Enterprises that are consistent with the purposes of this Easement. No Industrial Use of the Property is permitted and no Institutional Use of the Property is permitted, except with the prior consent of the Grantee.

7. **Reserved Rights Retained by Grantor.**
Grantor reserves all customary rights and privileges of ownership, subject to the terms of this Easement, including the right of exclusive use, possession and enjoyment of the Property, the rights to sell, lease, mortgage, and devise the Property. In addition, Grantor reserves other rights compatible with the Purpose set forth in Section 2 ("Purpose") that are not specifically prohibited or limited by this Easement and which do not unreasonably restrict or regulate Farm Operations in contravention of the purposes of Article 25-AA of the AML.

Nothing in this Easement relieves Grantor of any obligation with respect to the Property or restriction on the use of the Property imposed by law, and nothing in this Easement shall require Grantor to take any action to restore the condition of the Property from damage or change that could not be reasonably

anticipated by Grantor or that is beyond Grantor's reasonable control and occurring without Grantor's fault or negligence, including but not limited to natural disasters such as earthquakes, hurricanes or floods or to political or social upheavals such as wars or riots.

7(a). Right to Use Property for Agricultural Uses.
Grantor has the right to engage in Agricultural Use of the Property and to use the Property as a Farm Operation provided that any processing, marketing or retailing of any Crops, Livestock and Livestock Products and that any similar activities involving any processed product associated with crops or livestock are not permitted on the Farm Area. As used in this Section 7(a), "processing" shall not include activities involving non-industrial processes such as (i) boiling maple sap or (ii) grinding and mixing of any materials that result in feed for the livestock kept on the Property or on other properties owned or operated by the Grantor, provided that any such "processing" shall be conducted on a de minimis portion of the Farm Area. Said farming practices shall be carried out consistent with the Conservation Plan and be conducted in accordance with sound agricultural practices, which are practices necessary for on-farm production, preparation and marketing of agricultural commodities, where such practices are legal, necessary, do not cause bodily harm or property damage off the farm, and achieve the intended results in a reasonable way that is generally supported by accepted research or expert opinion.

7(b). Right to Use Property for Rural Enterprises.
Grantor has the right to operate lawful Rural Enterprises, subject to the limitations set forth in this Easement, including Section 10 ("Construction of Buildings and Other Improvements"). In all cases, such Rural Enterprises must be compatible with the Purpose of this Easement and subordinate to the Agricultural Use of the Property.

7(c). Right to Use Property for Recreational Uses.
Grantor retains the right to use the Property for Recreational Uses, subject to the limitations set forth in this Easement, including Section 10 ("Construction of Buildings and Other Improvements"). In all cases, Recreational Uses must be compatible with the Purpose of this Easement and subordinate to the Agricultural Use of the Property.

8. Conservation Plan.
Grantor and Grantee recognize that changes in economic and environmental conditions, in agricultural technologies, in accepted farm management practices and in the Farm Operations of Grantor may result in changes in the Agricultural Uses of the Property. It is the intention of this Easement to maintain Grantor's discretion to employ his choices of farm uses and management practices so long as those uses and practices are conducted in accordance with sound agricultural practices (as described in Section 7(a)) and in a manner consistent with a Conservation Plan prepared by a qualified conservation professional or by the local Soil and Water Conservation District in cooperation with the Grantor. Further, all farm uses and farming practices identified in the Conservation Plan shall be consistent with the Purpose of this Easement and shall be only those not otherwise specifically prohibited by this Easement. The Conservation Plan shall identify and

address potential adverse environmental impacts of agricultural activities, and measures to enhance the agricultural productivity and economic viability of the Property. The Conservation Plan shall be updated periodically and whenever the Farm Operation changes substantially. Upon request, Grantor shall provide a copy of the most current Conservation Plan to Grantee.

9. Access.

Nothing contained in this Easement shall give or grant to the public a right to enter upon or to use the Property or any portion thereof where no such right existed in the public immediately prior to the execution of this Easement.

10. Construction of Buildings and Other Improvements.

The Property consists of two (2) Use Areas as further described in the Baseline Documentation Report (referenced in Section 21 herein) and identified on the Easement Map and Survey Map attached hereto as Exhibits B and C: 1) the Farmstead Area and 2) the Farm Area. Grantor may undertake construction, erection, installation, removal or placement of buildings, Structures, or other Improvements to the Property within these areas only as provided elsewhere in this Easement and as set forth below.

10(a). Impervious Surfaces.

It is the intention of this Easement to limit the extent of construction or placement of Impervious Surfaces on the Property. Subject to the limitations set forth below, Impervious Surfaces may be constructed or placed on a maximum of two percent (2%) of the Farm Area with permission of Grantee pursuant to Section 18 ("Permission of Grantee") and without limitation within any designated Farmstead Area

10(b). Fences.

Customary fences such as wire, board, or post and rail, and other fencing may be erected repaired, and replaced, anywhere on the Property for purposes of reasonable and customary management of livestock and wildlife, safety and general management and to prevent trespassing on the Property. Fencing unrelated to Agricultural Use of the Property may not impair the views of the Property from public roadways. Additional types of fencing shall require permission of the Grantee pursuant to Section 18 ("Permission of Grantee")

10(c). Agricultural Structures and Improvements.

Agricultural Structures and Improvements may be placed or constructed on the Property in accordance with the provisions of this Section 10(c) and may be repaired, removed, enlarged and replaced at their respective locations, subject to the Impervious Surface coverage limitations set forth in Section 10(a) ("Impervious Surfaces").

Farmstead Area: Without permission of Grantee, Agricultural Structures and Improvements, including accessory roads and parking areas, are permitted within the designated Farmstead Area. With permission of Grantee pursuant to Section 18, one livestock processing facility is permitted within the Farmstead Area. The use of the livestock processing facility shall be limited to processing animals raised on the Property and on any other land used by Grantor in connection with the Farm Operation on the Property. No

livestock raised on other land that is not part of Grantor's Farm Operation are~~is~~ to be processed at the facility. The establishment of a livestock processing facility shall be subject to obtaining necessary permits or licenses from the New York State Department of Agriculture and Markets and/or such other governmental authorities as required by law.

Farm Area: Grantor may place or construct Agricultural Structures and Improvements on up to two percent (2%) of the Farm Area with permission of Grantee, pursuant to Section 18 ("Permission of Grantee"). However, no land, building, Structure or Improvements on the Farm Area shall be used for the processing, marketing or retailing of any Crops, Livestock and Livestock Products and no other activities involving any processing of crops or livestock shall be permitted on the Farm Area. As used in this Section 10(c), "processing" shall not include non-industrial activities with minimal impact such as (i) boiling maple sap or (ii) grinding and mixing of any materials that result in feed for the livestock kept on the Property or on other properties owned or operated by the Grantor, provided that any such "processing" shall be conducted on a de minimis portion of the Farm Area. With permission of Grantee, subject to review and determination that Structures and Improvements cannot reasonably be placed within the Farmstead Area, Grantor may place or construct Agricultural Structures and Improvements related to the Farm Operation that would cover up to an additional one percent (1%) of the Farm Area with Impervious Surfaces. In the construction or placement of any Impervious Surfaces within the Farm Area, the Grantor shall use all practical means to minimize the extent of coverage and any impacts to prime soils and soils of statewide importance. Bridges, culverts or other means of crossing wet areas may be constructed or placed subject to obtaining necessary permits from the New York State Department of Environmental Conservation, or such other governmental authorities as required by law. All such Improvements shall be subject to the 2% Impervious Surface limit specified in Section 10 above (Construction of Buildings and Other Improvements).

10(d). Residential Dwellings.

Residential Dwellings may be placed or constructed on the Property in accordance with the provisions of this Section 10(d). Each such Residential Dwelling may be repaired, removed, enlarged and replaced at its respective location.

Farmstead Area: Without permission of Grantee, Residential Dwellings, together with Accessory Structures and Improvements, are permitted within a designated Farmstead Area, subject to any applicable local, state or federal laws and regulations as follows:

Principal Residence. No more than one (1) single family Principal Residence shall be permitted on the Property. As of the date of this Easement one (1) such Principal Residence exists on the Property with an approximate Footprint Area of 3,500 square feet. No additional Principal Residence may be constructed unless the existing Principal Residence is removed or converted to another permitted use under this easement. No new, existing or replacement Principal Residence shall be built or expanded with a Footprint Area greater than 4,000 square feet and a Height of 35 feet.

Accessory Residence. No more than one (1) detached Accessory Residence shall

be permitted on the Property. As of the date of this Easement, one (1) such Accessory Residence exists on the Property at approximately 2,000 square feet of Footprint Area. The Accessory Residence shall not exceed a Footprint Area of 2,000 square feet and a height of 25 feet. The Accessory Residence may be not sold separately from the Principal Residence.

Accessory Apartments. Accessory Apartments may be located within any permitted Structure, and if located within a Residential Dwelling the combined Footprint Area of the Accessory Apartment and Residential Dwelling shall not exceed the limits in this Section 10. As of the date of this Easement, no such Accessory Apartment exists on the Property. No Accessory Apartment may be sold separately from the Principal Residence.

Farm Labor Housing. Farm Labor Housing as defined in Section 4, is permitted as detached Residential Dwellings and Accessory Apartments, subject to limitations as described in this Section 10(d) hereof. As of the date of this Easement, one (1) such Farm Labor Housing unit exists on the Property. Farm Labor Housing shall not exceed an aggregate Footprint Area of 2,500 square feet and a height of 25 feet within the Farmstead Area. No Farm Labor Housing unit may be sold separately from the Principal Residence.

Farm Area: Subject to the Impervious Surface coverage limitations set forth in Section 10(a) ("Impervious Surfaces"), and with permission of Grantee pursuant to Section 18, Grantor may place or construct Residential Dwellings to be used exclusively for Farm Labor Housing if Grantor can prove to Grantee's satisfaction that such housing is necessary to conduct Farm Operations. Farm Labor Housing located in the Farm Area shall be limited to an aggregate Footprint Area of 2,500 square feet. (The total aggregate Footprint Area of Farm Labor Housing shall be 5,000 square feet for the entire Property.) Such Farm Labor Housing may be placed on footings or slabs, but not on excavated foundations. Detached Farm Labor Housing Units shall not exceed a Footprint Area of 2,000 square feet and a Height of 25 feet each. The land on which Farm Labor Housing units are built shall not be subdivided from the rest of the Property. Residential Dwellings shall be consistent with the Purpose of this Easement and subordinate to the Agricultural Uses of the Property.

10(e). Rural Enterprises.

Rural Enterprises may only be conducted within the Farmstead Area. Such uses and any necessary Structures or Improvements, shall be consistent with the Purpose of this Easement and subordinate to the Agricultural Use of the Property. Rural Enterprises not related to Agricultural Uses, including but not limited to a professional office, office of a salesperson, artist's studio, arts instruction, crafts production and sales, computer repair, small engine repair, firewood distribution, and beauty salon are permitted only in the Farmstead Area. Rural Enterprises shall not market non-agricultural petroleum or chemical products or involve handling of hazardous substances (such as a junk yard or gas station), unless such activities are an integral part of the Farm Operation. The land on which these Structures and Improvements stands shall not be subdivided from the rest of the Property.

10(f). Structures and Improvements associated with Recreational Uses.

Structures and Improvements associated with Recreational Uses are permitted on the Property in accordance with the provisions of this Section 10(f), and subject to the Impervious Surface coverage limitations set forth in Section 10(a) ("Impervious Surfaces"), so long as such Structures and Improvements are consistent with the Purpose of this Easement and are subordinate to the Agricultural Use of the Property. No Structures or Improvements associated with Recreational Uses shall impair the Agricultural Use of the Farm Area. Structures and Improvements may be repaired, removed, enlarged and replaced subject to the Impervious Surface coverage limitations set forth in Section 10(a) ("Impervious Surfaces").

Farmstead Area: Without permission of Grantee, Structures and Improvements associated with Recreational Uses are permitted within a designated Farmstead Area.

Farm Area: Subject to the Impervious Surface coverage limitations set forth in Section 10(a) ("Impervious Surfaces"), with permission of Grantee pursuant to Section 18 ("Permission of Grantee"), Grantor may enlarge existing, or construct or place new permanent Structures and Improvements associated with Recreational Uses in the Farm Area up to an aggregate of one thousand (1,000) square feet in Footprint Area. All Structures and improvements associated with Recreational Uses shall be located in a manner that minimizes the impact to prime soils or soils of statewide importance.

10(g). Utility Services and Septic Systems.

Wires, lines, pipes, cables, tanks, or other facilities providing electrical, gas, water, sewer, sanitary sewer, septic, communications, or other like services to or from the Improvements permitted in this Easement may be installed, maintained, repaired, removed, relocated and replaced for such purposes. All such services and systems shall be compatible with the Purpose of this Easement, subordinate to the Agricultural Use of the Property and located in a manner that minimizes the impact to prime soils or soils of statewide importance.

10(h). Renewable Energy Facilities.

With permission from the Grantee pursuant to Section 18, Renewable Energy Facilities for non-Commercial Use principally on the Property, may be built in the Farmstead Areas. Such Structures shall be permitted in the Farm Area only if the activity is limited and localized in impact affecting no more than two percent (2%) of the Farm Area at one time. Renewable Energy Facilities shall be subordinate to the Agricultural and residential use of the Property and Grantee's approval shall be granted only if Grantor demonstrates to Grantee that such Structures or Improvements: (i) cannot reasonably be located within a Farmstead Area or are better located in the Farm Area (for example, if such area offers a more efficient location for solar panels); (ii) will not be located on soils of prime or statewide importance or fragment viable agricultural lands; and (iii) will be compatible with the Purpose of this Easement. Grantor and its assigns, agents, and lessees shall comply with any applicable New York State Agriculture and Markets guidelines regarding agricultural impact avoidance, mitigation and remediation. Grantor shall provide to Grantee the design, location, size, Height and

output of any such facilities and such Structures shall conform with federal, state and local laws. Excess energy generated beyond what is required for use on the Property, may be sold to an electrical supplier in compliance with federal, state and local laws.

11. Maintenance and Improvement of Water Sources.

Grantor may use, maintain, establish, construct, and improve water sources, water courses and water bodies within the Property for the uses permitted by this Easement. Grantor may alter the natural flow of water over the Property in order to improve drainage of agricultural soils, reduce soil erosion and/or flooding, provide irrigation for the Property or improve the agricultural or forest management potential of the Property, provided such alteration is consistent with the Conservation Plan, is in accordance with sound agricultural practices (as described in Section 7(a)), is compatible with the Purpose of this Easement, and is carried out in accordance with applicable local, state and federal laws and regulations. No change to any existing ponds, streams or wetlands, and no construction or alteration of any Structure or Improvement (including septic disposal systems) for non-Agricultural Uses shall be permitted within 100 feet of any existing pond, stream, or wetland, except with permission of the Grantee pursuant to Section 18.

12. Water Rights.

Grantor may use any appurtenant water rights sufficient to maintain the agricultural productivity of the Property in accordance with applicable local, state and federal laws and regulations. Grantor shall not transfer, encumber, lease, sell or otherwise sever such water rights from title to the Property itself.

13. Subdivision.

There shall be no subdivision of the Property into additional parcels or lots for the purpose of conveyance into separate ownership. Lot line adjustments which result in the conveyance of a portion of the Property to adjoining landowners and which do not create additional building lots may be permitted with the prior consent of the Grantee pursuant to Section 18 ("Permission of the Grantee"), provided the portion of the Property being conveyed will be used for Agricultural Uses and not to create an additional building lot. For all lot line adjustments the deed(s) of conveyance of any such parcels shall contain a metes and bounds description of the parcel(s) prepared by a licensed professional land surveyor at Grantor's sole cost, which description shall be provided to the Grantee prior to the conveyance of the parcel(s). The Grantor shall also provide to the Grantee a description of any permitted Structures or Improvements allocated to portions of the Property to be conveyed to adjoining landowners pursuant to Section 27(c) below ("Allocation of Permitted Structures"). Any such portion to be conveyed shall remain subject to the terms of this Easement. No such lot line adjustment shall affect the use of the Property permitted by this Easement or the calculation of the number, square footage or character of Structures permitted by this Easement. Land that has been restricted by this Easement shall not be included in the calculation of the lot size or density of any other parcel if such calculation would increase the permissible lot yield or density of such parcel. Property dividing lines shall be located to avoid fragmentation of prime and important agricultural soils, unless the Grantee otherwise provides permission pursuant to Section 18.

14. Clearing of Trees and Vegetation.

All clearing of trees and vegetation shall be conducted in conformity with sound land and forest management practices to minimize erosion and adverse impacts on natural resources and there shall be no removal, destruction or cutting of mature live trees on the Property with a trunk diameter at breast height of eight inches or more, except as follows:

14(a) Permitted Removal of Trees. Trees may be removed which endanger public safety, are diseased, damaged or fallen, or which need to be cleared to ensure the health of other trees or to enable the construction of permitted Structures and Improvements, subject to the restrictions set forth in this Section 14. New clearings in connection with the construction of permitted Structures or other Improvements shall not exceed three acres in the aggregate for the Property. Clearing of trees in the Farm Area in connection with the construction of permitted Structures and Improvements shall require permission of the Grantee pursuant to Section 18.

14(b) Clearing with Prior Consent. New open spaces for agriculture may be created with permission of the Grantee pursuant to Section 18.

14(c) Forestry. Forestry Uses may be conducted if in conformity with accepted silvicultural practices and sound land and forest management practices to minimize erosion and adverse effects on natural resources with the permission of the Grantee pursuant to Section 18. Commercial forestry (i.e. forestry conducted primarily for the harvesting and sale of forest products) shall be conducted in accordance with a forestry management plan approved by the Grantee. Such management plan shall conform to: (1) accepted New York State Department of Environmental Conservation sustainable forestry guidelines; (2) any applicable guidelines of the Natural Resource Conservation Service of the United States Department of Agriculture (or successor governmental departments or agencies), and (if applicable); (3) logging guidelines set forth in Section 480-a of the New York State Real Property Tax Law (or other applicable state forestry tax programs). For properties enrolled in the NYS Section 480-a program, the Grantee's approval of a management plan shall not be required. In order to undertake Forestry Uses under Section 480-a, Grantor shall provide a copy of the plan required by New York State in connection with the 480-a program. Before undertaking any specific forestry activities, Grantor shall provide notice to Grantee pursuant to Section 18(b) to ensure that such forestry activities are consistent with the 480-a plan and the Purpose of the Easement.

15. Mining, Transmission Lines, Pipelines and Landfills.

There shall be no surface or subsurface mining or quarrying on the Property. However, in compliance with Section 170(h)(5) of the Internal Revenue Code and Section 1.170A-14(g)(4) of the Treasury Regulations, as amended, the Grantor may utilize sand and gravel located on the Property solely for use on the Property provided that the use has limited, localized impact on the Property and provided the use is not destructive of the Purpose of the Easement pursuant to Section 2 herein. No telecommunications towers or associated antennas may be placed on the Property except with the permission of the Grantee pursuant to Section 18. There shall be no placement of high-voltage transmission lines, pipelines, landfills or other land uses detrimental to the scenic character or ecosystems of the Property. The preceding sentence shall not prevent the installation and maintenance of local utility distribution lines which provide service to the Structures and

Improvements allowed by this Easement.

16. Road Construction.

Subject to the Impervious Surface coverage limitations set forth in Section 10(a) ("Impervious Surfaces"), Grantor may construct, maintain and repair roads for residential driveways, barnyards, farm markets or other improvements necessary to provide access to, and parking for, permitted buildings or improvements, or to conduct other activities permitted by this Easement. Roads constructed in the Farm Area shall be located in a manner that minimizes impacts to prime soils and soils of statewide importance.

17. Dumping and Trash.

The dumping, land filling, burial, application, injection, or accumulation of any kind of garbage, trash or debris on the Property, other than agricultural waste or biodegradable material described in this paragraph, is prohibited. Without permission of Grantee, Grantor may (i) store, compost, apply or inject agricultural waste or biodegradable material; (ii) store old farm equipment to be used for parts; (iii) temporarily store trash or household waste in receptacles for periodic off-site disposal and (iv) compost or re-use biodegradable materials generated off the Property for use on the Property or for commercial use or sale. All such activities shall be conducted in accordance with sound agricultural practices (as described in Section 7(a)) and in a manner consistent with the Conservation Plan and all applicable local, state or federal laws and regulations. Notwithstanding the foregoing, the storage and treatment of sewage associated with buildings permitted on the Property is permitted by this Easement.

18. Permission of and Notice to Grantee.

The prior written permission of and/or notice to the Grantee is required for certain actions specifically set forth in this Easement. To request the written permission of the Grantee and/or to provide notice, the Grantor shall submit plans and/or a description of its proposal in accordance with Section 35 ("Notices"). Such submission shall contain sufficient information to enable the Grantee to make an informed determination as to whether the proposal is permitted by and consistent with the Purpose and restrictions of this Easement. The Grantor shall reimburse the Grantee for reasonable costs incurred in connection with review of any proposals for which Grantee's permission is required. The Grantee may, in its sole and absolute discretion, waive review of and consent to any Structure, Improvement or alteration, which it deems to have no impact or an insubstantial impact on the Purpose and provisions of this Easement.

18(a). Standards and Timetable for the Grantee's Permission.

Where the Grantee's written consent is required, the Grantee shall grant or withhold its consent in writing within 35 days of receipt of the Grantor's request for consent accompanied by plans and other materials the Grantee deems sufficient for its review. The Grantee may withhold consent only upon a reasonable determination by the Grantee that the Grantor's proposal would be inconsistent with the Purpose or specific provisions of this Easement. The Grantee may grant its consent subject to reasonable conditions which must be satisfied. If the Grantee fails to act within 35 days of receipt of plans and materials it deems sufficient for its review, consent shall be deemed granted unless the Grantor consents to a longer period of time for review and

discussion with the Grantee. The actual clearing of land and the completed Structure, Improvement or alteration shall conform in all material respects to the proposal that receives the consent of the Grantee.

18(b). Standards and Timetable for Giving Notice to Grantee.
Where prior notice is required, the Grantor shall give the Grantee at least 35 days' prior written notice before commencement of site preparation, construction, expansion, excavation, replacement, relocation or removal of any Structure, Improvement or any significant landscape alteration. Prior to any activity described herein, the Grantor shall submit sufficient information to enable the Grantee to make an informed determination as to whether such Structures or Improvements are permitted by and consistent with the Purpose and restrictions of this Easement. Such information may include, but is not limited to, survey information, site plans, and/or physically marking the boundaries of the proposed Structure or Improvement. If Grantee does not object in writing by giving notice to Grantor within 35 days, Grantor may proceed without further action by Grantee.

19. Ongoing Responsibilities of Grantor and Grantee.
Other than as specified herein, this Easement is not intended to impose any legal or other responsibility on Grantee, or in any way to affect any obligations of Grantor as Owner of the Property, including, but not limited to, the following:

19(a). Taxes.
Grantor shall be solely responsible for payment of all taxes and assessments levied against the Property.

19(b). Upkeep and Maintenance.
Grantor shall be solely responsible for the upkeep and maintenance of the Property, to the extent required by law and this Easement. Grantee shall have no obligation for the upkeep or maintenance of the Property.

19(c). Liability and Indemnification.
Grantor agrees to indemnify and hold Grantee and the State of New York, Department of Agriculture and Markets harmless from any and all costs, claims or liability, including but not limited to reasonable attorneys fees arising from any personal injury, accidents, negligence or damage relating to the Property, or any claim thereof, unless due to the negligence of Grantee or its agents, in which case liability shall be apportioned accordingly.

20. Extinguishment of Development Rights.
Except as otherwise reserved to the Grantor in this Easement, all non-agricultural development rights appurtenant to the Property are hereby released, terminated and extinguished, and may not be used on or transferred to any portion of the Property as it now or hereafter may be bounded or described, or to any other property adjacent or otherwise, or used for the purpose of calculating permissible lot yield of the Property or any other property.

21. Baseline Documentation.

By its execution of this Easement, Grantee acknowledges that the present uses of, and related structures and improvements on the Property are permitted by this Easement. In order to evidence the present condition of the Property so as to facilitate future monitoring and enforcement of this Easement, a Baseline Documentation Report (the "Report"), including relevant maps and photographs describing such condition at the date hereof, has been prepared and subscribed by both parties, and a copy thereof has been delivered to Grantor and a copy will be kept on file with Grantee. The Report may be used by Grantee to establish that a change in the use or character of the Property has occurred, but its existence shall not preclude the use by Grantee of other evidence to establish the condition of the Property as of the date of this Easement.

22. Right of Inspection.

Grantee shall have the right to enter upon the Property with forty-eight (48) hours advance notice to Grantor for the purpose of inspecting for compliance with the terms of this Easement. Such inspection shall be conducted between the hours of 9 a.m. and 7 p.m. on a weekday that is not a legal holiday recognized by the State of New York or at a date and time that is mutually agreeable to the Grantee and Grantor. In the instance of a violation or suspected violation of the terms of this Easement which has caused or threatens to cause irreparable harm to any of the agricultural or other resources this Easement is designed to protect, no such advance notice is required. Representatives of the County, pursuant to Section 23 below, shall have the same right of inspection.

23. Enforcement.

If Grantee determines that a violation of this Easement has occurred, Grantee shall so notify Grantor, giving Grantor thirty (30) days to cure the violation. Notwithstanding the foregoing, where Grantee in Grantee's sole discretion determines that an ongoing or threatened violation could irreversibly diminish or impair the Purpose of this Easement, Grantee may bring an action to enjoin the violation.

Grantee shall also be entitled to seek the following remedies in the event of a violation: 1) money damages, including damages for the loss of the resources protected under the Purpose of this Easement; and 2) restoration of the Property to its condition existing prior to such violation.

Said remedies shall be cumulative and shall be in addition to all remedies now or hereafter existing at law or in equity. In any case where a court finds that a violation has occurred, Grantor shall reimburse Grantee for all its expenses incurred in stopping and correcting the violation, including, but not limited to, reasonable attorneys' fees. The failure of Grantee to discover a violation or to take immediate legal action shall not bar Grantee from doing so at a later time. In any case where a court finds no violation has occurred, each party shall bear its own costs.

Nothing in this Easement relieves Grantor of any obligation with respect to the Property or restriction on the use of the Property imposed by law, and nothing in this Easement shall require Grantor to take any action to restore the condition of the Property from damage or change that could not be reasonably anticipated by Grantor or that is beyond Grantor's reasonable control and occurring without Grantor's fault or negligence, including but not limited to natural disasters such as earthquakes, hurricanes or floods or to political or social upheavals such as wars or riots.

24. Third Party Enforcement Rights.
The County of Dutchess (the "County"), a New York municipal corporation having an office and a mailing address at 22 Market Street, Poughkeepsie, New York, 12601, and any successor agency shall have the right to enforce a material violation of this Easement subject to the following provisions. Nothing in this Section 23 shall diminish the Grantee's rights under Section 23 ("Enforcement").

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24(a). Prior to commencing an enforcement action, the County must first notify Grantee and Grantor, give Grantee thirty (30) days to take appropriate action, including commencing an enforcement action, and give Grantor thirty (30) days from the receipt of such notice to cure the violation.

24(b). If the County determines that Grantor is diligently proceeding to cure the violation or, if not, that Grantee is taking appropriate action and/or diligently prosecuting an enforcement action in good faith, it shall not have a right to take legal action for the same violation of this Easement unless pursuant to a written request by Grantee.

24(c). In any case where a court finds that a violation has occurred, Grantor shall reimburse the County for all its expenses incurred in stopping and correcting the violation, including, but not limited to, reasonable attorneys' fees. In any case where a court finds no violation has occurred, each party shall bear its own costs.

25. Dispute Resolution.
If a dispute arises between the Grantor and the Grantee concerning the consistency of any proposed use or activity with the Purpose of this Easement or any of the specific provisions contained herein, and Grantor agrees not to proceed with the use or activity pending resolution of the dispute, either party may request a meeting between the parties or refer the dispute to mediation by written request. Within twenty (20) days of such request, Grantee shall schedule a meeting or the parties shall select a single trained and impartial mediator knowledgeable about production agriculture to recommend potential resolutions of the dispute. The actual total cost of the mediator and any reimbursable expenses of the mediator shall be divided equally between the Grantor and Grantee. For all other associated expenses (such as legal fees and witness costs), each party shall pay its own costs.

26. Assignment of Easement.
Grantee shall have the right to assign this Easement to any private non-governmental organization or public agency that, at the time of transfer is a "public body" or a "not-for-profit conservation organization" as defined by Article 49 of the ECL or a "qualified organization" under Section 170(h) of the Code or a soil and water conservation district board pursuant to Section 9 (4-a) of the Soil and Water Conservation Districts Law, provided the transferee expressly agrees to assume the responsibility imposed on Grantee by this Easement. If Grantee ceases to exist or qualify under Article 49 of the ECL and Section 170(h) of the Code, a court of competent jurisdiction shall transfer this Easement to another qualified organization having similar purposes that agrees to assume the

responsibilities imposed by this Easement. Grantor and the County must be notified in writing in advance of any such transfer.

27. Sale, Transfer and Subdivision of the Property.

27(a). Required Language in Future Deeds, Mortgages and Leases. Any subsequent conveyance, including, without limitation, any transfer, lease or mortgage of the Property or any parcel thereof, shall be subject to this Easement, and any deed or other instrument evidencing or effecting such conveyance shall contain language substantially as follows: "This [conveyance, lease, mortgage, easement, etc.] is subject to an Easement which runs with the land and which was granted to Dutchess Land Conservancy, Inc. by Easement dated (month/day/year) and recorded in the Dutchess County Clerk's Office on , at Document # ." The failure to include said language in any deed or instrument shall not affect the validity or applicability of this Easement.

27(b). Notice and Effect of Lot Line Adjustment. Prior to any lot line adjustment of the Property (as permitted by the terms of this Easement) into two or more parcels of land having differing ownership, the conveying Owner or Owners shall give notice of such conveyance to the Grantee. After any such lot line adjustment, this Easement shall be deemed to create separate conservation easements on each such parcel, references in this Easement to the Property shall be deemed to refer to each such parcel, references to the Owner or Owners of the Property shall, as to each such parcel, be deemed to refer to the Owner or Owners of such parcel, and no Owner of any parcel shall have any responsibility or liability to the Grantee for any violation of this Easement which may occur on any other parcel of the Property.

27(c). Allocation of Permitted Structures. In any deed of conveyance of a portion of the Property, the Grantor thereof shall, if appropriate, allocate to the portion being conveyed the right to build a specified square footage of Structures or Improvements (including Impervious Surfaces) whose total number or square footage is limited by this Easement. If such deed fails to so allocate, then no right to build shall be allocated to the portion conveyed. In no event shall there be allocated to the portion being conveyed a greater number or square footage of Structures or Improvements than that allowed on the portion of the Property owned by such Grantor immediately prior to such conveyance. Any such conveyance of any portion in the Property shall, if applicable, also include a provision allocating permitted Structures and Footprint Area in the deed of conveyance. Such provision shall be approved by the Grantee pursuant to Section 18.

27(d). Transfer Fee. At such time as all or any portion of the title to the Property is conveyed and before title is passed, the buyer shall be required to pay a transfer fee to the Grantee in an amount as shall be determined from time to time by the Grantee's Board of Directors but which shall not exceed an amount equal to one hundred dollars ($100.00) increased (to allow for inflation) at a compound rate of 3% per annum for the years elapsed since the date of this Easement. This fee is required in recognition of the Grantee's continuing obligation to monitor and enforce this Easement, to devote staff time to updating Grantee's records and monitoring program, to introduce new Owners to the Purpose and provisions of this Easement, and to perform other Grantee

responsibilities required under the Easement in connection with a transfer of ownership. The purpose of this fee is to benefit the community, the Property and the Owners of the Property by ensuring continuity in the administration of this Easement. The Grantor agrees to incorporate this transfer fee requirement in the terms of any agreement of sale for any portion of the Property and to familiarize the buyer with such terms prior to the sale.

27(e). Easement Binding on Future Owners and Others. The provisions of this Easement shall run with the land and shall be binding on each Owner and any party entitled to possession or use of the Property while such party is entitled to possession or use thereof. As used in this Section, the term "Owner" shall include the Owner of any beneficial equity interest in the Property, but this sentence shall not impose personal liability on any such beneficial Owner except to the extent such beneficial Owner has personal liability with respect to the Property under the instrument creating such equity interest and under applicable law.

27(f). Discharge of Owner Upon Transfer. In the event any Owner transfers fee ownership of all or any portion of the Property, such Owner shall be discharged from all obligations and liabilities under this Easement with respect to such portion transferred, except for acts or omissions which occurred during such Owner's period of ownership.

28. Amendment of Easement.

This Easement may be amended only with the written consent of Grantee and the then current Owner of the Property and with the approval of Dutchess County. Any such amendment shall be consistent with and have a neutral or positive effect on the Purpose of this Easement and shall comply with the ECL and any regulations promulgated thereunder. Such amendment shall not unreasonably restrict or regulate Farm Operations in contravention of the purposes of Article 25-AA of the AML or such successor law as enacted or amended. Any such amendment to this Easement shall be duly recorded.

29. Extinguishment of Easement.

At the mutual request of Grantor, Grantee, and the County, a court with jurisdiction may, if it determines that conditions surrounding the Property have changed so much that it becomes impossible to fulfill the Purpose of this Easement described in Section 2 ("Purpose"), extinguish or modify this Easement in accordance with applicable law. The mere cessation of farming on the Property shall not be construed to be grounds for extinguishment of this Easement.

Notwithstanding the foregoing, if condemnation by exercise of the power of eminent domain makes it impossible to continue use of all or any portion of the Property for the Purpose of this Easement as described in Section 2 ("Purpose") herein, the restrictions may be extinguished as to any such portion so condemned by judicial proceeding. Upon any subsequent sale, exchange or involuntary conversion (pursuant to this Section) by the Grantor, Grantee shall be entitled to a portion of the proceeds from any subsequent sale or other disposition of the Property, or title insurance proceeds, in accordance with Section 30 ("Proceeds") herein.

In the event that Grantor retains the Property subsequent to any such extinguishment or partial extinguishment, Grantee shall be entitled to receive from Grantor an amount equal to the fair

market value of the Property or a portion of the Property as to which the extinguishment applies times the percentage determined under Section 30.

30. Proceeds.

The grant of this Easement gives rise to a property right, immediately vested in Grantee, which property right has a monetary value in the event of an extinguishment or partial extinguishment or proceeds from a sale or other disposition of the Property as contemplated in Section 30 ("Extinguishment of Easement"). That monetary value is determined as follows: multiply *(a)* times *(b)*, where –

(a) = the Grantee's Proportionate Share, and

(b) = the value of that portion of the Property no longer encumbered by this Easement as the result of the extinguishment.

Grantee's Proportionate Share shall be determined by dividing the value of this Easement, calculated as of the date hereof, by the unencumbered value of the Property, also calculated as of the date hereof. For this Easement, the Grantee's Proportionate Share is _____ percent (__%), and shall remain constant, subject only to reasonable adjustment to the extent permissible under Section 170(h) of the Code for any improvements which may hereafter be made on the Property).

Because the Grantee contributed __% of the funds toward the purchase price of this Easement, it shall be entitled to __% of the Proportionate Share referenced above. The Grantee hereby acknowledges this entitlement by signing the attached Acknowledgment. The Grantee also acknowledges that County's share (which is based upon the County's contribution toward the project costs of acquiring this Easement) is __% of the Proportionate Share referenced below.

Because the County contributed __% of the funds toward the purchase price of this Easement, it shall be entitled to __% of the Proportionate Share referenced above. The County hereby acknowledges this entitlement by signing the attached Acknowledgment. The County also acknowledges that Grantee's share (which is based upon the Grantee's contribution toward the project costs of acquiring this Easement) is __% of the Proportionate Share referenced above.

31. Interpretation.

This Easement shall be interpreted under the laws of the State of New York, or federal law, as appropriate. This Easement shall be liberally construed to effect the Purpose of this Easement. If any provision in this Easement is found to be ambiguous, an interpretation consistent with the Purpose of this Easement that would render the provision valid shall be favored over any interpretation that would render it invalid.

32. Recitals and Exhibits Incorporated Herein.

Any and all recitals in this Easement are agreed by the parties to be accurate, are incorporated into this Easement by this reference, and shall constitute integral terms and conditions of this Easement. Any and all exhibits and addenda attached to and referred to in this Easement are hereby incorporated into this Easement as if fully set out in their entirety herein.

33. Successors.

Every provision of this Easement that applies to Grantor or Grantee shall also apply to their respective agents, heirs, executors, administrators, assigns, and other successors in interest, and shall continue as a servitude running in perpetuity with the Property.

34. Severability.

Invalidity of any of the covenants, terms or conditions of this Easement, or any part thereof, by court order or judgment shall in no way affect the validity of any of the other provisions hereof which shall remain in full force and effect.

35. Notices.

Any notice required or desired to be given under this Easement shall be in writing and shall be sent (i) by personal delivery, (ii) via registered or certified mail, return receipt requested, or (iii) via Federal Express or other private courier of national reputation providing written evidence of delivery. Notice shall be deemed given upon receipt in the case of personal delivery, and upon delivery by the U.S. Postal Service or private courier. All notices shall be properly addressed as follows: 1) if to Grantee, at the address set forth above; 2) if to Grantor, at the address set forth above; 3) if to any subsequent Owner, at the address of the Property; or 4) if to Dutchess County, 22 Market Street, Poughkeepsie, New York, 12601. Any party can change the address to which notices are to be sent to him, her or it by duly giving notice pursuant to this Section 35.

36. Title.

The Grantor covenants and represents that the Grantor is the sole Owner and is seized of the Property in fee simple and has good right to grant and convey the aforesaid Easement; that the Property is free and clear of any and all mortgages not subordinated to this Easement, and that the Grantee shall have the use of and enjoyment of the benefits derived from and existing out of the aforesaid Easement.

37. Subsequent Liens on Property.

No provisions of this Easement should be construed as impairing the ability of Grantor to use this Property, or a portion thereof encompassing entire separately deeded parcels, as collateral for a subsequent borrowing. Any subsequent liens on the Property must be subordinate to this Easement.

38. Subsequent Encumbrances.

The grant of any easements or use restrictions is prohibited, except with the permission of Grantee pursuant to Section 18. This shall not preclude the placing of an additional restriction, without permission of Grantee, to maintain the Property's affordability for Agricultural Use by farmers. Such additional restriction may take the form of an affordability covenant or Preemptive Purchase Right to Purchase for Agricultural Use. Any future encumbrances shall be consistent with the primary Purpose of this Easement and shall not unreasonably restrict or regulate Farm Operations in contravention of the purposes of Article 25-AA of the Agriculture and Markets Law.

39. Grantor's Environmental Warranty.

Grantor warrants that it has no actual knowledge of a release or threatened release of hazardous

substances or wastes on the Property, as such substances and wastes are defined by applicable law, and hereby promises to hold harmless, defend, and indemnify Grantee and Dutchess County against and from, any and all loss, cost, claim (without regard to its merit), liability or expense (including reasonable attorneys' fees) arising from or with respect to any release of hazardous waste or violation of environmental laws.

If at any time after the effective date of this Easement there occurs a release in, on, or about the property of any substance now or hereafter defined, listed, or otherwise classified pursuant to any federal, state, or local law, regulation, or requirement as hazardous, toxic, polluting, or otherwise contaminating to the air, water, or soil, or in any way harmful or threatening to human health or the environment, Grantor agrees to take all steps that may be required under federal, state, or local law necessary to assure its containment and remediation, including any cleanup.

Nothing in this Easement shall be construed as giving rise to any right or ability in Grantee, or Dutchess County to exercise physical or management control over the day-to-day operations of the Property, or any of Grantor's activities on the Property, or otherwise to become an operator or arranger with respect to the Property within the meaning of The Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA") or any corresponding state and local statute or ordinance.

40. Duration of Easement.
Except as expressly otherwise provided herein, this Easement shall be of perpetual duration, and no merger of title, estate or interest shall be deemed effected by any previous, contemporaneous, or subsequent deed, grant, or assignment of an interest or estate in the Property, or any portion thereof, to Grantee, it being the express intent of the parties that this Easement not be extinguished by, or merged into, any other interest or estate in the Property now or hereafter held by Grantee.

41. Entire Agreement.
This instrument sets forth the entire agreement of the parties with respect to the Easement and supersedes all prior discussions, negotiations, understandings and agreements relating to the Easement, all of which are merged herein. No alteration or variation of this instrument shall be valid or binding unless contained in an amendment that complies with Section 28 ("Amendment of Easement").

42. Waiver.
The Grantee may on a case-by-case basis waive any provision of this Easement that it deems not to be essential in fulfilling this Easement's conservation Purpose. Such waivers may not be granted with respect to the number of Residential Structures that may be built. Any such waiver must be supported by a written finding in the minutes of the meeting of the Grantee at which it was approved. Such finding shall state the rationale for allowing the waiver and shall indicate why such a waiver will not compromise the conservation Purpose of this Easement and any impacts to landscape features or scenic panoramas as seen from public vantage points (if a waiver to size or location restrictions). Such individual waivers will not affect the future applicability of any waived provision as applied to other situations, and the provision waived in an individual case shall

continue in full force and effect for other cases. Any such waiver shall comply with Article 49, Title 3 of the Conservation Law and Section 170(h) of the Internal Revenue Code (or any successor provisions of applicable law), and any regulations promulgated pursuant thereto. Copies of resolutions of the Grantee's Board of Directors approving such waivers shall be kept in the Grantee's permanent file with this Easement. The Grantee shall, if requested by an Owner of the Property, issue a certificate of compliance indicating that an alteration of the Property or other action undertaken pursuant to this Section was undertaken pursuant to an approved waiver of this Easement.

43. **Binding Effect.**
The provisions of this Easement shall run with the Property in perpetuity and shall bind and be enforceable against the Grantor and against all future Owners and any party deriving from Grantor any interest or right to use, possess, or occupy the Property, in the same manner as against the Grantor, while any such party is an Owner or is entitled to possession, occupancy, or use thereof. Notwithstanding the foregoing, upon any transfer of title, the transferor shall, with respect to the Property transferred, cease being a Grantor or Owner with respect to such Property for purposes of this Easement and shall have no further responsibility, rights or liability hereunder for acts done or conditions arising thereafter on or with respect to such Property, but the transferor shall remain liable for earlier acts and conditions done or occurring during the period of his or her ownership or conduct.

44. **Lien Law.**
This conveyance is made subject to the trust fund provisions of Section Thirteen of the New York Lien Law.

45. **Captions.**
The captions in this instrument have been inserted solely for convenience of reference and are not a part of this instrument and shall have no effect upon construction or interpretation.

IN WITNESS WHEREOF, Grantor and Grantee, intending to be legally bound hereby, have hereunto set their hands on the date first above written.

LANDOWNER:

Grantor: _____
Steven P. Vincent

DUTCHESS LAND CONSERVANCY, INC.

Grantee: _____
Rebecca E.C. Thornton
President

State of New York)

County of Dutchess), ss:

On the _____day of_____ in the year 2018 before me, the undersigned, personally appeared **Steven P. Vincent**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____
Signature/office of individual taking acknowledgement

State of New York)

County of Dutchess), ss:

On the _____day of_____ in the year 2018 before me, the undersigned, personally appeared **Rebecca E.C. Thornton**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____
Signature/office of individual taking acknowledgement

ACKNOWLEDGMENT

For the Purpose of Acknowledging the Contribution of Funds to the Purchase of this Easement, and Acceptance of the Role of Third Party Right of Enforcement

DUTCHESS COUNTY

By: _____

Marcus J. Molinaro

County Executive

State of New York)

County of Dutchess), ss:

On the day of in the year 2018, before me, the undersigned, a notary public in and for said State, personally appeared **Marcus J. Molinaro** personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____

Signature/office of individual taking acknowledgement

EXHIBIT A
Legal Description of the Property

EXHIBIT B
Easement Map

EXHIBIT C
Survey Map

Environment Committee Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*		
District 20 - Town of Red Hook/Tivoli	Munn*		
District 3 - Town of LaGrange	Borchert (C)		
District 6 - Town of Poughkeepsie	Edwards		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 22 - Towns of Beekman and Union Vale	Garito		
District 24 - Towns of Dover and Union Vale	Surman (VC)		

Present: 12 **Resolution:** ✓ **Total :** 12 (Yes) 0 (No)

Absent: 0 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018195 AUTHORIZING EXECUTION OF GRANT AGREEMENT TO PARTIALLY FUND THE PURCHASE OF A CONSERVATION EASEMENT ON PROPERTY KNOWN AS BROOKBY FARM IN THE TOWN OF DOVER NEW YORK AND REALLOCATING FUNDS THEREFORE

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 **Resolution:** ✓ **Total :** 24 0

Absent: 1 **Motion:** ____ Yes No

Vacant: 0 **Abstentions:** 0

2018195 AUTHORIZING EXECUTION OF GRANT AGREEMENT TO PARTIALLY FUND THE PURCHASE OF A CONSERVATION EASEMENT ON PROPERTY KNOWN AS BROOKBY FARM IN THE TOWN OF DOVER NEW YORK AND REALLOCATING FUNDS THEREFORE

July 9, 2018

RESOLUTION NO. 2018196

RE: DISBANDING THE GREEN COLLAR JOBS TASK FORCE

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

WHEREAS, the Green Collar Jobs Task Force was formed by Resolution no. 208182 in June of 2008; and

WHEREAS, Dutchess County has been a Climate Smart Community since 2009 and is in the process of forming a Climate Smart Community Task Force, and

WHEREAS, this task force has not met since 2009 when it merged with the Dutchess Energy Alliance, and

RESOLVED, that Resolution No. 208182 is hereby rescinded.

RESOLVED, that the Green Collar Jobs Task Force is hereby disbanded.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/10/2018

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 9th day of July 2018, 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 9th day of July 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Majority Leader Roman, duly seconded by Legislator Truitt, moved the foregoing resolution. Discussion on Resolution No. 2018196 proceeded as follows:

Legislator Tyner spoke regarding free energy efficiency assessments, free solar assessments and no cost weatherization for low income residents.

Legislator Truitt called Point of Order because this committee had not met since 2009 and has merged with the Dutchess Energy Alliance.

Legislator Zernike called Point of Order.

Chair Pulver ruled Legislator Tyner out of order and requested him to speak on the actual resolution.

Legislator Tyner spoke regarding saving one billion dollars on energy electric bills and stated that the Legislature did not know about the Cambridge Energy Alliance or what happened with the Dutchess Energy Alliance.

Legislator Miccio called Point of Order to ask Legislator Tyner to stop telling the Legislators what they do and do not know.

The point of order was not recognized by the chair who had already acknowledged Legislator Edwards for her remarks.

Roll call on the foregoing resolution resulted as follows:

AYES:	13	Borchert, Garito, Horton, Houston, Incoronato, Metzger, Miccio, Pulver, Roman, Sagliano, Surman, Thomes, Truitt
NAYS:	11	Black, Munn, Llaverias, Edwards, Brendli, Johnson, Jeter-Jackson, Tyner, Amparo, Zernike, Page
ABSENT:	1	Bolner

Resolution adopted.

Environment Committee Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	1	
District 5 - Town of Poughkeepsie	Roman*	2	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*	7	
District 4 - Town of Hyde Park	Black*		1
District 20 - Town of Red Hook/Tivoli	Munn*		2
District 3 - Town of LaGrange	Borchert (C)	3	
District 6 - Town of Poughkeepsie	Edwards		3
District 11 - Towns of Rhinebeck and Clinton	Tyner		4
District 17 - Town and Village of Fishkill	Miccio	4	
District 18 - City of Beacon and Town of Fishkill	Page		5
District 22 - Towns of Beekman and Union Vale	Garito	5	
District 24 - Towns of Dover and Union Vale	Surman (VC)	6	

Present: 7 **Resolution:** ✓ **Total :** 7 Yes 5 No

Absent: 5 **Motion:** ___

Vacant: 0 **Abstentions:** 0

2018196 DISBANDING THE GREEN COLLAR JOBS TASK FORCE

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	1	
District 5 - Town of Poughkeepsie	Roman	2	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	3	
District 4 - Town of Hyde Park	Black		1
District 20 - Town of Red Hook/Tivoli	Munn		2
District 1 - Town of Poughkeepsie	Llaverias		3
District 3 - Town of LaGrange	Borchert	4	
District 6 - Town of Poughkeepsie	Edwards		4
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt	5	
District 8 - City and Town of Poughkeepsie	Brendli		5
District 9 - City of Poughkeepsie	Johnson		6
District 10 - City of Poughkeepsie	Jeter-Jackson		7
District 11 - Towns of Rhinebeck and Clinton	Tyner		8
District 12 - Town of East Fishkill	Metzger	6	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	abstt	
District 14 - Town of Wappinger	Amparo		9
District 15 - Town of Wappinger	Incoronato	7	
District 16 - Town of Fishkill and City of Beacon	Zernike		10
District 17 - Town and Village of Fishkill	Miccio	8	
District 18 - City of Beacon and Town of Fishkill	Page		11
District 21 - Town of East Fishkill	Horton	9	
District 22 - Towns of Beekman and Union Vale	Garito	10	
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes	11	
District 24 - Towns of Dover and Union Vale	Surman	12	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston	13	

Present: 24 **Resolution:** ✓ **Total :** 13 11

Absent: 1 **Motion:** ____ Yes No

Vacant: 0 **Abstentions:** 0

2018196 DISBANDING THE GREEN COLLAR JOBS TASK FORCE

July 9, 2018

RESOLUTION NO. 2018197

RE: CONFIRMING REAPPOINTMENTS TO THE DUTCHESS COUNTY BOARD OF ETHICS

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

WHEREAS, Local Law No. 7 of 2000, terminated the existing Dutchess County Board of Ethics and established a new Board of Ethics, and

WHEREAS, Local Law No. 7 of 2000 was amended by Local Law No. 2 of 2001, Local Law No. 7 of 2001 and Local Law No. 5 of 2004, and

WHEREAS, pursuant to said Local Law, the County Executive is authorized to make reappointments to the Board of Ethics, subject to confirmation by this Legislature, and

WHEREAS, there are presently three positions that have expired and shall be reappointed, and

WHEREAS, the Dutchess County Executive has submitted to this Legislature his reappointments to the Board of Ethics, all of whom are qualified to serve on said Board, now, therefore, be it

RESOLVED, that the following individuals be reappointed to the Board of Ethics by the Dutchess County Executive, are hereby confirmed:

REAPPOINTMENTS	TERM
Albert M. Rosenblatt *300 Freedom Road* *Pleasant Valley, NY 12569*	*1/1/18 - 12/31/2020*
Tara Sullivan *140 Echo Valley Road* *Red Hook, NY 12571*	*1/1/18 - 12/31/2020*
Kathleen Martin *14 Broad Street* *Fishkill, NY 12524*	*1/1/17 – 12/31/2019*

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/19/2018

CA-127-18 CRC/sc/kvh/G-0770 06/14/18 rev 6/27/18

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 9th day of July 2018, 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 9th day of July 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Majority Leader Roman, duly seconded by Legislator Truitt, moved the foregoing resolution. Discussion on Resolution No. 2018197 proceeded as follows:

Legislator Tyner spoke regarding pay to play.

Majority Leader Roman called Point of Order.

Chair Pulver ruled Legislator Tyner out of order.

Roll call on the foregoing resolution resulted as follows:

AYES:	23	Amparo, Black, Borchert, Brendli, Edwards, Garito, Horton, Houston, Incoronato, Jeter-Jackson, Johnson, Llaverias, Metzger, Miccio, Munn, Page, Pulver, Roman, Sagliano, Surman, Thomes, Truitt, Zernike
NAYS:	1	Tyner
ABSENT:	1	Bolner

Resolution adopted.

Government Services and Administration Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*		
District 20 - Town of Red Hook/Tivoli	Munn*		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt (C)		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger (VC)		
District 14 - Town of Wappinger	Amparo		
District 22 - Towns of Beekman and Union Vale	Garito		

Present: 12 **Resolution:** ✓ **Total :** 12 Yes 0 No

Absent: 0 **Motion:** ___

Vacant: 0 **Abstentions:** 0

2018197 CONFIRMING REAPPOINTMENTS TO THE DUTCHESS COUNTY BOARD OF ETHICS

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		1
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 **Resolution:** ✓ **Total :** 23 1
Absent: 1 **Motion:** ____ Yes No
Vacant: 0 **Abstentions:** 0

2018197 CONFIRMING REAPPOINTMENTS TO THE DUTCHESS COUNTY BOARD OF ETHICS

July 9, 2018

Budget, Finance, & Personnel

Amended in Budget, Finance, & Personnel Committee 7-3-18

RESOLUTION NO. 2018198

RE: ADOPTION OF DUTCHESS COMMUNITY COLLEGE BUDGET

Legislators BOLNER, BORCHERT, JETER-JACKSON, and SAGLIANO offer the following and move its adoption:

WHEREAS, the Annual Operating Budget Request of Dutchess Community College for the period September 1, 2018 through August 31, 2019, has been developed in accordance with guidelines furnished by the State University of New York, and,

WHEREAS, the requirement for operating expenditures has been determined to be $69,331,963, and

WHEREAS, by Resolution No. 2018-69, the Board of Trustees of Dutchess Community College did approve such budget, now, therefore, be it

RESOLVED, that the Legislature does hereby request the County Comptroller to oversee an independent comprehensive program audit of Dutchess Community College programs and services with the purpose of identifying cost-saving measures, and be it further

RESOLVED, that the Operating Budget for Dutchess Community College for the fiscal year September 1, 2018 through August 31, 2019 in the amount of $69,331,963 with anticipated funding from the County of Dutchess by appropriation from fiscal year 2019 of $16,287,898 is hereby approved.

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 9th day of July 2018, 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 9th day of July 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

RESOLUTION NO. 2018-69 Board of Trustees, Dutchess Community College
June 7, 2018

Mr. Kuffner offered the following resolution and moved its adoption:

WHEREAS, the Annual Operating Budget Request of Dutchess Community College for the period September 1, 2018 through August 31, 2019 has been developed in accordance with guidelines furnished by the State University of New York, and

WHEREAS, the requirement for operating expenditures has been determined to be $69,331,963, now, therefore, be it

RESOLVED, that the Operating Budget for Dutchess Community College for the fiscal year September 1, 2018 through August 31, 2019, in the amount of $69,331,963 with anticipated funding from the County of Dutchess by appropriation from fiscal year 2019 of $16,287,898, is hereby approved.

* * * * *

Seconded by Mr. Massie

Resolution adopted via Roll Call vote

Mr. Thomas LeGrand – Yea
Mr. Timmian Massie – Yea
Mr. Michael Dupree – Yea
Ms. Sheila Appel – Yea
Ms. Lilith Fichtmueller – Yea
Ms. Barbara Hugo – Yea
Mr. Daniel Kuffner – Yea

Mr. Dale Borchert - Nay

Dutchess Community College

Year	College Support	Debt Service Share	Chargebacks paid to other Community Colleges	Total for DCC	$ Change	% Change
2019 Request*	16,287,898	661,306	3,520,000	20,469,204	1,678,482	8.9%
2018 Budget	14,537,898	732,824	3,520,000	18,790,722	1,081,617	6.1%
2017 Actual	13,537,898	1,261,286	2,909,921	17,709,105	1,385,366	8.5%
2016 Actual	12,187,898	1,427,881	2,707,960	16,323,739	1,484,527	10.0%
2015 Actual	10,837,898	1,516,298	2,485,016	14,839,212	(96,524)	-0.6%
2014 Actual	10,837,898	1,677,511	2,420,327	14,935,736	(139,771)	-0.9%
2013 Actual	10,837,898	1,658,040	2,579,569	15,075,507	208,874	1.4%
2012 Actual	10,837,898	1,809,777	2,218,958	14,866,633	345,377	2.4%
2011 Actual	10,837,898	1,891,497	1,791,861	14,521,256	(89,494)	-0.6%
2010 Actual	10,837,898	1,822,852	1,950,000	14,610,750		

*2019 Request for College Support has been received from DCC and the Debt Service is final for 2019, however, chargebacks are based on last year, as that amount has not yet been projected.

Tax Levy Impact of DCC Contribution Request:

2018 Tax Levy	106,470,935
2019 Tax Levy	108,149,417
	1,678,482
Increase levy:	1.6%

DUTCHESS
COMMUNITY COLLEGE

Comprehensive Supplement to June 2018 Report to Legislature

Responses to additional information requested by the Legislature in emails of May 22 and 31

Personnel

Impact of Raises due to Contractual Obligations

- CSEA – The 2.25% increase negotiated by the County for next year will cost the College an additional $437,000 in 2018-19 vs. 2017-18.
- Dutchess United Educators (full-time faculty, part-time faculty and professional staff) – The 1.75% increase negotiated by the College for next year will cost the College an additional $898,579 for 2018-19 vs. 2017-18.

Promotions

- Five of 12 eligible faculty who applied were granted promotions for 2018-19 at an additional total cost of $39,055.
- Four members of the professional staff, also members of Dutchess United Educators, are eligible for promotions for 2018-19; the annual review process will be concluded in August and determinations made at that time.

New Staff for 2018-19

- Per a 2017 SUNY mandate and to support our Strategic Plan, the College has added the position of Chief Diversity Officer.
- To develop the new airframe and power plant maintenance program in support of the County's airport initiatives, an Aviation Maintenance Technology coordinator has been hired. As the project was recently delayed, to conserve resources the individual currently is working part time.
- A partially grant-funded position, Student Resource Navigator, has been added to enhance retention efforts.
- A full-time coordinator for the English as a Second Language program has been hired to meet the needs of this rapidly growing student population.

Retirement Projections

- Currently, 18% of faculty and staff are of retirement age. DCC typically has an average of seven retirements per year.

Benefits

- Benefits (itemized in the budget book) will cost the College $16 million in 2018-19, an increase of $1.2 million over 2017-18. Of that, health benefits are increasing by $424,000 for CSEA members and $347,000 for DUE members (faculty and professional staff). The College has been proactive in encouraging employees to opt for the less expensive health care plan and offering a buy-out to those who do not take health benefits.

Additional Personnel Information

- Providing an environment that promotes student success requires a highly skilled and educated workforce – more than 88% of our faculty and non-teaching educators have earned either a master's or a doctorate.

- The College is a dynamic organization that must adapt to students' changing needs. As employees retire or otherwise separate from the College, we restructure where possible and fill positions at lower job titles and salaries.
- To improve service to students while streamlining operations, the Financial Aid and Student Accounts offices were combined last year into the Office of Student Financial Services. This resulted in the elimination of one professional staff position.

Tuition, Funding and Enrollment

Average or Median Tuition Cost

- At the close of the spring semester at the end of May, our Office of Institutional Research was able to fully evaluate the sources of 2017-18 tuition revenue.
- 41% of full-time students last fall and spring had 100% of their tuition costs covered by grants and scholarships, including Pell and/or TAP awards.
- An additional 18% of students had their tuition partially covered by grants and scholarships.
- Another 41% did not receive scholarship or grant aid either because they did not meet income eligibility requirements or did not complete the federally required FAFSA.
- Given the aid received by students, the average out-of-pocket tuition cost for the year was $1,908; the median was $2,326.
- The impact of the Excelsior Scholarship implemented in Fall 2017 is not fully known. 142 students attended DCC under the Excelsior scholarship in 2017-18 academic year. SUNY is analyzing student participation and success in the program and the impact on community colleges vs. four-year institutions.

Statewide Community College Increases for 2018-19

- The average increase is $158 per year, with Schenectady Community College, which has the second lowest tuition, going up $240, to $4,176. A complete list of 2018-19 community college tuition rates is included in the Report to Legislators. DCC will continue to have the lowest tuition with a $168 increase.

Impact of Tuition Increase on Enrollment

- The tuition gap between DCC and other community colleges continues to widen (see tuition comparison in Report to Legislators). DCC's proposed tuition increase, to $3,864, is still well below the tuition of other Hudson Valley community colleges: $1,112 below Orange, $883 below Rockland, $816 below Columbia-Greene, $616 below Ulster and $566 below Westchester.
- SUNY will increase tuition at its 34 four-year colleges by $200 in 2018-19, to $6,900 per year.
- The College is committed to sustaining access to high quality post-secondary education and works to remove finances as a barrier. For example, our Foundation provides more than $400,000 in scholarships each year, our DCC Cares program provides supports including emergency grants and food, and the College is significantly reducing textbook costs through the expanded use of Open Educational Resources, which are free to students.

Fund Balance and Future County Contributions

- It is difficult to accurately project usage of fund balance over the next three years, as that is dependent on revenue from tuition, New York state allocation and the County contribution plus our ongoing efforts to increase operational efficiency and reduce personnel costs.
- The College's **unrestricted** or **unreserved** fund balance is currently $5,011,790 -- down from $5,766,427 last year. Projections are to use an additional $2,389,959 in 2018-19. Restricted or reserved funds are required to be separately allocated to cover compensated employee absences and health care expenses.
- To align with SUNY best practices, DCC's fund balance should be between 5% and 15% of operating budget The DCC Board of Trustees believes that going below 10% puts the County and the College at risk, and notes that

using $2.4 million over the next two years would reduce unrestricted fund balance to about $200,000 (less than 1%).

FTE Funding Model

- The College served 19,832 in credit, non-credit, and workforce training programs in 2016-2017. State FTE (full-time-equivalent) funding is based on a calculation that uses the numbers of hours that students spend in credit programs and very specific non-credit and other programs such as high school equivalency, English as a Second Language and certain non-credit remedial courses. DCC adheres to NY State guidelines to ensure that all possible funding is realized for all courses that are eligible for FTE aid.

- The course offerings that are not eligible for FTE aid are paid for either by the participants or by workforce development grants that enable the College to deliver quality employee training programs to meet local employers' needs. In 2017-18, 966 employees from 16 Dutchess County companies were provided training through our Office of Community Services and Special Programs; a total of 63 customized courses were offered. Many of these training programs are grant-funded and over all, have a zero impact on the College's bottom line. Additionally, DCC and IBM sponsored a free, one-week certification program in data analysis for veterans who are unemployed or underemployed; and through a retraining grant, an 80-hour comprehensive program was offered for employees of Health Quest medical practices.

Programs and Services

Program Costs/Revenues

- Program development and program review are rigorous processes at DCC and are designed to ensure that the College offers excellent educational opportunities that address student and community needs. New programs are proposed and developed that align with the strategic direction of the College and community workforce needs. Program review is done by faculty through a self-study process that includes the systematic collection and review of assessments and effectiveness measures including enrollment and graduation rates along with a review by external evaluators. Programs that are consistently under-enrolled or otherwise deemed unnecessary are eliminated. These processes adhere closely to SUNY and Middle States (our accrediting organization) requirements.
- Determining the exact cost of an individual program is a highly complex process in which for-profit institutions invest significant resources, typically enlisting the services of costly consulting firms. Community colleges, driven by the greater mission of commitment to the needs of the local community, do not typically engage in this type of financial analysis.
- The College has embarked on an Academic and Facilities Master Planning process that will engage all facets of our community – both internal and external – in providing a strategic framework for the programs, services and facilities the College will need over the next 10 years. This process, to be completed over the next 12 months, will inform our decision-making and ensure the College is optimally aligned with the needs of the County, local employers and students.
- To ensure that class scheduling is efficient and meets the needs of our students, the College uses AdAstra predictive analytics to determine each semester's course offerings.
- New programs include Certified Nursing Assistant (CNA) expected to begin in Fall 2018; Airframe and Power Plant Maintenance, developed in collaboration with the county and expected to launch in Fall 2020; and Hospitality and Tourism, projected to receive SUNY approval later this year and launch in 2019.
  Faculty are integral to the development and review of all new credit programs. When necessary, credit-free and workforce initiatives may be led by professionals contracted to perform a specific and limited scope of work under the direction of the faculty.

Accommodative Services

- Students requesting accommodative services must meet documentation and other eligibility requirements established and enforced by New York state. Education law dictates that it is the responsibility of institutions of higher education to provide ancillary services to ensure equal access (braille, sign language interpretation, captioned lectures and media, amplification systems, etc.).
- The number of DCC students requiring accommodative services is rising, numbering 750 in 2017-18, up 10% from the prior academic year. These students have physical, developmental or learning disabilities that require them to receive supports including extra instruction and adaptive technology.
- For example, five DCC students who are deaf/hearing impaired received accessibility services in 2017-18.
  > Sign language interpreting services cost $75/hour on weekdays; $85/hour on weekends.
  > Closed captioning or classroom or online videos costs $3.50 per minute.
  > Remote caption services can cost $125 per hour.
  >Braille textbooks can cost thousands of dollars each. Recently, a 220-page textbook was converted to braille at a cost of $7,671.

Other

Residence Hall

- The residence hall is operated by the DCC Association; the mortgage and associated costs are not College expenses and are not part of the College budget. For five out of the six years the residence hall has been in operation, it was filled to capacity. In collaboration with the Association, a strategic and intentional decision was made for Fall 2017 to increase residence hall eligibility requirements and better enforce community standards. This resulted in an anticipated decrease in occupancy, but also enhanced the living and learning environment and student success.
- The Association and the College will continue to work collaboratively to maximize the potential of the residence hall, both during the academic year and during the summer. For example, several organizations have contracted with the Association to hold in-residence enrichment and other programs in the facility this summer.

Family Partnership Center

- In order to improve access to education for City of Poughkeepsie residents, the College began offering classes at the Family Partnership in 2016. The site serves more than 1,000 individuals annually, the majority of whom are enrolled in High School Equivalency and English as a Second Language classes. Additionally, job-training courses are offered, as is support for those interested in transitioning to an associate degree program. The site rental costs are subsidized by the state and the College receives FTE aid for the HSE and ESL coursework.

Ridley-Lowell

- Dutchess Community College stepped in immediately when Ridley-Lowell suddenly closed and offered two information sessions for displaced students; about 75 attended. Representatives from both the state and Dutchess County BOCES were invited to participate in the sessions, and the College was commended by the state for being proactive and responsive. The College will offer additional certificate programs in the health care fields beginning next Fall, is exploring the need for an HVAC program, and will continue to evaluate other opportunities.

DUTCHESS
COMMUNITY COLLEGE

Office of the
President

June 25, 2018

Dear Dutchess County Legislator:

One of the most rewarding aspects of working for Dutchess Community College is the opportunity to engage in meaningful, collaborative work that enhances our county's economic, educational and social environment. We are especially proud of the close relationship the College has developed with the Legislature over the past few years, and the tremendous progress we've made in aligning our goals and priorities so as to best serve the residents of Dutchess County.

In order to sustain the quality for which DCC is so highly regarded – and to provide an exceptional, accessible education that prepares your constituents for the workforce or for further studies – Dutchess Community College must have the resources necessary to afford excellence. Our request for increased county support for 2018-19 reflects the escalating demands placed on our institution by changes in the higher education landscape, county demographics and students' academic and support needs.

We hope you find the attached materials helpful in understanding and appreciating the College's budget request. The Budget Book provides details on the actual 2017-18 budget and the proposed 2018-19 budget; the Report to the Legislature contains comparative information on enrollment, tuition and operations; and the Comprehensive Supplement provides additional information requested by legislators over the past several weeks.

Dutchess Community College is one of our county's most valuable assets. We look forward to working with you to ensure it continues to provide students, employers and the community at large with the programs and services that enhance the quality of life in our region.

As always, thank you for your support.

Sincerely,

Pamela R Edington

Pamela Edington, Ed.D.

53 PENDELL ROAD, POUGHKEEPSIE, NY 12601-1595
(845) 431-8980 FAX (845) 431-8981

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Dutchess Community College — Budget 2018-2019

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 1100 President's Office					
Fund 1110	***Salaries/Benefits***				
6112	Extra Svc Full Time Faculty	0.00	750.00	750.00	0.00
6202	Managerial Confidential	380,541.00	380,541.00	289,402.21	396,938.00
6203	Specialists Sup Professional 12 mos	-373.00	0.00	0.00	0.00
6606	Health Insurance Buy Out	0.00	3,000.00	2,261.64	0.00
Total Salaries/Benefits		***380,168.00***	***384,291.00***	***292,413.85***	***396,938.00***
Fund 1110	***Contractual***				
7102	Postage	200.00	200.00	34.91	200.00
7106	Books & Periodicals	250.00	250.00	771.12	750.00
7107	Subscriptions	200.00	200.00	0.00	200.00
7108	Dues	62,000.00	62,000.00	38,720.70	63,734.00
7111	Printing - Off Campus	50.00	50.00	0.00	50.00
7113	Duplicating	1,000.00	1,000.00	44.88	1,000.00
7115	Prof Support Travel	29,500.00	21,925.00	12,425.80	24,800.00
7121	Legal	0.00	0.00	261.50	500.00
7125	Other Professional	2,500.00	2,500.00	0.00	2,500.00
7145	Car Rental	0.00	0.00	82.56	0.00
7147	Maintenance Contract Ofc Machinery	2,771.00	2,771.00	2,016.40	3,625.00
7151	Office Supplies	1,800.00	1,800.00	1,036.88	2,000.00
7153	Computer Supplies	0.00	0.00	88.00	0.00
7173	Computer Equip - Non Capital	0.00	5,633.00	5,632.76	0.00
7174	Computer Software	0.00	0.00	1.00	0.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7176	Food Service	10,000.00	10,000.00	9,402.23	10,000.00
7178	Gasoline	0.00	0.00	21.30	0.00
7185	Miscellaneous Expenses	0.00	0.00	29.99	0.00
Total Contractual		***110,271.00***	***108,329.00***	***70,570.03***	***109,359.00***
	Fund Total 1110	*490,439.00*	*492,620.00*	*362,983.88*	*506,297.00*
Department Total: 1100 President's Office		**490,439.00**	**492,620.00**	**362,983.88**	**506,297.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department:	*1200 Board of Trustees*				
Fund 1110	***Contractual***				
7102	Postage	0.00	0.00	118.64	200.00
7107	Subscriptions	1,000.00	1,000.00	2,125.51	1,817.00
7108	Dues	2,160.00	2,160.00	2,860.00	2,860.00
7115	Prof Support Travel	2,000.00	2,000.00	0.00	0.00
7151	Office Supplies	450.00	450.00	0.00	450.00
7176	Food Service	2,000.00	2,000.00	2,197.86	2,500.00
Total Contractual		***7,610.00***	***7,610.00***	***7,302.01***	***7,827.00***
	Fund Total 1110	*7,610.00*	*7,610.00*	*7,302.01*	*7,827.00*
Department Total: 1200 Board of Trustees		**7,610.00**	**7,610.00**	**7,302.01**	**7,827.00**

			2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department:	*1400*	*Communication and Public Relations*				
Fund	**1110**	***Salaries/Benefits***				
	6202	Managerial Confidential	115,967.00	115,967.00	86,991.85	119,316.00
	6203	Specialists Sup Professional 12 mos	199,404.00	199,278.00	119,385.26	190,180.00
	6205	Part Time Technical	39,026.00	39,026.00	25,237.25	41,834.00
	6301	Vacation Payments	0.00	1,296.00	1,296.25	0.00
	6402	Clerical	18,588.00	18,588.00	11,559.93	15,083.00
	6501	Student Aides Regular	3,050.00	3,050.00	1,598.44	3,050.00
	Total Salaries/Benefits		***376,035.00***	***377,205.00***	***246,068.98***	***369,463.00***
Fund	**1110**	***Contractual***				
	7101	Advertising	0.00	0.00	24,088.77	0.00
	7102	Postage	100.00	100.00	1,972.19	100.00
	7105	Display Advertising	110,000.00	110,000.00	117,022.60	160,000.00
	7107	Subscriptions	455.00	455.00	144.00	455.00
	7108	Dues	250.00	250.00	0.00	250.00
	7111	Printing - Off Campus	30,000.00	30,000.00	15,811.20	25,000.00
	7113	Duplicating	1,000.00	1,000.00	0.00	1,000.00
	7115	Prof Support Travel	0.00	2,645.00	3,147.84	0.00
	7118	Mileage Reimbursement	500.00	500.00	231.96	500.00
	7125	Other Professional	10,000.00	10,000.00	18,375.99	18,500.00
	7147	Maintenance Contract Ofc Machinery	4,200.00	4,200.00	1,350.14	2,006.00
	7151	Office Supplies	2,700.00	2,700.00	1,763.68	2,000.00
	7172	Equipment - Non Capital	0.00	2,755.00	2,754.95	0.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7174	Computer Software	0.00	0.00	6,500.00	0.00
7185	Miscellaneous Expenses	100.00	100.00	395.90	100.00
Total Contractual		***159,305.00***	***164,705.00***	***193,559.22***	***209,911.00***
	Fund Total 1110	*535,340.00*	*541,910.00*	*439,628.20*	*579,374.00*
Department Total: 1400 Communication and Public Relations		**535,340.00**	**541,910.00**	**439,628.20**	**579,374.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 1500 Institutional Development					
Fund 1110	***Salaries/Benefits***				
6202	Managerial Confidential	248,079.00	248,079.00	73,688.57	255,570.00
6203	Specialists Sup Professional 12 mos	135,483.00	135,530.00	101,785.15	141,166.00
6301	Vacation Payments	0.00	1,334.00	1,333.93	0.00
6402	Clerical	43,567.00	43,567.00	32,790.79	46,338.00
6453	Overtime	0.00	208.00	207.57	0.00
6501	Student Aides Regular	2,423.00	2,423.00	0.00	2,423.00
6606	Health Insurance Buy Out	0.00	3,000.00	2,261.64	0.00
Total Salaries/Benefits		***429,552.00***	***434,141.00***	***212,067.65***	***445,497.00***
Fund 1110	***Contractual***				
7102	Postage	0.00	0.00	33.00	0.00
7107	Subscriptions	250.00	250.00	126.00	250.00
7108	Dues	1,800.00	1,800.00	1,625.00	3,800.00
7115	Prof Support Travel	0.00	577.00	932.23	0.00
7118	Mileage Reimbursement	200.00	200.00	184.21	500.00
7147	Maintenance Contract Ofc Machinery	0.00	0.00	2,167.37	0.00
7151	Office Supplies	2,610.00	2,610.00	3,063.36	3,095.00
7153	Computer Supplies	145.00	145.00	0.00	145.00
Total Contractual		***5,005.00***	***5,582.00***	***8,131.17***	***7,790.00***
	Fund Total 1110	*434,557.00*	*439,723.00*	*220,198.82*	*453,287.00*
Department Total: 1500 Institutional Development		**434,557.00**	**439,723.00**	**220,198.82**	**453,287.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 1600 Institutional Research and Planning					
Fund 1110	***Salaries/Benefits***				
6203	Specialists Sup Professional 12 mos	183,784.00	183,784.00	140,313.10	196,433.00
6402	Clerical	84,251.00	84,251.00	67,813.86	91,889.00
6453	Overtime	0.00	186.00	186.24	0.00
6454	Longevity	7,257.00	7,257.00	5,623.03	8,023.00
Total Salaries/Benefits		***275,292.00***	***275,478.00***	***213,936.23***	***296,345.00***
Fund 1110	***Contractual***				
7107	Subscriptions	0.00	0.00	167.64	0.00
7108	Dues	1,350.00	1,350.00	0.00	1,350.00
7111	Printing - Off Campus	0.00	0.00	15.00	0.00
7115	Prof Support Travel	0.00	4,353.00	4,909.97	0.00
7118	Mileage Reimbursement	500.00	500.00	0.00	500.00
7148	Maint Contracts Hardware & Software	1,000.00	1,000.00	500.00	8,200.00
7151	Office Supplies	585.00	585.00	326.40	585.00
7174	Computer Software	0.00	0.00	4,800.00	0.00
7185	Miscellaneous Expenses	1,300.00	1,300.00	0.00	1,300.00
7193	Assessment	15,000.00	15,000.00	9,500.00	15,000.00
Total Contractual		***19,735.00***	***24,088.00***	***20,219.01***	***26,935.00***
	Fund Total 1110	*295,027.00*	*299,566.00*	*234,155.24*	*323,280.00*
Department Total: 1600 Institutional Research and Planning		**295,027.00**	**299,566.00**	**234,155.24**	**323,280.00**

	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 1700 Diversity Office				
Fund 1110 *Salaries/Benefits*				
6202 Managerial Confidential	60,373.00	60,373.00	4,885.05	85,000.00
Total Salaries/Benefits	***60,373.00***	***60,373.00***	***4,885.05***	***85,000.00***
Fund Total 1110	*60,373.00*	*60,373.00*	*4,885.05*	*85,000.00*
Department Total: 1700 Diversity Office	**60,373.00**	**60,373.00**	**4,885.05**	**85,000.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4001 V.P. of Academic Affairs Office					
Fund 1110	***Salaries/Benefits***				
6112	Extra Svc Full Time Faculty	0.00	4,429.00	4,428.49	0.00
6202	Managerial Confidential	442,035.00	442,035.00	332,533.56	455,296.00
6203	Specialists Sup Professional 12 mos	0.00	647.00	0.00	30,339.00
6205	Part Time Technical	32,544.00	32,544.00	22,922.99	32,692.00
6301	Vacation Payments	0.00	8,223.00	8,222.75	0.00
6402	Clerical	25,000.00	25,000.00	0.00	25,000.00
6453	Overtime	500.00	500.00	0.00	500.00
Total Salaries/Benefits		***500,079.00***	***513,378.00***	***368,107.79***	***543,827.00***
Fund 1110	***Contractual***				
7101	Advertising	0.00	0.00	444.00	0.00
7102	Postage	100.00	100.00	71.97	100.00
7106	Books & Periodicals	500.00	500.00	0.00	500.00
7107	Subscriptions	855.00	855.00	1,737.92	1,350.00
7108	Dues	1,900.00	1,900.00	1,410.00	1,900.00
7111	Printing - Off Campus	0.00	0.00	23.00	15.00
7113	Duplicating	500.00	500.00	3,809.62	500.00
7115	Prof Support Travel	71,541.00	31,317.00	3,534.62	78,300.00
7118	Mileage Reimbursement	200.00	200.00	0.00	200.00
7123	Honoraria	0.00	0.00	119.00	0.00
7125	Other Professional	2,500.00	2,500.00	0.00	2,500.00
7147	Maintenance Contract Ofc Machinery	5,362.00	5,362.00	2,087.74	4,011.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7151	Office Supplies	1,800.00	1,800.00	593.60	1,000.00
7153	Computer Supplies	600.00	600.00	0.00	500.00
7173	Computer Equip - Non Capital	0.00	556.00	555.90	0.00
7176	Food Service	3,000.00	3,000.00	3,299.09	3,000.00
7185	Miscellaneous Expenses	15,513.00	15,513.00	1,338.24	15,500.00
7193	Assessment	2,000.00	2,000.00	0.00	2,000.00
7210	Training - On Campus	0.00	0.00	450.00	6,500.00
Total Contractual		***106,371.00***	***66,703.00***	***19,474.70***	***117,876.00***
	Fund Total 1110	*606,450.00*	*580,081.00*	*387,582.49*	*661,703.00*
Department Total: 4001 V.P. of Academic Affairs Office		**606,450.00**	**580,081.00**	**387,582.49**	**661,703.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4010 Service Learning					
Fund 1110	***Salaries/Benefits***				
6203	Specialists Sup Professional 12 mos	59,633.00	59,633.00	41,117.27	57,367.00
6402	Clerical	15,000.00	15,000.00	4,891.45	16,114.00
Total Salaries/Benefits		***74,633.00***	***74,633.00***	***46,008.72***	***73,481.00***
Fund 1110	***Contractual***				
7107	Subscriptions	1,360.00	1,360.00	1,360.00	0.00
7111	Printing - Off Campus	0.00	0.00	15.00	0.00
7113	Duplicating	150.00	150.00	0.00	150.00
7115	Prof Support Travel	0.00	3,409.00	3,409.27	0.00
7118	Mileage Reimbursement	850.00	850.00	224.13	850.00
7151	Office Supplies	225.00	225.00	71.54	225.00
7152	Educational Supplies	0.00	0.00	161.54	0.00
7153	Computer Supplies	140.00	140.00	0.00	140.00
Total Contractual		***2,725.00***	***6,134.00***	***5,241.48***	***1,365.00***
	Fund Total 1110	*77,358.00*	*80,767.00*	*51,250.20*	*74,846.00*
Department Total: 4010 Service Learning		**77,358.00**	**80,767.00**	**51,250.20**	**74,846.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4015 Grants Office					
Fund 1110	***Salaries/Benefits***				
6203	Specialists Sup Professional 12 mos	91,311.00	91,311.00	68,570.80	94,947.00
Total Salaries/Benefits		***91,311.00***	***91,311.00***	***68,570.80***	***94,947.00***
Fund 1110	***Contractual***				
7102	Postage	0.00	0.00	21.99	0.00
7118	Mileage Reimbursement	0.00	0.00	96.34	0.00
Total Contractual		***0.00***	***0.00***	***118.33***	***0.00***
	Fund Total 1110	*91,311.00*	*91,311.00*	*68,689.13*	*94,947.00*
Department Total: 4015 Grants Office		**91,311.00**	**91,311.00**	**68,689.13**	**94,947.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4020 Conduct Office					
Fund 1110	***Salaries/Benefits***				
6203	Specialists Sup Professional 12 mos	159,466.00	159,466.00	119,755.42	165,952.00
6301	Vacation Payments	0.00	2,927.00	2,926.81	0.00
6402	Clerical	47,558.00	47,558.00	35,967.37	49,299.00
6453	Overtime	0.00	67.00	66.72	0.00
6606	Health Insurance Buy Out	0.00	3,000.00	2,261.64	0.00
Total Salaries/Benefits		***207,024.00***	***213,018.00***	***160,977.96***	***215,251.00***
Fund 1110	***Contractual***				
7102	Postage	0.00	0.00	72.71	0.00
7106	Books & Periodicals	533.00	533.00	208.00	0.00
7107	Subscriptions	236.00	236.00	0.00	236.00
7108	Dues	890.00	890.00	314.00	674.00
7111	Printing - Off Campus	810.00	810.00	45.00	1,060.00
7113	Duplicating	1,000.00	1,000.00	21.60	1,000.00
7115	Prof Support Travel	0.00	2,112.00	2,111.98	0.00
7118	Mileage Reimbursement	214.00	214.00	0.00	109.00
7147	Maintenance Contract Ofc Machinery	0.00	0.00	256.70	694.00
7148	Maint Contracts Hardware & Software	1,000.00	1,000.00	0.00	3,000.00
7151	Office Supplies	1,350.00	1,350.00	908.21	2,500.00
7173	Computer Equip - Non Capital	0.00	337.00	337.00	0.00
7176	Food Service	210.00	210.00	26.43	500.00
7210	Training - On Campus	1,000.00	1,000.00	0.00	1,000.00

	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Total Contractual	***7,243.00***	***9,692.00***	***4,301.63***	***10,773.00***
Fund Total 1110	*214,267.00*	*222,710.00*	*165,279.59*	*226,024.00*
Department Total: 4020 Conduct Office	**214,267.00**	**222,710.00**	**165,279.59**	**226,024.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4101 Academic Affairs					
Fund 1110	***Salaries/Benefits***				
6106	Substitute Faculty - Full Time	50,000.00	7,590.66	240.99	50,000.00
6109	Fall Adjunct	1,785,137.00	26,484.00	28,378.05	2,309,052.00
6110	Spring Adjunct	1,697,478.00	0.00	9,565.17	1,688,739.00
6111	Summer Day Session 1	387,385.00	203,082.00	0.00	396,693.00
6112	Extra Svc Full Time Faculty	977,149.00	60,732.00	0.00	977,149.00
6113	Extra Svc Full Time Administrators	217,740.00	83,849.00	10,925.47	217,740.00
6114	Extra Svc Eve & Off-Campus Super	147,981.00	125,680.00	144.60	147,981.00
6116	Lab Assistant	0.00	0.00	4,592.00	0.00
6118	Faculty Development	50,000.00	14,124.00	0.00	50,000.00
6120	Extra Service - Adjuncts	133,791.00	109,837.00	1,145.00	140,000.00
6202	Managerial Confidential	210,855.00	210,855.00	115,370.15	224,496.00
6301	Vacation Payments	0.00	13,365.00	13,364.65	0.00
6402	Clerical	119,347.00	119,347.00	90,949.07	127,970.00
6453	Overtime	0.00	104.00	104.19	0.00
6606	Health Insurance Buy Out	0.00	704.00	703.88	0.00
Total Salaries/Benefits		***5,776,863.00***	***975,753.66***	***275,483.22***	***6,329,820.00***
Fund 1110	***Contractual***				
7101	Advertising	2,000.00	2,000.00	0.00	1,000.00
7102	Postage	0.00	0.00	53.84	100.00
7106	Books & Periodicals	500.00	500.00	111.50	500.00
7107	Subscriptions	500.00	500.00	0.00	500.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7108	Dues	1,610.00	1,610.00	1,852.00	1,610.00
7111	Printing - Off Campus	0.00	0.00	15.00	0.00
7113	Duplicating	4,700.00	4,700.00	0.00	4,600.00
7118	Mileage Reimbursement	2,500.00	2,500.00	119.63	2,500.00
7123	Honoraria	7,000.00	7,000.00	1,437.16	7,000.00
7125	Other Professional	7,500.00	7,500.00	0.00	7,500.00
7141	Classroom Rental	0.00	0.00	5,082.00	0.00
7151	Office Supplies	1,845.00	1,845.00	1,492.87	1,845.00
7152	Educational Supplies	1,080.00	1,080.00	0.00	1,080.00
7153	Computer Supplies	1,000.00	1,000.00	0.00	1,000.00
7174	Computer Software	2,000.00	2,000.00	0.00	2,000.00
7176	Food Service	10,600.00	10,600.00	7,351.73	10,600.00
7185	Miscellaneous Expenses	600.00	600.00	657.38	600.00
7188	Faculty Development	20,000.00	19,234.00	0.00	20,000.00
7191	Tuition Expense	35,000.00	35,000.00	21,881.00	35,000.00
7193	Assessment	0.00	0.00	0.00	15,000.00
7210	Training - On Campus	0.00	0.00	5,276.00	1,000.00
Total Contractual		***98,435.00***	***97,669.00***	***45,330.11***	***113,435.00***
	Fund Total 1110	*5,875,298.00*	*1,073,422.66*	*320,813.33*	*6,443,255.00*
Department Total: 4101 Academic Affairs		**5,875,298.00**	**1,073,422.66**	**320,813.33**	**6,443,255.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4110 Library					
Fund 1110	***Salaries/Benefits***				
6201	Managers/NTE	109,336.00	109,336.00	81,687.84	111,250.00
6203	Specialists Sup Professional 12 mos	284,816.00	284,816.00	212,022.38	294,767.00
6205	Part Time Technical	47,303.00	47,303.00	34,197.77	48,130.00
6301	Vacation Payments	0.00	941.00	940.76	0.00
6402	Clerical	259,897.00	259,897.00	200,753.28	271,363.00
6453	Overtime	1,000.00	1,000.00	0.00	1,000.00
6454	Longevity	11,217.00	11,217.00	8,570.50	11,910.00
6501	Student Aides Regular	4,839.00	4,839.00	968.27	4,839.00
Total Salaries/Benefits		***718,408.00***	***719,349.00***	***539,140.80***	***743,259.00***
Fund 1110	***Contractual***				
7107	Subscriptions	27,000.00	27,000.00	27,844.06	27,000.00
7108	Dues	1,740.00	1,740.00	2,207.00	2,200.00
7111	Printing - Off Campus	0.00	0.00	8.00	0.00
7113	Duplicating	550.00	550.00	100.00	300.00
7115	Prof Support Travel	0.00	1,407.00	1,407.28	0.00
7118	Mileage Reimbursement	1,000.00	1,000.00	201.36	800.00
7147	Maintenance Contract Ofc Machinery	6,354.00	6,354.00	4,125.04	8,065.00
7148	Maint Contracts Hardware & Software	185,752.00	185,752.00	198,746.69	203,517.00
7149	Services Contracts	2,850.00	2,850.00	2,981.33	2,850.00
7151	Office Supplies	5,400.00	5,400.00	3,206.66	5,500.00
7152	Educational Supplies	225.00	225.00	0.00	225.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7153	Computer Supplies	2,000.00	2,000.00	0.00	2,000.00
7158	Book Binding	450.00	450.00	450.97	450.00
7160	Library Books	85,000.00	85,000.00	71,680.71	75,000.00
7176	Food Service	350.00	350.00	0.00	0.00
7188	Faculty Development	300.00	300.00	0.00	200.00
7197	Cataloging	11,000.00	11,000.00	11,000.00	11,000.00
Total Contractual		*329,971.00*	*331,378.00*	*323,959.10*	*339,107.00*
	Fund Total 1110	*1,048,379.00*	*1,050,727.00*	*863,099.90*	*1,082,366.00*
Department Total: 4110 Library		**1,048,379.00**	**1,050,727.00**	**863,099.90**	**1,082,366.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4120 Teaching Learning Center					
Fund 1110	***Salaries/Benefits***				
6118	Faculty Development	0.00	35,876.00	35,876.00	0.00
6120	Extra Service - Adjuncts	0.00	1,054.00	1,054.00	0.00
6203	Specialists Sup Professional 12 mos	79,158.00	79,158.00	59,445.23	82,200.00
6301	Vacation Payments	0.00	1,456.00	1,456.17	0.00
6402	Clerical	19,632.00	19,632.00	16,858.70	21,594.00
6454	Longevity	0.00	0.00	756.07	1,106.00
Total Salaries/Benefits		***98,790.00***	***137,176.00***	***115,446.17***	***104,900.00***
Fund 1110	***Contractual***				
7107	Subscriptions	1,650.00	1,650.00	100.00	500.00
7108	Dues	700.00	700.00	495.00	700.00
7113	Duplicating	400.00	400.00	13.00	500.00
7115	Prof Support Travel	0.00	1,063.00	1,062.94	0.00
7118	Mileage Reimbursement	250.00	250.00	46.13	250.00
7125	Other Professional	0.00	0.00	9,650.01	0.00
7148	Maint Contracts Hardware & Software	2,500.00	2,500.00	6,161.98	2,500.00
7151	Office Supplies	450.00	450.00	9.00	500.00
7152	Educational Supplies	450.00	450.00	0.00	500.00
7176	Food Service	500.00	500.00	99.99	500.00
7210	Training - On Campus	0.00	0.00	4,294.01	0.00
Total Contractual		***6,900.00***	***7,963.00***	***21,932.06***	***5,950.00***

	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Fund Total 1110	*105,690.00*	*145,139.00*	*137,378.23*	*110,850.00*
Department Total: 4120 Teaching Learning Center	**105,690.00**	**145,139.00**	**137,378.23**	**110,850.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4130 Writing Center					
Fund 1110	***Salaries/Benefits***				
6205	Part Time Technical	30,813.00	30,813.00	26,505.55	32,801.00
6402	Clerical	38,382.00	38,382.00	31,967.37	45,783.00
6453	Overtime	0.00	388.00	387.96	0.00
6454	Longevity	1,478.00	1,478.00	1,051.10	1,866.00
6501	Student Aides Regular	20,832.00	20,832.00	24,392.68	20,832.00
Total Salaries/Benefits		***91,505.00***	***91,893.00***	***84,304.66***	***101,282.00***
Fund 1110	***Contractual***				
7108	Dues	70.00	70.00	0.00	70.00
7113	Duplicating	600.00	600.00	512.00	600.00
7115	Prof Support Travel	0.00	1,562.00	1,562.03	0.00
7123	Honoraria	1,400.00	1,400.00	900.00	1,400.00
7147	Maintenance Contract Ofc Machinery	1,384.00	1,384.00	1,488.19	3,100.00
7151	Office Supplies	315.00	315.00	257.41	400.00
7152	Educational Supplies	225.00	225.00	0.00	250.00
7176	Food Service	800.00	800.00	1,204.36	1,200.00
Total Contractual		***4,794.00***	***6,356.00***	***5,923.99***	***7,020.00***
	Fund Total 1110	*96,299.00*	*98,249.00*	*90,228.65*	*108,302.00*
Department Total: 4130 Writing Center		**96,299.00**	**98,249.00**	**90,228.65**	**108,302.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4131 Writing Center Computer Lab					
Fund 1110	***Salaries/Benefits***				
6501	Student Aides Regular	17,538.00	17,538.00	20,604.15	17,538.00
Total Salaries/Benefits		***17,538.00***	***17,538.00***	***20,604.15***	***17,538.00***
Fund 1110	***Contractual***				
7113	Duplicating	200.00	200.00	0.00	200.00
7151	Office Supplies	900.00	900.00	601.29	1,000.00
7152	Educational Supplies	180.00	180.00	0.00	180.00
7153	Computer Supplies	2,500.00	2,500.00	2,930.62	4,000.00
Total Contractual		***3,780.00***	***3,780.00***	***3,531.91***	***5,380.00***
	Fund Total 1110	*21,318.00*	*21,318.00*	*24,136.06*	*22,918.00*
Department Total: 4131 Writing Center Computer Lab		**21,318.00**	**21,318.00**	**24,136.06**	**22,918.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4210 C-Step					
Fund 1110	***Salaries/Benefits***				
6501	Student Aides Regular	7,432.00	7,432.00	2,371.61	7,432.00
Total Salaries/Benefits		***7,432.00***	***7,432.00***	***2,371.61***	***7,432.00***
Fund 1110	***Contractual***				
7102	Postage	0.00	0.00	16.84	50.00
7108	Dues	350.00	350.00	300.00	300.00
7113	Duplicating	1,150.00	1,150.00	29.30	250.00
7115	Prof Support Travel	0.00	35.00	35.27	0.00
7147	Maintenance Contract Ofc Machinery	1,125.00	1,125.00	830.61	1,945.00
7151	Office Supplies	675.00	675.00	283.40	650.00
7152	Educational Supplies	0.00	0.00	56.00	0.00
7153	Computer Supplies	300.00	300.00	0.00	500.00
7173	Computer Equip - Non Capital	0.00	398.00	398.00	0.00
7176	Food Service	0.00	0.00	653.68	0.00
Total Contractual		***3,600.00***	***4,033.00***	***2,603.10***	***3,695.00***
	Fund Total 1110	*11,032.00*	*11,465.00*	*4,974.71*	*11,127.00*
Department Total: 4210 C-Step		**11,032.00**	**11,465.00**	**4,974.71**	**11,127.00**

			2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department:	*4310*	*Academic Services*				
Fund	**1110**	***Salaries/Benefits***				
	6112	Extra Svc Full Time Faculty	0.00	767.00	766.40	0.00
	6115	Professional Tutor	0.00	0.00	8,430.56	0.00
	6120	Extra Service - Adjuncts	0.00	140.00	140.00	0.00
	6203	Specialists Sup Professional 12 mos	252,057.00	252,057.00	169,593.97	261,628.00
	6205	Part Time Technical	179,179.00	179,179.00	99,551.83	188,948.00
	6301	Vacation Payments	0.00	947.00	1,931.72	0.00
	6302	Early Retirement Benefits	0.00	0.00	42,833.50	0.00
	6402	Clerical	67,386.00	67,386.00	58,018.28	69,963.00
	6454	Longevity	3,849.00	3,849.00	2,020.48	3,277.00
	6501	Student Aides Regular	97,173.00	97,173.00	71,224.77	97,173.00
	Total Salaries/Benefits		***599,644.00***	***601,498.00***	***454,511.51***	***620,989.00***
Fund	**1110**	***Contractual***				
	7107	Subscriptions	26.00	26.00	0.00	26.00
	7111	Printing - Off Campus	50.00	50.00	32.00	50.00
	7113	Duplicating	6,000.00	6,000.00	319.28	6,000.00
	7115	Prof Support Travel	0.00	185.00	185.00	0.00
	7118	Mileage Reimbursement	1,250.00	1,250.00	401.05	1,500.00
	7123	Honoraria	1,000.00	1,000.00	0.00	1,000.00
	7147	Maintenance Contract Ofc Machinery	0.00	0.00	2,335.38	3,932.00
	7151	Office Supplies	3,150.00	3,150.00	600.43	4,150.00
	7152	Educational Supplies	4,500.00	4,500.00	1,480.57	4,710.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7153	Computer Supplies	1,500.00	1,500.00	416.98	2,500.00
7161	Testing Supplies	34,445.00	34,445.00	26,100.00	28,125.00
7174	Computer Software	1,500.00	1,500.00	-297.00	1,500.00
7176	Food Service	1,500.00	1,500.00	392.16	1,500.00
7185	Miscellaneous Expenses	0.00	0.00	31.32	100.00
Total Contractual		***54,921.00***	***55,106.00***	***31,997.17***	***55,093.00***
	Fund Total 1110	*654,565.00*	*656,604.00*	*486,508.68*	*676,082.00*
Department Total: 4310 Academic Services		**654,565.00**	**656,604.00**	**486,508.68**	**676,082.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4315 Smart Start					
Fund 1110	***Contractual***				
7113	Duplicating	1,000.00	1,000.00	24.00	900.00
7151	Office Supplies	900.00	900.00	322.56	900.00
7152	Educational Supplies	12,635.00	12,635.00	8,883.77	9,400.00
7153	Computer Supplies	200.00	200.00	0.00	200.00
7176	Food Service	5,118.00	5,118.00	1,432.57	5,118.00
Total Contractual		***19,853.00***	***19,853.00***	***10,662.90***	***16,518.00***
	Fund Total 1110	*19,853.00*	*19,853.00*	*10,662.90*	*16,518.00*
Department Total: 4315 Smart Start		**19,853.00**	**19,853.00**	**10,662.90**	**16,518.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4330 DCC South					
Fund 1110	***Salaries/Benefits***				
6201	Managers/NTE	98,815.00	98,815.00	74,205.99	100,544.00
6301	Vacation Payments	0.00	1,856.00	1,855.90	0.00
6402	Clerical	166,139.00	166,139.00	121,564.96	172,383.00
6453	Overtime	0.00	167.00	261.06	0.00
6454	Longevity	6,013.00	6,013.00	4,195.60	6,530.00
6501	Student Aides Regular	1,291.00	1,291.00	0.00	1,291.00
Total Salaries/Benefits		***272,258.00***	***274,281.00***	***202,083.51***	***280,748.00***
Fund 1110	***Contractual***				
7113	Duplicating	400.00	400.00	0.00	400.00
7118	Mileage Reimbursement	900.00	900.00	802.62	900.00
7147	Maintenance Contract Ofc Machinery	7,332.00	7,332.00	4,026.79	7,713.00
7151	Office Supplies	5,850.00	5,850.00	3,856.42	5,850.00
7152	Educational Supplies	0.00	0.00	214.85	0.00
Total Contractual		***14,482.00***	***14,482.00***	***8,900.68***	***14,863.00***
	Fund Total 1110	*286,740.00*	*288,763.00*	*210,984.19*	*295,611.00*
Department Total: 4330 DCC South		**286,740.00**	**288,763.00**	**210,984.19**	**295,611.00**

			2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department:	*4340*	*Scheduling*				
Fund	**1110**	***Salaries/Benefits***				
	6203	Specialists Sup Professional 12 mos	67,580.00	67,580.00	54,696.24	70,227.00
	6402	Clerical	99,355.00	99,355.00	70,375.12	101,538.00
	6453	Overtime	1,300.00	1,330.00	1,329.33	1,300.00
	6454	Longevity	4,942.00	4,942.00	4,385.63	6,593.00
	6501	Student Aides Regular	7,117.00	7,117.00	3,979.07	7,117.00
	Total Salaries/Benefits		***180,294.00***	***180,324.00***	***134,765.39***	***186,775.00***
Fund	**1110**	***Contractual***				
	7113	Duplicating	2,000.00	2,000.00	1,453.70	2,000.00
	7118	Mileage Reimbursement	500.00	500.00	0.00	500.00
	7138	Contracted Services	25,000.00	25,000.00	14,583.31	25,000.00
	7151	Office Supplies	765.00	765.00	666.85	765.00
	7153	Computer Supplies	250.00	250.00	0.00	250.00
	Total Contractual		***28,515.00***	***28,515.00***	***16,703.86***	***28,515.00***
		Fund Total 1110	*208,809.00*	*208,839.00*	*151,469.25*	*215,290.00*
Department Total:	**4340**	**Scheduling**	**208,809.00**	**208,839.00**	**151,469.25**	**215,290.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4345 Professional Staff Organization					
Fund 1110	***Contractual***				
7112	Copying	100.00	100.00	0.00	100.00
7176	Food Service	1,050.00	1,050.00	1,050.00	1,050.00
7185	Miscellaneous Expenses	200.00	200.00	0.00	200.00
Total Contractual		***1,350.00***	***1,350.00***	***1,050.00***	***1,350.00***
	Fund Total 1110	*1,350.00*	*1,350.00*	*1,050.00*	*1,350.00*
Department Total: 4345 Professional Staff Organization		**1,350.00**	**1,350.00**	**1,050.00**	**1,350.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4350 Miscellaneous Academic Affairs					
Fund 1110	***Contractual***				
7117	Field Trips	3,000.00	3,000.00	0.00	3,000.00
7118	Mileage Reimbursement	1,400.00	1,400.00	0.00	1,000.00
7123	Honoraria	15,000.00	15,000.00	750.00	15,000.00
7125	Other Professional	15,000.00	7,000.00	890.00	15,000.00
7151	Office Supplies	1,485.00	1,485.00	0.00	500.00
7152	Educational Supplies	7,200.00	7,200.00	4,082.95	7,200.00
7176	Food Service	1,850.00	1,850.00	1,584.30	1,850.00
7185	Miscellaneous Expenses	5,100.00	5,100.00	1,150.00	5,100.00
Total Contractual		***50,035.00***	***42,035.00***	***8,457.25***	***48,650.00***
	Fund Total 1110	*50,035.00*	*42,035.00*	*8,457.25*	*48,650.00*
Department Total: 4350 Miscellaneous Academic Affairs		**50,035.00**	**42,035.00**	**8,457.25**	**48,650.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4360 Honors Program					
Fund 1110	***Salaries/Benefits***				
6501	Student Aides Regular	1,678.00	1,678.00	0.00	1,678.00
Total Salaries/Benefits		***1,678.00***	***1,678.00***	***0.00***	***1,678.00***
Fund 1110	***Contractual***				
7108	Dues	600.00	600.00	600.00	600.00
7113	Duplicating	200.00	200.00	192.00	200.00
7117	Field Trips	500.00	500.00	600.00	500.00
7123	Honoraria	700.00	700.00	0.00	700.00
7151	Office Supplies	90.00	90.00	102.13	100.00
7176	Food Service	900.00	900.00	907.70	900.00
7185	Miscellaneous Expenses	150.00	150.00	0.00	150.00
Total Contractual		***3,140.00***	***3,140.00***	***2,401.83***	***3,150.00***
	Fund Total 1110	*4,818.00*	*4,818.00*	*2,401.83*	*4,828.00*
Department Total: 4360 Honors Program		**4,818.00**	**4,818.00**	**2,401.83**	**4,828.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department:	*4365 Black History*				
Fund 1110	***Contractual***				
7113	Duplicating	500.00	500.00	0.00	500.00
7123	Honoraria	1,300.00	1,300.00	300.00	1,300.00
7152	Educational Supplies	0.00	0.00	65.31	0.00
7176	Food Service	2,100.00	2,100.00	494.08	2,100.00
Total Contractual		***3,900.00***	***3,900.00***	***859.39***	***3,900.00***
	Fund Total 1110	*3,900.00*	*3,900.00*	*859.39*	*3,900.00*
Department Total: 4365 Black History		**3,900.00**	**3,900.00**	**859.39**	**3,900.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department:	*4367 LGBTQ of DCC*				
Fund 1110	***Contractual***				
7111	Printing - Off Campus	0.00	0.00	286.00	0.00
7123	Honoraria	0.00	0.00	0.00	200.00
7151	Office Supplies	0.00	0.00	0.00	150.00
7176	Food Service	0.00	0.00	703.28	750.00
Total Contractual		***0.00***	***0.00***	***989.28***	***1,100.00***
	Fund Total 1110	*0.00*	*0.00*	*989.28*	*1,100.00*
Department Total: 4367 LGBTQ of DCC		**0.00**	**0.00**	**989.28**	**1,100.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4370 Exploring Transfer					
Fund 1110	***Contractual***				
7113	Duplicating	50.00	50.00	0.00	50.00
7118	Mileage Reimbursement	100.00	100.00	0.00	100.00
7151	Office Supplies	90.00	90.00	0.00	90.00
Total Contractual		***240.00***	***240.00***	***0.00***	***240.00***
	Fund Total 1110	*240.00*	*240.00*	*0.00*	*240.00*
Department Total: 4370 Exploring Transfer		**240.00**	**240.00**	**0.00**	**240.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4375 Womens Activity					
Fund 1110	***Contractual***				
7111	Printing - Off Campus	100.00	100.00	0.00	100.00
7151	Office Supplies	90.00	90.00	0.00	90.00
7152	Educational Supplies	90.00	90.00	0.00	90.00
7176	Food Service	800.00	800.00	519.78	800.00
Total Contractual		***1,080.00***	***1,080.00***	***519.78***	***1,080.00***
	Fund Total 1110	*1,080.00*	*1,080.00*	*519.78*	*1,080.00*
Department Total: 4375 Womens Activity		**1,080.00**	**1,080.00**	**519.78**	**1,080.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4380 Hispanic Heritage					
Fund 1110	***Contractual***				
7113	Duplicating	100.00	100.00	0.00	100.00
7123	Honoraria	3,000.00	3,000.00	3,520.00	3,000.00
7151	Office Supplies	0.00	0.00	129.00	0.00
7176	Food Service	500.00	500.00	310.00	500.00
7185	Miscellaneous Expenses	250.00	250.00	0.00	250.00
Total Contractual		***3,850.00***	***3,850.00***	***3,959.00***	***3,850.00***
	Fund Total 1110	*3,850.00*	*3,850.00*	*3,959.00*	*3,850.00*
Department Total: 4380 Hispanic Heritage		**3,850.00**	**3,850.00**	**3,959.00**	**3,850.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department:	*4385 Beacon College Project*				
Fund 1110	***Contractual***				
7108	Dues	1,000.00	1,000.00	1,000.00	1,000.00
7113	Duplicating	100.00	100.00	0.00	100.00
7118	Mileage Reimbursement	50.00	50.00	0.00	50.00
7176	Food Service	100.00	100.00	0.00	100.00
Total Contractual		***1,250.00***	***1,250.00***	***1,000.00***	***1,250.00***
	Fund Total 1110	*1,250.00*	*1,250.00*	*1,000.00*	*1,250.00*
Department Total: 4385 Beacon College Project		**1,250.00**	**1,250.00**	**1,000.00**	**1,250.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4390 College in the Highschool					
Fund 1110	***Salaries/Benefits***				
6203	Specialists Sup Professional 12 mos	-22,781.00	0.00	0.00	0.00
6204	Full Time Technical	22,781.00	22,781.00	14,446.25	30,339.00
6205	Part Time Technical	40,066.00	40,066.00	28,500.00	42,900.00
Total Salaries/Benefits		***40,066.00***	***62,847.00***	***42,946.25***	***73,239.00***
Fund 1110	***Contractual***				
7115	Prof Support Travel	0.00	169.00	168.71	0.00
7118	Mileage Reimbursement	1,000.00	1,000.00	1,219.41	1,000.00
7152	Educational Supplies	49,500.00	49,500.00	158,265.75	20,000.00
Total Contractual		***50,500.00***	***50,669.00***	***159,653.87***	***21,000.00***
	Fund Total 1110	*90,566.00*	*113,516.00*	*202,600.12*	*94,239.00*
Department Total: 4390 College in the Highschool		**90,566.00**	**113,516.00**	**202,600.12**	**94,239.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4395 Academic Advising					
Fund 1110	***Salaries/Benefits***				
6203	Specialists Sup Professional 12 mos	437,766.00	437,766.00	255,081.28	455,555.00
6205	Part Time Technical	385,392.00	385,392.00	308,518.66	484,744.00
6301	Vacation Payments	0.00	4,234.00	4,233.91	0.00
6402	Clerical	87,789.00	87,789.00	67,071.32	92,547.00
6453	Overtime	0.00	273.00	272.95	0.00
6454	Longevity	4,784.00	4,784.00	4,340.11	6,336.00
6501	Student Aides Regular	16,267.00	16,267.00	7,818.27	16,267.00
6606	Health Insurance Buy Out	0.00	4,962.00	3,530.93	0.00
Total Salaries/Benefits		***931,998.00***	***941,467.00***	***650,867.43***	***1,055,449.00***
Fund 1110	***Contractual***				
7107	Subscriptions	200.00	200.00	200.00	260.00
7108	Dues	915.00	915.00	714.00	1,150.00
7111	Printing - Off Campus	2,000.00	2,000.00	226.00	100.00
7113	Duplicating	2,500.00	2,500.00	2,209.95	5,000.00
7115	Prof Support Travel	0.00	2,393.00	2,599.03	0.00
7117	Field Trips	1,000.00	1,000.00	0.00	500.00
7118	Mileage Reimbursement	2,500.00	2,500.00	309.84	1,500.00
7120	Computer Services	0.00	0.00	256.00	0.00
7147	Maintenance Contract Ofc Machinery	1,414.00	1,414.00	1,376.40	4,274.00
7151	Office Supplies	4,500.00	4,500.00	1,278.25	3,000.00
7176	Food Service	6,100.00	6,100.00	2,732.99	6,000.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7210	Training - On Campus	0.00	0.00	110.00	0.00
Total Contractual		***21,129.00***	***23,522.00***	***12,012.46***	***21,784.00***
	Fund Total 1110	*953,127.00*	*964,989.00*	*662,879.89*	*1,077,233.00*
Department Total: 4395 Academic Advising		**953,127.00**	**964,989.00**	**662,879.89**	**1,077,233.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4399 Family Partnership					
Fund 1110	***Contractual***				
7138	Contracted Services	20,000.00	20,000.00	23,157.75	20,000.00
7140	Building/Land Rental	131,943.00	131,943.00	131,942.96	135,562.00
7146	Internet Expenses	9,000.00	9,000.00	9,300.00	9,000.00
7147	Maintenance Contract Ofc Machinery	2,000.00	2,000.00	1,019.01	2,149.00
7151	Office Supplies	1,800.00	1,800.00	197.86	1,800.00
7172	Equipment - Non Capital	0.00	1,240.00	1,239.72	0.00
Total Contractual		***164,743.00***	***165,983.00***	***166,857.30***	***168,511.00***
	Fund Total 1110	*164,743.00*	*165,983.00*	*166,857.30*	*168,511.00*
Department Total: 4399 Family Partnership		**164,743.00**	**165,983.00**	**166,857.30**	**168,511.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department:	*4410 Debate Team*				
Fund 1110	***Contractual***				
7108	Dues	300.00	300.00	300.00	300.00
7111	Printing - Off Campus	250.00	250.00	225.00	250.00
7113	Duplicating	200.00	200.00	0.00	150.00
7123	Honoraria	400.00	400.00	0.00	400.00
7145	Car Rental	1,000.00	1,000.00	930.71	1,000.00
7152	Educational Supplies	540.00	540.00	547.68	300.00
Total Contractual		***2,690.00***	***2,690.00***	***2,003.39***	***2,400.00***
	Fund Total 1110	*2,690.00*	*2,690.00*	*2,003.39*	*2,400.00*
Department Total: 4410 Debate Team		**2,690.00**	**2,690.00**	**2,003.39**	**2,400.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4411 Art					
Fund 1110	***Salaries/Benefits***				
6102	Associate Professor	276,460.00	276,460.00	212,658.80	284,996.00
6103	Assistant Professor	129,033.00	129,033.00	99,254.80	134,605.00
6106	Substitute Faculty - Full Time	0.00	1,205.08	1,205.22	0.00
6107	Substitute Faculty - Part Time	0.00	2,620.00	2,620.37	0.00
6109	Fall Adjunct	0.00	72,206.00	72,206.12	0.00
6110	Spring Adjunct	0.00	71,797.00	71,796.92	0.00
6111	Summer Day Session 1	0.00	14,267.00	4,755.66	0.00
6112	Extra Svc Full Time Faculty	0.00	45,461.00	45,460.89	0.00
6120	Extra Service - Adjuncts	0.00	2,777.00	2,777.00	0.00
6402	Clerical	17,358.00	17,358.00	14,839.17	21,126.00
Total Salaries/Benefits		***422,851.00***	***633,184.08***	***527,574.95***	***440,727.00***
Fund 1110	***Contractual***				
7107	Subscriptions	300.00	300.00	0.00	300.00
7111	Printing - Off Campus	0.00	0.00	15.00	0.00
7113	Duplicating	500.00	500.00	53.00	500.00
7115	Prof Support Travel	0.00	558.00	557.84	0.00
7117	Field Trips	1,130.00	1,130.00	976.44	1,130.00
7118	Mileage Reimbursement	1,250.00	1,250.00	766.99	900.00
7123	Honoraria	600.00	600.00	200.00	600.00
7125	Other Professional	4,500.00	4,500.00	5,145.00	4,500.00
7136	Repairs - Other Educational	1,000.00	1,000.00	2,026.42	1,000.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7152	Educational Supplies	13,500.00	13,500.00	8,997.94	13,500.00
7153	Computer Supplies	7,500.00	7,500.00	5,551.82	7,500.00
7172	Equipment - Non Capital	0.00	754.00	753.81	0.00
7173	Computer Equip - Non Capital	0.00	210.00	210.00	0.00
7199	Improvement of Instruction	0.00	257.00	256.06	0.00
Total Contractual		***30,280.00***	***32,059.00***	***25,510.32***	***29,930.00***
	Fund Total 1110	*453,131.00*	*665,243.08*	*553,085.27*	*470,657.00*
Department Total: 4411 Art		**453,131.00**	**665,243.08**	**553,085.27**	**470,657.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4412 Performing Arts					
Fund 1110	***Salaries/Benefits***				
6109	Fall Adjunct	0.00	1,228.00	1,228.00	0.00
6112	Extra Svc Full Time Faculty	0.00	1,205.00	1,205.00	0.00
6120	Extra Service - Adjuncts	0.00	4,501.00	4,501.33	0.00
Total Salaries/Benefits		***0.00***	***6,934.00***	***6,934.33***	***0.00***
Fund 1110	***Contractual***				
7101	Advertising	500.00	500.00	29.95	0.00
7113	Duplicating	300.00	300.00	0.00	300.00
7125	Other Professional	5,000.00	5,000.00	4,300.00	5,000.00
7143	Machines Rental	3,600.00	3,600.00	2,000.00	3,500.00
7152	Educational Supplies	6,930.00	6,930.00	5,197.02	6,930.00
7172	Equipment - Non Capital	0.00	2,020.00	2,019.94	0.00
Total Contractual		***16,330.00***	***18,350.00***	***13,546.91***	***15,730.00***
	Fund Total 1110	*16,330.00*	*25,284.00*	*20,481.24*	*15,730.00*
Department Total: 4412 Performing Arts		**16,330.00**	**25,284.00**	**20,481.24**	**15,730.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4413 Music					
Fund 1110	***Salaries/Benefits***				
6102	Associate Professor	80,646.00	80,646.00	62,033.20	41,953.00
6106	Substitute Faculty - Full Time	0.00	241.54	241.08	0.00
6107	Substitute Faculty - Part Time	0.00	888.00	887.87	0.00
6109	Fall Adjunct	0.00	19,033.00	19,033.08	0.00
6110	Spring Adjunct	0.00	22,541.00	22,541.04	0.00
6112	Extra Svc Full Time Faculty	0.00	904.00	903.76	0.00
6114	Extra Svc Eve & Off-Campus Super	0.00	1,650.00	1,650.00	0.00
6120	Extra Service - Adjuncts	0.00	7,195.00	7,195.00	0.00
6205	Part Time Technical	118,305.00	96,049.00	80,124.14	121,597.00
Total Salaries/Benefits		***198,951.00***	***229,147.54***	***194,609.17***	***163,550.00***
Fund 1110	***Contractual***				
7101	Advertising	500.00	500.00	2,327.50	500.00
7113	Duplicating	475.00	475.00	180.00	475.00
7115	Prof Support Travel	0.00	542.00	541.73	0.00
7118	Mileage Reimbursement	750.00	750.00	164.78	500.00
7123	Honoraria	3,000.00	3,000.00	3,470.00	3,000.00
7125	Other Professional	0.00	0.00	200.00	0.00
7136	Repairs - Other Educational	2,500.00	2,500.00	1,190.00	2,500.00
7152	Educational Supplies	3,150.00	3,150.00	1,471.11	3,150.00
7174	Computer Software	0.00	0.00	323.78	0.00
7176	Food Service	1,700.00	1,700.00	1,836.73	1,700.00

	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Total Contractual	***12,075.00***	***12,617.00***	***11,705.63***	***11,825.00***
Fund Total 1110	*211,026.00*	*241,764.54*	*206,314.80*	*175,375.00*
Department Total: 4413 Music	**211,026.00**	**241,764.54**	**206,314.80**	**175,375.00**

Department: 4414 Theatre

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Fund 1110	***Salaries/Benefits***				
6102	Associate Professor	0.00	0.00	0.00	76,507.00
6103	Assistant Professor	69,397.00	69,397.00	53,381.60	0.00
6104	Instructor	61,821.00	61,821.00	47,554.80	64,560.00
6106	Substitute Faculty - Full Time	0.00	120.50	120.50	0.00
6109	Fall Adjunct	0.00	27,247.00	27,675.71	0.00
6110	Spring Adjunct	0.00	18,828.00	18,828.00	0.00
6112	Extra Svc Full Time Faculty	0.00	7,230.00	7,229.99	0.00
6120	Extra Service - Adjuncts	0.00	300.00	300.00	0.00
6404	CSEA FT Technical	0.00	42,324.00	24,274.99	62,059.00
6453	Overtime	0.00	8,959.00	8,959.44	0.00
6454	Longevity	0.00	5,009.00	2,119.83	5,680.00
Total Salaries/Benefits		***131,218.00***	***241,235.50***	***190,444.86***	***208,806.00***
Fund 1110	***Contractual***				
7108	Dues	200.00	200.00	0.00	200.00
7111	Printing - Off Campus	0.00	0.00	30.00	0.00
7113	Duplicating	375.00	375.00	1,644.60	375.00
7118	Mileage Reimbursement	250.00	250.00	0.00	200.00
7123	Honoraria	1,500.00	1,500.00	900.00	1,500.00
7147	Maintenance Contract Ofc Machinery	1,824.00	1,824.00	879.51	2,101.00
7152	Educational Supplies	450.00	450.00	435.75	450.00
Total Contractual		***4,599.00***	***4,599.00***	***3,889.86***	***4,826.00***

	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Fund Total 1110	*135,817.00*	*245,834.50*	*194,334.72*	*213,632.00*
Department Total: 4414 Theatre	**135,817.00**	**245,834.50**	**194,334.72**	**213,632.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4415 Communication Media					
Fund 1110	***Salaries/Benefits***				
6101	Professor	208,659.00	208,659.00	160,506.40	214,348.00
6107	Substitute Faculty - Part Time	0.00	596.00	596.40	0.00
6109	Fall Adjunct	0.00	45,895.00	49,579.04	0.00
6110	Spring Adjunct	0.00	50,769.00	50,769.20	0.00
6111	Summer Day Session 1	0.00	4,414.00	735.67	0.00
6112	Extra Svc Full Time Faculty	0.00	51,828.00	51,827.58	0.00
6120	Extra Service - Adjuncts	0.00	200.00	200.00	0.00
6402	Clerical	39,135.00	39,135.00	36,984.67	52,756.00
Total Salaries/Benefits		***247,794.00***	***401,496.00***	***351,198.96***	***267,104.00***
Fund 1110	***Contractual***				
7113	Duplicating	400.00	400.00	24.00	400.00
7117	Field Trips	1,000.00	1,000.00	0.00	500.00
7123	Honoraria	2,100.00	2,100.00	300.00	1,000.00
7136	Repairs - Other Educational	500.00	500.00	0.00	500.00
7152	Educational Supplies	2,025.00	2,025.00	2,082.28	2,025.00
7172	Equipment - Non Capital	0.00	12,751.00	13,572.49	0.00
7173	Computer Equip - Non Capital	0.00	1,609.00	1,608.59	0.00
7174	Computer Software	0.00	0.00	79.99	0.00
Total Contractual		***6,025.00***	***20,385.00***	***17,667.35***	***4,425.00***
	Fund Total 1110	*253,819.00*	*421,881.00*	*368,866.31*	*271,529.00*

	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department Total: 4415 Communication Media	**253,819.00**	**421,881.00**	**368,866.31**	**271,529.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4416 Speech					
Fund 1110	***Salaries/Benefits***				
6104	Instructor	119,322.00	119,322.00	91,788.00	124,336.00
6106	Substitute Faculty - Full Time	0.00	161.00	160.66	0.00
6109	Fall Adjunct	0.00	16,779.00	17,890.08	0.00
6110	Spring Adjunct	0.00	14,907.00	14,907.04	0.00
6112	Extra Svc Full Time Faculty	0.00	10,249.00	10,248.56	0.00
6114	Extra Svc Eve & Off-Campus Super	0.00	1,600.00	1,600.00	0.00
Total Salaries/Benefits		***119,322.00***	***163,018.00***	***136,594.34***	***124,336.00***
Fund 1110	***Contractual***				
7113	Duplicating	300.00	300.00	0.00	300.00
7117	Field Trips	250.00	250.00	76.75	250.00
7118	Mileage Reimbursement	750.00	750.00	244.87	250.00
Total Contractual		***1,300.00***	***1,300.00***	***321.62***	***800.00***
	Fund Total 1110	*120,622.00*	*164,318.00*	*136,915.96*	*125,136.00*
Department Total: 4416 Speech		**120,622.00**	**164,318.00**	**136,915.96**	**125,136.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department:	*4417 Art Gallery*				
Fund 1110	***Contractual***				
7101	Advertising	500.00	500.00	0.00	500.00
7111	Printing - Off Campus	2,450.00	2,450.00	2,450.00	2,450.00
7118	Mileage Reimbursement	200.00	200.00	148.05	200.00
7123	Honoraria	300.00	300.00	175.00	300.00
7155	Art Gallery Supplies	2,000.00	2,000.00	705.99	2,000.00
7176	Food Service	2,200.00	2,200.00	2,196.42	2,200.00
Total Contractual		***7,650.00***	***7,650.00***	***5,675.46***	***7,650.00***
	Fund Total 1110	*7,650.00*	*7,650.00*	*5,675.46*	*7,650.00*
Department Total: 4417 Art Gallery		**7,650.00**	**7,650.00**	**5,675.46**	**7,650.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4418 PVAC General					
Fund 1110	***Salaries/Benefits***				
6101	Professor	103,328.00	103,328.00	79,484.00	107,174.00
6112	Extra Svc Full Time Faculty	0.00	1,205.00	1,204.95	0.00
6120	Extra Service - Adjuncts	0.00	444.00	444.42	0.00
6402	Clerical	43,114.00	43,114.00	33,075.19	44,575.00
6453	Overtime	0.00	97.00	97.23	0.00
6454	Longevity	4,588.00	4,588.00	3,500.76	5,086.00
6501	Student Aides Regular	45,750.00	45,750.00	64,550.76	45,750.00
Total Salaries/Benefits		***196,780.00***	***198,526.00***	***182,357.31***	***202,585.00***
Fund 1110	***Contractual***				
7107	Subscriptions	0.00	0.00	70.33	0.00
7113	Duplicating	750.00	750.00	10.50	750.00
7115	Prof Support Travel	0.00	2,410.00	2,410.30	0.00
7147	Maintenance Contract Ofc Machinery	2,363.00	2,363.00	1,683.53	3,807.00
7151	Office Supplies	1,800.00	1,800.00	1,912.08	1,800.00
7153	Computer Supplies	0.00	0.00	81.81	0.00
Total Contractual		***4,913.00***	***7,323.00***	***6,168.55***	***6,357.00***
	Fund Total 1110	*201,693.00*	*205,849.00*	*188,525.86*	*208,942.00*
Department Total: 4418 PVAC General		**201,693.00**	**205,849.00**	**188,525.86**	**208,942.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4419 Dance					
Fund 1110	***Salaries/Benefits***				
6107	Substitute Faculty - Part Time	0.00	64.00	64.33	0.00
6109	Fall Adjunct	0.00	18,388.00	18,388.00	0.00
6110	Spring Adjunct	0.00	22,949.00	22,949.04	0.00
6113	Extra Svc Full Time Administrators	0.00	17,623.00	11,598.20	0.00
6205	Part Time Technical	4,000.00	4,000.00	1,447.52	4,000.00
Total Salaries/Benefits		***4,000.00***	***63,024.00***	***54,447.09***	***4,000.00***
Fund 1110	***Contractual***				
7107	Subscriptions	65.00	65.00	65.30	65.00
7113	Duplicating	300.00	300.00	8.16	300.00
7123	Honoraria	2,000.00	2,000.00	2,000.00	2,000.00
7152	Educational Supplies	1,260.00	1,260.00	1,091.46	1,260.00
7172	Equipment - Non Capital	0.00	2,992.00	2,992.20	0.00
Total Contractual		***3,625.00***	***6,617.00***	***6,157.12***	***3,625.00***
	Fund Total 1110	*7,625.00*	*69,641.00*	*60,604.21*	*7,625.00*
Department Total: 4419 Dance		**7,625.00**	**69,641.00**	**60,604.21**	**7,625.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4421 Biology					
Fund 1110	***Salaries/Benefits***				
6101	Professor	295,965.00	295,965.00	227,665.00	305,220.00
6102	Associate Professor	86,096.00	86,096.00	66,227.00	89,451.00
6103	Assistant Professor	146,929.00	146,929.00	112,820.97	221,768.00
6104	Instructor	242,962.00	242,962.00	186,898.80	187,237.00
6106	Substitute Faculty - Full Time	0.00	1,963.32	1,963.77	0.00
6107	Substitute Faculty - Part Time	0.00	5,818.00	5,818.18	0.00
6109	Fall Adjunct	0.00	132,117.00	132,117.30	0.00
6110	Spring Adjunct	0.00	103,959.00	103,533.32	0.00
6111	Summer Day Session 1	0.00	22,540.00	7,513.33	0.00
6112	Extra Svc Full Time Faculty	0.00	67,482.00	67,481.81	0.00
6114	Extra Svc Eve & Off-Campus Super	0.00	1,300.00	1,300.00	0.00
6117	Extra Service - Assessment	0.00	3,568.00	3,567.50	0.00
6205	Part Time Technical	4,738.00	8,919.00	8,918.41	9,816.00
6302	Early Retirement Benefits	0.00	0.00	-1.00	0.00
6501	Student Aides Regular	15,342.00	15,342.00	7,369.69	15,342.00
6606	Health Insurance Buy Out	0.00	6,000.00	4,615.60	0.00
Total Salaries/Benefits		***792,032.00***	***1,140,960.32***	***937,809.68***	***828,834.00***
Fund 1110	***Contractual***				
7111	Printing - Off Campus	0.00	0.00	23.00	0.00
7113	Duplicating	6,800.00	6,800.00	4,531.45	6,800.00
7115	Prof Support Travel	0.00	91.00	91.23	0.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7117	Field Trips	600.00	600.00	0.00	600.00
7118	Mileage Reimbursement	750.00	750.00	226.35	750.00
7123	Honoraria	100.00	100.00	50.00	100.00
7136	Repairs - Other Educational	2,000.00	2,000.00	68.85	2,000.00
7150	Maintenance Contract Other	10,900.00	10,900.00	8,633.81	10,900.00
7151	Office Supplies	2,700.00	2,700.00	1,893.72	2,700.00
7152	Educational Supplies	58,500.00	58,500.00	58,291.49	58,500.00
7153	Computer Supplies	2,400.00	2,400.00	2,397.82	1,425.00
7173	Computer Equip - Non Capital	0.00	337.00	337.00	0.00
7176	Food Service	200.00	200.00	0.00	200.00
Total Contractual		***84,950.00***	***85,378.00***	***76,544.72***	***83,975.00***
	Fund Total 1110	*876,982.00*	*1,226,338.32*	*1,014,354.40*	*912,809.00*
Department Total: 4421 Biology		**876,982.00**	**1,226,338.32**	**1,014,354.40**	**912,809.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4423 Science					
Fund 1110	***Salaries/Benefits***				
6109	Fall Adjunct	0.00	6,344.00	6,344.16	0.00
6110	Spring Adjunct	0.00	2,251.00	2,251.04	0.00
6112	Extra Svc Full Time Faculty	0.00	1,205.00	1,054.41	0.00
Total Salaries/Benefits		***0.00***	***9,800.00***	***9,649.61***	***0.00***
	Fund Total 1110	*0.00*	*9,800.00*	*9,649.61*	*0.00*
Department Total: 4423 Science		**0.00**	**9,800.00**	**9,649.61**	**0.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4424 Medical Laboratory					
Fund 1110	***Salaries/Benefits***				
6106	Substitute Faculty - Full Time	0.00	382.00	381.64	0.00
6109	Fall Adjunct	0.00	19,997.00	19,997.20	0.00
6110	Spring Adjunct	0.00	5,219.00	5,219.04	0.00
6112	Extra Svc Full Time Faculty	0.00	13,255.00	12,501.99	0.00
6205	Part Time Technical	0.00	18,075.00	18,074.99	25,000.00
Total Salaries/Benefits		***0.00***	***56,928.00***	***56,174.86***	***25,000.00***
Fund 1110	***Contractual***				
7108	Dues	2,000.00	2,000.00	2,109.00	2,250.00
7113	Duplicating	300.00	300.00	11.04	300.00
7118	Mileage Reimbursement	4,000.00	4,000.00	355.45	4,500.00
7136	Repairs - Other Educational	1,200.00	1,200.00	0.00	1,200.00
7151	Office Supplies	270.00	270.00	161.37	270.00
7152	Educational Supplies	10,350.00	10,350.00	10,282.26	10,350.00
7176	Food Service	200.00	200.00	0.00	200.00
Total Contractual		***18,320.00***	***18,320.00***	***12,919.12***	***19,070.00***
	Fund Total 1110	*18,320.00*	*75,248.00*	*69,093.98*	*44,070.00*
Department Total: 4424 Medical Laboratory		**18,320.00**	**75,248.00**	**69,093.98**	**44,070.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4425 Paramedic					
Fund 1110	***Salaries/Benefits***				
6106	Substitute Faculty - Full Time	0.00	181.00	180.81	0.00
6107	Substitute Faculty - Part Time	0.00	1,391.00	1,391.43	0.00
6109	Fall Adjunct	0.00	40,140.00	40,139.95	0.00
6110	Spring Adjunct	0.00	29,789.00	29,789.12	0.00
6111	Summer Day Session 1	0.00	9,501.00	1,583.51	0.00
6113	Extra Svc Full Time Administrators	0.00	14,130.00	10,775.49	0.00
6114	Extra Svc Eve & Off-Campus Super	0.00	200.00	200.00	0.00
6116	Lab Assistant	0.00	0.00	4,565.70	0.00
6120	Extra Service - Adjuncts	0.00	200.00	200.00	0.00
6203	Specialists Sup Professional 12 mos	64,515.00	64,515.00	48,448.06	67,300.00
6205	Part Time Technical	156,943.00	156,943.00	121,254.66	181,142.00
6402	Clerical	43,114.00	43,114.00	32,827.76	44,753.00
6453	Overtime	0.00	2,022.00	2,021.53	0.00
6454	Longevity	952.00	952.00	716.53	1,052.00
6501	Student Aides Regular	0.00	0.00	336.23	0.00
Total Salaries/Benefits		***265,524.00***	***363,078.00***	***294,430.78***	***294,247.00***
Fund 1110	***Contractual***				
7102	Postage	0.00	0.00	188.02	200.00
7108	Dues	75.00	75.00	75.00	75.00
7111	Printing - Off Campus	0.00	0.00	15.00	0.00
7113	Duplicating	1,175.00	1,175.00	1,128.40	1,175.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7115	Prof Support Travel	0.00	323.00	323.34	0.00
7118	Mileage Reimbursement	1,500.00	1,500.00	928.95	1,500.00
7123	Honoraria	500.00	500.00	0.00	500.00
7125	Other Professional	0.00	0.00	500.00	0.00
7136	Repairs - Other Educational	1,500.00	1,500.00	295.43	1,500.00
7150	Maintenance Contract Other	1,500.00	1,500.00	0.00	1,500.00
7151	Office Supplies	1,350.00	1,350.00	1,320.72	1,350.00
7152	Educational Supplies	11,160.00	11,160.00	9,546.08	11,160.00
7153	Computer Supplies	500.00	500.00	427.60	500.00
7173	Computer Equip - Non Capital	0.00	437.00	437.00	0.00
7176	Food Service	1,500.00	1,500.00	430.81	1,500.00
Total Contractual		***20,760.00***	***21,520.00***	***15,616.35***	***20,960.00***
	Fund Total 1110	*286,284.00*	*384,598.00*	*310,047.13*	*315,207.00*
Department Total: 4425 Paramedic		**286,284.00**	**384,598.00**	**310,047.13**	**315,207.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4426 Biology & Health Technology					
Fund 1110	***Salaries/Benefits***				
6103	Assistant Professor	87,295.00	87,295.00	67,149.40	88,822.00
6109	Fall Adjunct	0.00	2,251.00	2,251.04	0.00
6110	Spring Adjunct	0.00	6,665.00	6,665.04	0.00
6112	Extra Svc Full Time Faculty	0.00	14,498.00	14,498.21	0.00
6402	Clerical	31,547.00	31,547.00	29,198.66	33,506.00
6452	Service	151,248.00	151,248.00	117,247.55	161,980.00
6453	Overtime	0.00	8,124.00	8,124.49	0.00
6454	Longevity	2,106.00	2,106.00	2,161.33	3,459.00
Total Salaries/Benefits		***272,196.00***	***303,734.00***	***247,295.72***	***287,767.00***
Fund 1110	***Contractual***				
7113	Duplicating	250.00	250.00	8.00	250.00
7118	Mileage Reimbursement	200.00	200.00	0.00	200.00
7147	Maintenance Contract Ofc Machinery	0.00	0.00	3,012.05	6,871.00
7151	Office Supplies	360.00	360.00	64.76	360.00
7152	Educational Supplies	900.00	900.00	683.72	900.00
Total Contractual		***1,710.00***	***1,710.00***	***3,768.53***	***8,581.00***
	Fund Total 1110	*273,906.00*	*305,444.00*	*251,064.25*	*296,348.00*
Department Total: 4426 Biology & Health Technology		**273,906.00**	**305,444.00**	**251,064.25**	**296,348.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4427 Fire Science					
Fund 1110	***Salaries/Benefits***				
6104	Instructor	76,212.00	76,212.00	0.00	0.00
6107	Substitute Faculty - Part Time	0.00	2,185.00	2,185.09	0.00
6109	Fall Adjunct	0.00	17,776.00	17,776.24	0.00
6110	Spring Adjunct	0.00	16,665.00	12,320.16	0.00
6606	Health Insurance Buy Out	0.00	231.00	0.00	0.00
Total Salaries/Benefits		***76,212.00***	***113,069.00***	***32,281.49***	***0.00***
Fund 1110	***Contractual***				
7107	Subscriptions	1,670.00	1,670.00	1,345.50	1,400.00
7108	Dues	0.00	0.00	175.00	0.00
7113	Duplicating	500.00	500.00	0.00	500.00
7118	Mileage Reimbursement	500.00	500.00	0.00	500.00
7151	Office Supplies	360.00	360.00	0.00	360.00
7152	Educational Supplies	1,350.00	1,350.00	80.00	1,350.00
7153	Computer Supplies	300.00	300.00	0.00	200.00
7176	Food Service	150.00	150.00	0.00	150.00
Total Contractual		***4,830.00***	***4,830.00***	***1,600.50***	***4,460.00***
	Fund Total 1110	*81,042.00*	*117,899.00*	*33,881.99*	*4,460.00*
Department Total: 4427 Fire Science		**81,042.00**	**117,899.00**	**33,881.99**	**4,460.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4428 ESW					
Fund 1110	***Salaries/Benefits***				
6104	Instructor	54,754.00	54,754.00	0.00	57,046.00
6106	Substitute Faculty - Full Time	0.00	261.14	261.14	0.00
6107	Substitute Faculty - Part Time	0.00	1,805.00	1,805.03	0.00
6109	Fall Adjunct	0.00	14,103.00	11,273.21	0.00
6110	Spring Adjunct	0.00	9,413.00	9,413.04	0.00
6112	Extra Svc Full Time Faculty	0.00	13,066.00	13,065.86	0.00
6120	Extra Service - Adjuncts	0.00	105.00	105.00	0.00
Total Salaries/Benefits		***54,754.00***	***93,507.14***	***35,923.28***	***57,046.00***
Fund 1110	***Contractual***				
7113	Duplicating	500.00	500.00	36.00	500.00
7118	Mileage Reimbursement	300.00	300.00	0.00	0.00
7123	Honoraria	1,500.00	1,500.00	200.00	500.00
7151	Office Supplies	450.00	450.00	99.58	600.00
7152	Educational Supplies	1,800.00	1,800.00	2,461.02	1,800.00
7153	Computer Supplies	250.00	250.00	0.00	250.00
Total Contractual		***4,800.00***	***4,800.00***	***2,796.60***	***3,650.00***
	Fund Total 1110	*59,554.00*	*98,307.14*	*38,719.88*	*60,696.00*
Department Total: 4428 ESW		**59,554.00**	**98,307.14**	**38,719.88**	**60,696.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4429 Physical Education					
Fund 1110	***Salaries/Benefits***				
6109	Fall Adjunct	0.00	15,117.00	15,117.04	0.00
6110	Spring Adjunct	0.00	18,713.00	18,713.04	0.00
6402	Clerical	35,823.00	35,823.00	15,841.88	34,415.00
6452	Service	87,515.00	87,515.00	68,121.44	90,825.00
6453	Overtime	0.00	734.00	734.08	0.00
6454	Longevity	7,220.00	7,220.00	5,980.42	7,920.00
6501	Student Aides Regular	13,715.00	13,715.00	14,409.66	13,715.00
Total Salaries/Benefits		***144,273.00***	***178,837.00***	***138,917.56***	***146,875.00***
Fund 1110	***Contractual***				
7111	Printing - Off Campus	0.00	0.00	460.00	0.00
7113	Duplicating	500.00	500.00	780.56	250.00
7123	Honoraria	100.00	100.00	70.00	200.00
7127	Laundry	1,000.00	1,000.00	3.75	750.00
7136	Repairs - Other Educational	500.00	500.00	161.90	500.00
7142	Athletic Facilities Rental	4,600.00	4,600.00	9,650.00	4,800.00
7147	Maintenance Contract Ofc Machinery	0.00	0.00	1,461.47	1,807.00
7151	Office Supplies	225.00	225.00	94.15	250.00
7152	Educational Supplies	3,015.00	3,015.00	1,708.93	3,000.00
7153	Computer Supplies	250.00	250.00	20.07	250.00
7172	Equipment - Non Capital	0.00	1,772.00	1,771.60	0.00
Total Contractual		***10,190.00***	***11,962.00***	***16,182.43***	***11,807.00***

	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Fund Total 1110	*154,463.00*	*190,799.00*	*155,099.99*	*158,682.00*
Department Total: 4429 Physical Education	**154,463.00**	**190,799.00**	**155,099.99**	**158,682.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department:	*4429.1 Wellnes and Fitness*				
Fund 1110	***Salaries/Benefits***				
6102	Associate Professor	181,280.00	181,280.00	139,442.40	188,150.00
6106	Substitute Faculty - Full Time	0.00	281.00	281.20	0.00
6107	Substitute Faculty - Part Time	0.00	2,001.00	2,000.70	0.00
6109	Fall Adjunct	0.00	80,113.00	77,183.58	0.00
6110	Spring Adjunct	0.00	70,688.00	68,225.75	0.00
6111	Summer Day Session 1	0.00	8,654.00	2,884.66	0.00
6112	Extra Svc Full Time Faculty	0.00	7,008.00	7,008.29	0.00
6120	Extra Service - Adjuncts	0.00	493.00	492.50	0.00
6402	Clerical	18,466.00	18,466.00	14,706.22	19,573.00
Total Salaries/Benefits		***199,746.00***	***368,984.00***	***312,225.30***	***207,723.00***
Fund 1110	***Contractual***				
7113	Duplicating	400.00	400.00	27.00	400.00
7123	Honoraria	750.00	750.00	180.00	500.00
7136	Repairs - Other Educational	1,500.00	1,500.00	200.00	1,500.00
7148	Maint Contracts Hardware & Software	500.00	500.00	500.00	500.00
7150	Maintenance Contract Other	4,702.00	4,702.00	4,600.00	4,500.00
7151	Office Supplies	450.00	450.00	3.99	450.00
7152	Educational Supplies	450.00	450.00	436.79	650.00
7153	Computer Supplies	250.00	250.00	0.00	250.00
Total Contractual		***9,002.00***	***9,002.00***	***5,947.78***	***8,750.00***

	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Fund Total 1110	*208,748.00*	*377,986.00*	*318,173.08*	*216,473.00*
Department Total: 4429.Wellnes and Fitness	**208,748.00**	**377,986.00**	**318,173.08**	**216,473.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4431 Accounting					
Fund 1110	***Salaries/Benefits***				
6103	Assistant Professor	72,653.00	72,653.00	55,885.40	75,581.00
6107	Substitute Faculty - Part Time	0.00	678.00	678.34	0.00
6109	Fall Adjunct	0.00	34,935.00	34,935.04	0.00
6110	Spring Adjunct	0.00	42,523.00	42,523.04	0.00
6112	Extra Svc Full Time Faculty	0.00	31,380.00	31,380.21	0.00
Total Salaries/Benefits		***72,653.00***	***182,169.00***	***165,402.03***	***75,581.00***
Fund 1110	***Contractual***				
7107	Subscriptions	250.00	250.00	1,276.05	250.00
7115	Prof Support Travel	0.00	830.00	829.87	0.00
7118	Mileage Reimbursement	1,000.00	1,000.00	342.53	1,000.00
7151	Office Supplies	360.00	360.00	328.27	360.00
Total Contractual		***1,610.00***	***2,440.00***	***2,776.72***	***1,610.00***
	Fund Total 1110	*74,263.00*	*184,609.00*	*168,178.75*	*77,191.00*
Department Total: 4431 Accounting		**74,263.00**	**184,609.00**	**168,178.75**	**77,191.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4432 Business Management					
Fund 1110	***Salaries/Benefits***				
6103	Assistant Professor	69,397.00	69,397.00	53,381.60	72,269.00
6104	Instructor	192,658.00	192,658.00	148,200.40	200,613.00
6106	Substitute Faculty - Full Time	0.00	80.00	80.33	0.00
6107	Substitute Faculty - Part Time	0.00	163.00	163.40	0.00
6109	Fall Adjunct	0.00	65,245.00	65,245.09	0.00
6110	Spring Adjunct	0.00	55,776.00	55,776.09	0.00
6112	Extra Svc Full Time Faculty	0.00	54,382.00	54,382.14	0.00
6113	Extra Svc Full Time Administrators	0.00	3,615.00	3,615.04	0.00
6302	Early Retirement Benefits	0.00	0.00	0.20	0.00
6606	Health Insurance Buy Out	0.00	3,000.00	2,307.80	0.00
Total Salaries/Benefits		***262,055.00***	***444,316.00***	***383,152.09***	***272,882.00***
Fund 1110	***Contractual***				
7113	Duplicating	0.00	0.00	124.36	0.00
7115	Prof Support Travel	0.00	52.00	52.47	0.00
7118	Mileage Reimbursement	1,000.00	1,000.00	281.68	1,000.00
7151	Office Supplies	450.00	450.00	360.00	450.00
Total Contractual		***1,450.00***	***1,502.00***	***818.51***	***1,450.00***
	Fund Total 1110	*263,505.00*	*445,818.00*	*383,970.60*	*274,332.00*
Department Total: 4432 Business Management		**263,505.00**	**445,818.00**	**383,970.60**	**274,332.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4433 Business Technology General					
Fund 1110	***Salaries/Benefits***				
6102	Associate Professor	80,646.00	80,646.00	62,033.20	83,906.00
6103	Assistant Professor	968.00	968.00	967.52	0.00
6107	Substitute Faculty - Part Time	0.00	1,154.00	1,153.50	0.00
6114	Extra Svc Eve & Off-Campus Super	0.00	400.00	400.00	0.00
6120	Extra Service - Adjuncts	0.00	120.00	120.00	0.00
6402	Clerical	35,813.00	35,813.00	31,996.94	37,718.00
Total Salaries/Benefits		***117,427.00***	***119,101.00***	***96,671.16***	***121,624.00***
Fund 1110	***Contractual***				
7111	Printing - Off Campus	0.00	0.00	64.00	0.00
7113	Duplicating	2,200.00	2,200.00	1,280.04	2,800.00
7115	Prof Support Travel	0.00	1,575.00	1,574.61	0.00
7118	Mileage Reimbursement	200.00	200.00	83.93	700.00
7147	Maintenance Contract Ofc Machinery	4,420.00	4,420.00	2,473.02	4,262.00
7151	Office Supplies	1,350.00	1,350.00	479.55	1,350.00
7152	Educational Supplies	675.00	675.00	19.35	675.00
7153	Computer Supplies	2,250.00	2,250.00	812.06	2,250.00
7176	Food Service	1,000.00	1,000.00	477.50	1,000.00
Total Contractual		***12,095.00***	***13,670.00***	***7,264.06***	***13,037.00***
	Fund Total 1110	*129,522.00*	*132,771.00*	*103,935.22*	*134,661.00*
Department Total: 4433 Business Technology General		**129,522.00**	**132,771.00**	**103,935.22**	**134,661.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4434 Paralegal					
Fund 1110	***Salaries/Benefits***				
6102	Associate Professor	78,828.00	78,828.00	60,635.40	82,056.00
6103	Assistant Professor	61,921.00	61,921.00	47,408.68	65,647.00
6109	Fall Adjunct	0.00	3,684.00	3,684.00	0.00
6110	Spring Adjunct	0.00	7,368.00	7,368.00	0.00
6112	Extra Svc Full Time Faculty	0.00	24,697.00	24,696.63	0.00
Total Salaries/Benefits		***140,749.00***	***176,498.00***	***143,792.71***	***147,703.00***
Fund 1110	***Contractual***				
7118	Mileage Reimbursement	100.00	100.00	0.00	100.00
7151	Office Supplies	0.00	0.00	146.00	0.00
Total Contractual		***100.00***	***100.00***	***146.00***	***100.00***
	Fund Total 1110	*140,849.00*	*176,598.00*	*143,938.71*	*147,803.00*
Department Total: 4434 Paralegal		**140,849.00**	**176,598.00**	**143,938.71**	**147,803.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4441 Physics					
Fund 1110	***Salaries/Benefits***				
6101	Professor	0.00	0.00	0.00	94,947.00
6102	Associate Professor	184,914.00	184,914.00	142,238.60	100,546.00
6103	Assistant Professor	66,142.00	66,142.00	50,878.60	68,957.00
6109	Fall Adjunct	0.00	17,937.00	17,937.20	0.00
6110	Spring Adjunct	0.00	12,279.00	12,279.12	0.00
6111	Summer Day Session 1	0.00	8,946.00	1,929.50	0.00
6112	Extra Svc Full Time Faculty	0.00	3,013.00	3,012.50	0.00
6404	CSEA FT Technical	47,683.00	47,683.00	36,169.18	49,486.00
6453	Overtime	0.00	224.00	224.06	0.00
6454	Longevity	5,265.00	5,265.00	3,942.37	5,765.00
Total Salaries/Benefits		***304,004.00***	***346,403.00***	***268,611.13***	***319,701.00***
Fund 1110	***Contractual***				
7113	Duplicating	0.00	0.00	531.60	0.00
7115	Prof Support Travel	0.00	23.00	22.89	0.00
7118	Mileage Reimbursement	0.00	0.00	322.28	0.00
7136	Repairs - Other Educational	4,250.00	4,250.00	6,129.90	3,000.00
7147	Maintenance Contract Ofc Machinery	0.00	0.00	2,334.70	4,724.00
7151	Office Supplies	4,500.00	9,000.00	1,731.48	0.00
7152	Educational Supplies	13,085.00	8,585.00	6,348.26	8,500.00
7153	Computer Supplies	1,000.00	1,000.00	1,170.26	1,000.00
7176	Food Service	0.00	0.00	187.70	0.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7199	Improvement of Instruction	0.00	279.00	278.99	0.00
Total Contractual		***22,835.00***	***23,137.00***	***19,058.06***	***17,224.00***
	Fund Total 1110	*326,839.00*	*369,540.00*	*287,669.19*	*336,925.00*
Department Total: 4441 Physics		**326,839.00**	**369,540.00**	**287,669.19**	**336,925.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department:	*4442 Physical Science*				
Fund 1110	***Salaries/Benefits***				
6101	Professor	194,640.00	194,640.00	149,722.40	202,122.00
6103	Assistant Professor	56,381.00	56,381.00	43,369.40	59,024.00
6106	Substitute Faculty - Full Time	0.00	121.00	120.54	0.00
6109	Fall Adjunct	0.00	24,293.00	24,293.04	0.00
6110	Spring Adjunct	0.00	24,818.00	24,818.00	0.00
6112	Extra Svc Full Time Faculty	0.00	13,067.00	13,066.59	0.00
6117	Extra Service - Assessment	0.00	1,200.00	1,200.00	0.00
6120	Extra Service - Adjuncts	0.00	1,265.00	1,265.00	0.00
6302	Early Retirement Benefits	0.00	0.00	0.20	0.00
6402	Clerical	25,554.00	25,554.00	15,915.59	35,102.00
6501	Student Aides Regular	12,312.00	12,312.00	0.00	12,312.00
Total Salaries/Benefits		***288,887.00***	***353,651.00***	***273,770.76***	***308,560.00***
Fund 1110	***Contractual***				
7113	Duplicating	0.00	0.00	42.00	3,500.00
7117	Field Trips	7,000.00	7,000.00	3,386.50	4,500.00
7118	Mileage Reimbursement	0.00	0.00	110.39	0.00
7136	Repairs - Other Educational	1,100.00	1,100.00	1,685.34	0.00
7151	Office Supplies	0.00	0.00	567.76	0.00
7152	Educational Supplies	9,450.00	9,450.00	8,974.74	7,000.00
7153	Computer Supplies	660.00	660.00	0.00	0.00
7172	Equipment - Non Capital	0.00	843.00	843.30	0.00

	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Total Contractual	***18,210.00***	***19,053.00***	***15,610.03***	***15,000.00***
Fund Total 1110	*307,097.00*	*372,704.00*	*289,380.79*	*323,560.00*
Department Total: 4442 Physical Science	**307,097.00**	**372,704.00**	**289,380.79**	**323,560.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4443 Astronomy					
Fund 1110	***Salaries/Benefits***				
6109	Fall Adjunct	0.00	5,526.00	5,526.00	0.00
6110	Spring Adjunct	0.00	9,998.00	9,998.08	0.00
6112	Extra Svc Full Time Faculty	0.00	22,443.00	22,443.42	0.00
Total Salaries/Benefits		***0.00***	***37,967.00***	***37,967.50***	***0.00***
Fund 1110	***Contractual***				
7107	Subscriptions	0.00	0.00	29.99	0.00
7117	Field Trips	1,150.00	1,150.00	1,237.50	1,150.00
7136	Repairs - Other Educational	2,000.00	2,000.00	1,100.00	2,000.00
7152	Educational Supplies	3,960.00	3,960.00	3,865.96	2,000.00
7153	Computer Supplies	660.00	660.00	0.00	0.00
Total Contractual		***7,770.00***	***7,770.00***	***6,233.45***	***5,150.00***
	Fund Total 1110	*7,770.00*	*45,737.00*	*44,200.95*	*5,150.00*
Fund 9400	***Equipment***				
7302	Furniture & Equipment - Capital	0.00	0.00	5,045.00	0.00
Total Equipment		***0.00***	***0.00***	***5,045.00***	***0.00***
	Fund Total 9400	*0.00*	*0.00*	*5,045.00*	*0.00*
Department Total: 4443 Astronomy		**7,770.00**	**45,737.00**	**49,245.95**	**5,150.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4444 Chemistry					
Fund 1110	***Salaries/Benefits***				
6101	Professor	107,335.00	107,335.00	82,564.00	111,251.00
6103	Assistant Professor	127,405.00	127,405.00	98,002.60	132,949.00
6106	Substitute Faculty - Full Time	0.00	341.00	341.49	0.00
6107	Substitute Faculty - Part Time	0.00	246.00	245.60	0.00
6109	Fall Adjunct	0.00	38,329.00	38,329.12	0.00
6110	Spring Adjunct	0.00	48,590.00	48,590.24	0.00
6111	Summer Day Session 1	0.00	37,143.00	7,517.00	0.00
6112	Extra Svc Full Time Faculty	0.00	6,176.00	6,175.66	0.00
6120	Extra Service - Adjuncts	0.00	610.00	610.00	0.00
6402	Clerical	39,434.00	39,434.00	32,652.94	45,692.00
6404	CSEA FT Technical	54,381.00	54,381.00	41,465.01	56,441.00
6454	Longevity	2,402.00	2,402.00	2,091.88	3,903.00
6501	Student Aides Regular	0.00	0.00	3,413.39	0.00
6606	Health Insurance Buy Out	0.00	3,000.00	2,307.80	0.00
Total Salaries/Benefits		***330,957.00***	***465,392.00***	***364,306.73***	***350,236.00***
Fund 1110	***Contractual***				
7107	Subscriptions	0.00	0.00	149.00	0.00
7113	Duplicating	0.00	0.00	1,532.02	0.00
7136	Repairs - Other Educational	725.00	725.00	0.00	725.00
7143	Machines Rental	650.00	650.00	577.00	650.00
7150	Maintenance Contract Other	5,600.00	5,600.00	3,220.87	5,400.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7151	Office Supplies	0.00	0.00	53.70	0.00
7152	Educational Supplies	26,460.00	26,460.00	22,686.25	26,460.00
7153	Computer Supplies	1,000.00	1,000.00	358.20	750.00
Total Contractual		***34,435.00***	***34,435.00***	***28,577.04***	***33,985.00***
	Fund Total 1110	*365,392.00*	*499,827.00*	*392,883.77*	*384,221.00*
Department Total: 4444 Chemistry		**365,392.00**	**499,827.00**	**392,883.77**	**384,221.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4445 Geology					
Fund 1110	***Salaries/Benefits***				
6110	Spring Adjunct	0.00	1,666.00	1,666.00	0.00
6112	Extra Svc Full Time Faculty	0.00	6,778.00	6,778.20	0.00
Total Salaries/Benefits		***0.00***	***8,444.00***	***8,444.20***	***0.00***
Fund 1110	***Contractual***				
7117	Field Trips	4,000.00	4,000.00	2,267.70	2,000.00
7136	Repairs - Other Educational	1,100.00	1,100.00	0.00	600.00
7152	Educational Supplies	2,250.00	2,250.00	6,991.96	1,000.00
7153	Computer Supplies	660.00	660.00	0.00	0.00
Total Contractual		***8,010.00***	***8,010.00***	***9,259.66***	***3,600.00***
	Fund Total 1110	*8,010.00*	*16,454.00*	*17,703.86*	*3,600.00*
Department Total: 4445 Geology		**8,010.00**	**16,454.00**	**17,703.86**	**3,600.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department:	*4446 MPCS General*				
Fund 1110	***Salaries/Benefits***				
6205	Part Time Technical	0.00	0.00	4,490.49	0.00
6501	Student Aides Regular	0.00	0.00	2,657.96	0.00
Total Salaries/Benefits		***0.00***	***0.00***	***7,148.45***	***0.00***
Fund 1110	***Contractual***				
7111	Printing - Off Campus	0.00	0.00	8.00	0.00
Total Contractual		***0.00***	***0.00***	***8.00***	***0.00***
	Fund Total 1110	*0.00*	*0.00*	*7,156.45*	*0.00*
Department Total: 4446 MPCS General		**0.00**	**0.00**	**7,156.45**	**0.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4447 Mathematics					
Fund 1110	***Salaries/Benefits***				
6302	Early Retirement Benefits	0.00	0.00	-0.40	0.00
Total Salaries/Benefits		***0.00***	***0.00***	***-0.40***	***0.00***
Fund 1110	***Contractual***				
7118	Mileage Reimbursement	0.00	0.00	143.92	0.00
Total Contractual		***0.00***	***0.00***	***143.92***	***0.00***
	Fund Total 1110	*0.00*	*0.00*	*143.52*	*0.00*
Department Total: 4447 Mathematics		**0.00**	**0.00**	**143.52**	**0.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4451 Air Conditioning & Refrigeration					
Fund 1110	***Salaries/Benefits***				
6109	Fall Adjunct	0.00	5,526.00	5,526.00	0.00
6110	Spring Adjunct	0.00	13,815.00	13,815.04	0.00
Total Salaries/Benefits		***0.00***	***19,341.00***	***19,341.04***	***0.00***
Fund 1110	***Contractual***				
7113	Duplicating	50.00	50.00	0.00	50.00
7143	Machines Rental	100.00	100.00	65.00	100.00
7151	Office Supplies	90.00	90.00	23.92	90.00
7152	Educational Supplies	900.00	900.00	349.86	900.00
Total Contractual		***1,140.00***	***1,140.00***	***438.78***	***1,140.00***
	Fund Total 1110	*1,140.00*	*20,481.00*	*19,779.82*	*1,140.00*
Department Total: 4451 Air Conditioning & Refrigeration		**1,140.00**	**20,481.00**	**19,779.82**	**1,140.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4452 Engineering					
Fund 1110	***Salaries/Benefits***				
6101	Professor	93,314.00	93,314.00	71,780.00	96,985.00
6106	Substitute Faculty - Full Time	0.00	218.27	217.87	0.00
6107	Substitute Faculty - Part Time	0.00	279.00	278.75	0.00
6109	Fall Adjunct	0.00	7,499.00	7,499.16	0.00
6110	Spring Adjunct	0.00	12,162.00	12,162.12	0.00
6112	Extra Svc Full Time Faculty	0.00	16,418.00	16,418.23	0.00
Total Salaries/Benefits		***93,314.00***	***129,890.27***	***108,356.13***	***96,985.00***
Fund 1110	***Contractual***				
7107	Subscriptions	50.00	50.00	0.00	50.00
7108	Dues	425.00	425.00	425.00	425.00
7113	Duplicating	100.00	100.00	0.00	100.00
7143	Machines Rental	2,100.00	2,100.00	2,056.74	2,200.00
7151	Office Supplies	315.00	315.00	112.96	315.00
7152	Educational Supplies	675.00	675.00	392.71	675.00
7153	Computer Supplies	250.00	250.00	0.00	250.00
Total Contractual		***3,915.00***	***3,915.00***	***2,987.41***	***4,015.00***
	Fund Total 1110	*97,229.00*	*133,805.27*	*111,343.54*	*101,000.00*
Department Total: 4452 Engineering		**97,229.00**	**133,805.27**	**111,343.54**	**101,000.00**

	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4453 Engineering Technology				
Fund 1110 *Salaries/Benefits*				
6112 Extra Svc Full Time Faculty	0.00	2,862.00	2,861.89	0.00
Total Salaries/Benefits	***0.00***	***2,862.00***	***2,861.89***	***0.00***
Fund Total 1110	*0.00*	*2,862.00*	*2,861.89*	*0.00*
Department Total: 4453 Engineering Technology	**0.00**	**2,862.00**	**2,861.89**	**0.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4454 Computer Information Systems					
Fund 1110	***Salaries/Benefits***				
6101	Professor	109,337.00	109,337.00	84,104.80	111,250.00
6103	Assistant Professor	74,279.00	74,279.00	57,137.00	77,235.00
6109	Fall Adjunct	0.00	88,802.00	88,802.16	0.00
6110	Spring Adjunct	0.00	59,218.00	59,218.08	0.00
6111	Summer Day Session 1	0.00	3,858.00	1,286.00	0.00
6112	Extra Svc Full Time Faculty	0.00	17,930.00	17,930.49	0.00
6113	Extra Svc Full Time Administrators	0.00	10,393.00	6,778.20	0.00
6204	Full Time Technical	128,569.00	128,569.00	96,549.21	132,087.00
6501	Student Aides Regular	10,167.00	10,167.00	8,869.28	10,167.00
Total Salaries/Benefits		***322,352.00***	***502,553.00***	***420,675.22***	***330,739.00***
Fund 1110	***Contractual***				
7107	Subscriptions	2,205.00	2,205.00	0.00	1,425.00
7113	Duplicating	500.00	500.00	287.28	500.00
7151	Office Supplies	450.00	450.00	291.23	450.00
7152	Educational Supplies	450.00	450.00	0.00	450.00
7153	Computer Supplies	1,000.00	1,000.00	251.36	800.00
7174	Computer Software	0.00	0.00	1,070.00	0.00
Total Contractual		***4,605.00***	***4,605.00***	***1,899.87***	***3,625.00***
	Fund Total 1110	*326,957.00*	*507,158.00*	*422,575.09*	*334,364.00*
Department Total: 4454 Computer Information Systems		**326,957.00**	**507,158.00**	**422,575.09**	**334,364.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4455 Architectural Technology					
Fund 1110	***Salaries/Benefits***				
6102	Associate Professor	95,183.00	95,183.00	73,215.40	98,698.00
6103	Assistant Professor	87,296.00	87,296.00	67,149.40	88,823.00
6104	Instructor	70,456.00	70,456.00	54,197.00	73,152.00
6106	Substitute Faculty - Full Time	0.00	2,310.23	2,310.23	0.00
6109	Fall Adjunct	0.00	4,181.00	4,181.04	0.00
6110	Spring Adjunct	0.00	3,860.00	3,860.00	0.00
6112	Extra Svc Full Time Faculty	0.00	13,400.00	13,399.72	0.00
Total Salaries/Benefits		***252,935.00***	***276,686.23***	***218,312.79***	***260,673.00***
Fund 1110	***Contractual***				
7108	Dues	675.00	675.00	667.00	675.00
7113	Duplicating	750.00	750.00	0.00	750.00
7117	Field Trips	1,500.00	1,500.00	1,095.00	1,500.00
7151	Office Supplies	450.00	450.00	241.41	450.00
7152	Educational Supplies	2,700.00	2,700.00	2,488.33	2,700.00
7153	Computer Supplies	1,500.00	1,500.00	1,466.08	1,500.00
Total Contractual		***7,575.00***	***7,575.00***	***5,957.82***	***7,575.00***
	Fund Total 1110	*260,510.00*	*284,261.23*	*224,270.61*	*268,248.00*
Department Total: 4455 Architectural Technology		**260,510.00**	**284,261.23**	**224,270.61**	**268,248.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4456 Electrical Technology					
Fund 1110	***Salaries/Benefits***				
6103	Assistant Professor	84,041.00	84,041.00	64,646.20	87,169.00
6107	Substitute Faculty - Part Time	0.00	1,020.00	1,019.62	0.00
6109	Fall Adjunct	0.00	7,776.00	7,776.00	0.00
6110	Spring Adjunct	0.00	7,776.00	7,776.00	0.00
6112	Extra Svc Full Time Faculty	0.00	8,592.00	8,591.65	0.00
6606	Health Insurance Buy Out	0.00	3,000.00	2,307.80	0.00
Total Salaries/Benefits		***84,041.00***	***112,205.00***	***92,117.27***	***87,169.00***
Fund 1110	***Contractual***				
7108	Dues	185.00	185.00	185.00	185.00
7113	Duplicating	50.00	50.00	0.00	50.00
7151	Office Supplies	225.00	225.00	41.71	225.00
7152	Educational Supplies	1,800.00	1,800.00	278.40	1,800.00
7153	Computer Supplies	250.00	250.00	0.00	250.00
Total Contractual		***2,510.00***	***2,510.00***	***505.11***	***2,510.00***
	Fund Total 1110	*86,551.00*	*114,715.00*	*92,622.38*	*89,679.00*
Department Total: 4456 Electrical Technology		**86,551.00**	**114,715.00**	**92,622.38**	**89,679.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4458 Engineering General					
Fund 1110	***Salaries/Benefits***				
6101	Professor	101,325.00	101,325.00	77,942.40	105,136.00
6205	Part Time Technical	30,600.00	30,600.00	0.00	30,000.00
6402	Clerical	31,457.00	31,457.00	28,299.90	32,528.00
6453	Overtime	0.00	20.00	19.85	0.00
6501	Student Aides Regular	0.00	0.00	1,301.99	0.00
Total Salaries/Benefits		***163,382.00***	***163,402.00***	***107,564.14***	***167,664.00***
Fund 1110	***Contractual***				
7106	Books & Periodicals	0.00	0.00	103.50	0.00
7111	Printing - Off Campus	0.00	0.00	8.00	0.00
7113	Duplicating	500.00	500.00	36.08	500.00
7115	Prof Support Travel	0.00	44.00	44.00	0.00
7147	Maintenance Contract Ofc Machinery	5,117.00	5,117.00	3,401.68	7,549.00
7151	Office Supplies	1,170.00	1,170.00	757.33	1,170.00
7152	Educational Supplies	900.00	900.00	120.69	900.00
7153	Computer Supplies	1,000.00	1,000.00	775.82	500.00
7176	Food Service	500.00	500.00	0.00	500.00
Total Contractual		***9,187.00***	***9,231.00***	***5,247.10***	***11,119.00***
	Fund Total 1110	*172,569.00*	*172,633.00*	*112,811.24*	*178,783.00*
Department Total: 4458 Engineering General		**172,569.00**	**172,633.00**	**112,811.24**	**178,783.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4459 Aviation Science					
Fund 1110	***Salaries/Benefits***				
6101	Professor	99,322.00	99,322.00	0.00	103,098.00
6103	Assistant Professor	87,295.00	87,295.00	67,149.40	88,822.00
6112	Extra Svc Full Time Faculty	0.00	12,446.00	12,445.68	0.00
6203	Specialists Sup Professional 12 mos	0.00	0.00	15,492.28	0.00
Total Salaries/Benefits		***186,617.00***	***199,063.00***	***95,087.36***	***191,920.00***
Fund 1110	***Contractual***				
7106	Books & Periodicals	0.00	0.00	199.95	0.00
7108	Dues	550.00	550.00	800.00	550.00
7111	Printing - Off Campus	0.00	0.00	8.00	0.00
7113	Duplicating	50.00	50.00	0.00	50.00
7151	Office Supplies	90.00	90.00	0.00	90.00
7152	Educational Supplies	180.00	180.00	0.00	180.00
Total Contractual		***870.00***	***870.00***	***1,007.95***	***870.00***
	Fund Total 1110	*187,487.00*	*199,933.00*	*96,095.31*	*192,790.00*
Department Total: 4459 Aviation Science		**187,487.00**	**199,933.00**	**96,095.31**	**192,790.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department:	*4472 Reading*				
Fund 1110	***Salaries/Benefits***				
6103	Assistant Professor	85,669.00	85,669.00	65,897.80	88,825.00
6109	Fall Adjunct	0.00	56,838.00	56,838.24	0.00
6110	Spring Adjunct	0.00	3,684.00	3,684.00	0.00
6112	Extra Svc Full Time Faculty	0.00	2,103.00	2,102.77	0.00
Total Salaries/Benefits		***85,669.00***	***148,294.00***	***128,522.81***	***88,825.00***
	Fund Total 1110	*85,669.00*	*148,294.00*	*128,522.81*	*88,825.00*
Department Total: 4472 Reading		**85,669.00**	**148,294.00**	**128,522.81**	**88,825.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4473 English					
Fund 1110	***Salaries/Benefits***				
6101	Professor	585,907.00	585,907.00	450,708.00	701,312.00
6102	Associate Professor	423,214.00	423,214.00	325,542.00	350,412.00
6103	Assistant Professor	219,579.00	219,579.00	168,906.40	228,392.00
6104	Instructor	365,164.00	365,164.00	280,900.80	383,652.00
6109	Fall Adjunct	0.00	214,208.00	214,207.67	0.00
6110	Spring Adjunct	0.00	136,278.00	136,278.40	0.00
6111	Summer Day Session 1	0.00	18,942.00	6,314.00	0.00
6112	Extra Svc Full Time Faculty	0.00	69,874.00	69,874.45	0.00
6113	Extra Svc Full Time Administrators	0.00	9,026.00	9,025.50	0.00
6302	Early Retirement Benefits	0.00	0.00	-0.70	0.00
6606	Health Insurance Buy Out	0.00	7,962.00	4,604.06	0.00
Total Salaries/Benefits		***1,593,864.00***	***2,050,154.00***	***1,666,360.58***	***1,663,768.00***
Fund 1110	***Contractual***				
7151	Office Supplies	0.00	0.00	60.28	0.00
Total Contractual		***0.00***	***0.00***	***60.28***	***0.00***
	Fund Total 1110	*1,593,864.00*	*2,050,154.00*	*1,666,420.86*	*1,663,768.00*
Department Total: 4473 English		**1,593,864.00**	**2,050,154.00**	**1,666,420.86**	**1,663,768.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4474 German					
Fund 1110	***Salaries/Benefits***				
6109	Fall Adjunct	0.00	4,823.00	4,823.04	0.00
6110	Spring Adjunct	0.00	4,823.00	4,823.04	0.00
Total Salaries/Benefits		***0.00***	***9,646.00***	***9,646.08***	***0.00***
	Fund Total 1110	*0.00*	*9,646.00*	*9,646.08*	*0.00*
Department Total: 4474 German		**0.00**	**9,646.00**	**9,646.08**	**0.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department:	*4475 French*				
Fund 1110	***Salaries/Benefits***				
6103	Assistant Professor	87,295.00	87,295.00	67,149.40	88,822.00
6112	Extra Svc Full Time Faculty	0.00	1,506.00	1,506.33	0.00
Total Salaries/Benefits		***87,295.00***	***88,801.00***	***68,655.73***	***88,822.00***
	Fund Total 1110	*87,295.00*	*88,801.00*	*68,655.73*	*88,822.00*
Department Total: 4475 French		**87,295.00**	**88,801.00**	**68,655.73**	**88,822.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4476 Spanish					
Fund 1110	***Salaries/Benefits***				
6101	Professor	95,317.00	95,317.00	73,320.80	99,023.00
6102	Associate Professor	93,365.00	93,365.00	71,817.80	96,848.00
6109	Fall Adjunct	0.00	4,823.00	4,823.04	0.00
6110	Spring Adjunct	0.00	4,823.00	4,823.04	0.00
6112	Extra Svc Full Time Faculty	0.00	24,414.00	24,413.81	0.00
6113	Extra Svc Full Time Administrators	0.00	8,473.00	8,473.20	0.00
Total Salaries/Benefits		***188,682.00***	***231,215.00***	***187,671.69***	***195,871.00***
Fund 1110	***Contractual***				
7118	Mileage Reimbursement	0.00	0.00	62.78	0.00
Total Contractual		***0.00***	***0.00***	***62.78***	***0.00***
	Fund Total 1110	*188,682.00*	*231,215.00*	*187,734.47*	*195,871.00*
Department Total: 4476 Spanish		**188,682.00**	**231,215.00**	**187,734.47**	**195,871.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4477 English & Humanities General					
Fund 1110	***Salaries/Benefits***				
6106	Substitute Faculty - Full Time	0.00	361.50	361.50	0.00
6107	Substitute Faculty - Part Time	0.00	561.00	561.40	0.00
6112	Extra Svc Full Time Faculty	0.00	241.00	240.99	0.00
6114	Extra Svc Eve & Off-Campus Super	0.00	7,100.00	7,100.00	0.00
6120	Extra Service - Adjuncts	0.00	1,115.00	1,115.00	0.00
6302	Early Retirement Benefits	0.00	0.00	-0.20	0.00
6402	Clerical	36,905.00	36,905.00	31,032.42	39,257.00
6453	Overtime	0.00	55.00	55.00	0.00
6501	Student Aides Regular	7,422.00	7,422.00	2,042.47	7,422.00
Total Salaries/Benefits		***44,327.00***	***53,760.50***	***42,508.58***	***46,679.00***
Fund 1110	***Contractual***				
7107	Subscriptions	500.00	500.00	0.00	500.00
7111	Printing - Off Campus	0.00	0.00	16.00	50.00
7113	Duplicating	6,000.00	6,000.00	2,090.61	6,000.00
7115	Prof Support Travel	0.00	7,022.00	7,022.44	0.00
7118	Mileage Reimbursement	3,100.00	3,100.00	3,165.41	3,100.00
7123	Honoraria	500.00	500.00	0.00	500.00
7125	Other Professional	1,800.00	1,800.00	1,800.00	1,800.00
7147	Maintenance Contract Ofc Machinery	5,365.00	5,365.00	2,988.48	6,326.00
7151	Office Supplies	2,340.00	2,340.00	1,046.93	2,340.00
7152	Educational Supplies	225.00	225.00	60.00	225.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7153	Computer Supplies	750.00	750.00	614.49	750.00
7176	Food Service	500.00	500.00	345.82	500.00
Total Contractual		***21,080.00***	***28,102.00***	***19,150.18***	***22,091.00***
	Fund Total 1110	*65,407.00*	*81,862.50*	*61,658.76*	*68,770.00*
Department Total: 4477 English & Humanities General		**65,407.00**	**81,862.50**	**61,658.76**	**68,770.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4479 Philosophy					
Fund 1110	***Salaries/Benefits***				
6101	Professor	109,337.00	109,337.00	84,104.80	111,251.00
6109	Fall Adjunct	0.00	34,026.00	34,026.00	0.00
6110	Spring Adjunct	0.00	34,026.00	34,026.00	0.00
6111	Summer Day Session 1	0.00	3,684.00	1,228.00	0.00
6112	Extra Svc Full Time Faculty	0.00	7,983.00	7,983.20	0.00
Total Salaries/Benefits		***109,337.00***	***189,056.00***	***161,368.00***	***111,251.00***
	Fund Total 1110	*109,337.00*	*189,056.00*	*161,368.00*	*111,251.00*
Department Total: 4479 Philosophy		**109,337.00**	**189,056.00**	**161,368.00**	**111,251.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4480 Sign Language					
Fund 1110	***Salaries/Benefits***				
6109	Fall Adjunct	0.00	31,133.00	31,133.44	0.00
6110	Spring Adjunct	0.00	28,284.00	28,284.24	0.00
6111	Summer Day Session 1	0.00	4,823.00	1,607.67	0.00
Total Salaries/Benefits		***0.00***	***64,240.00***	***61,025.35***	***0.00***
	Fund Total 1110	*0.00*	*64,240.00*	*61,025.35*	*0.00*
Department Total: 4480 Sign Language		**0.00**	**64,240.00**	**61,025.35**	**0.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4491 Child Care					
Fund 1110	***Salaries/Benefits***				
6103	Assistant Professor	87,295.00	87,295.00	67,149.40	88,822.00
6104	Instructor	192,657.00	192,657.00	147,227.75	200,417.00
6109	Fall Adjunct	0.00	1,250.00	1,041.25	0.00
6110	Spring Adjunct	0.00	1,382.00	1,381.52	0.00
6112	Extra Svc Full Time Faculty	0.00	226.00	226.03	0.00
6606	Health Insurance Buy Out	0.00	3,000.00	2,307.80	0.00
Total Salaries/Benefits		***279,952.00***	***285,810.00***	***219,333.75***	***289,239.00***
Fund 1110	***Contractual***				
7113	Duplicating	500.00	500.00	219.20	500.00
7118	Mileage Reimbursement	1,300.00	1,300.00	1,561.65	1,300.00
7151	Office Supplies	225.00	225.00	252.54	225.00
7152	Educational Supplies	293.00	293.00	0.00	293.00
7153	Computer Supplies	300.00	300.00	287.74	300.00
Total Contractual		***2,618.00***	***2,618.00***	***2,321.13***	***2,618.00***
	Fund Total 1110	*282,570.00*	*288,428.00*	*221,654.88*	*291,857.00*
Department Total: 4491 Child Care		**282,570.00**	**288,428.00**	**221,654.88**	**291,857.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department:	*4492 Community Mental Health*				
Fund 1110	***Salaries/Benefits***				
6109	Fall Adjunct	0.00	13,616.00	13,615.47	0.00
6110	Spring Adjunct	0.00	9,209.00	9,208.50	0.00
6112	Extra Svc Full Time Faculty	0.00	18,000.00	18,000.29	0.00
6205	Part Time Technical	8,000.00	8,000.00	0.00	0.00
Total Salaries/Benefits		***8,000.00***	***48,825.00***	***40,824.26***	***0.00***
	Fund Total 1110	*8,000.00*	*48,825.00*	*40,824.26*	*0.00*
Department Total: 4492 Community Mental Health		**8,000.00**	**48,825.00**	**40,824.26**	**0.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4493 Criminal Justice					
Fund 1110	***Salaries/Benefits***				
6102	Associate Professor	80,646.00	80,646.00	62,033.20	83,906.00
6103	Assistant Professor	87,295.00	87,295.00	67,149.40	88,822.00
6104	Instructor	119,322.00	119,322.00	91,788.00	124,336.00
6109	Fall Adjunct	0.00	10,701.00	10,701.04	0.00
6110	Spring Adjunct	0.00	10,701.00	10,701.04	0.00
6112	Extra Svc Full Time Faculty	0.00	18,075.00	16,719.56	0.00
6606	Health Insurance Buy Out	0.00	9,000.00	6,923.40	0.00
Total Salaries/Benefits		***287,263.00***	***335,740.00***	***266,015.64***	***297,064.00***
Fund 1110	***Contractual***				
7113	Duplicating	1,400.00	1,400.00	319.52	1,400.00
7115	Prof Support Travel	0.00	431.00	430.50	0.00
7118	Mileage Reimbursement	500.00	500.00	0.00	500.00
7151	Office Supplies	90.00	90.00	85.33	90.00
7153	Computer Supplies	200.00	200.00	0.00	200.00
7176	Food Service	0.00	0.00	199.80	0.00
Total Contractual		***2,190.00***	***2,621.00***	***1,035.15***	***2,190.00***
	Fund Total 1110	*289,453.00*	*338,361.00*	*267,050.79*	*299,254.00*
Department Total: 4493 Criminal Justice		**289,453.00**	**338,361.00**	**267,050.79**	**299,254.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4494 Early Childhood					
Fund 1110	***Salaries/Benefits***				
6104	Instructor	181,141.00	181,141.00	144,745.85	194,560.00
6106	Substitute Faculty - Full Time	0.00	241.33	240.99	0.00
6107	Substitute Faculty - Part Time	0.00	3,127.00	3,126.88	0.00
6109	Fall Adjunct	0.00	15,134.00	15,134.24	0.00
6110	Spring Adjunct	0.00	11,692.00	11,691.53	0.00
6112	Extra Svc Full Time Faculty	0.00	15,972.00	15,971.51	0.00
6113	Extra Svc Full Time Administrators	0.00	24,148.00	24,148.06	0.00
6204	Full Time Technical	121,101.00	121,101.00	90,940.27	124,488.00
6205	Part Time Technical	12,000.00	12,000.00	0.00	0.00
6606	Health Insurance Buy Out	0.00	6,000.00	4,569.44	0.00
Total Salaries/Benefits		***314,242.00***	***390,556.33***	***310,568.77***	***319,048.00***
Fund 1110	***Contractual***				
7106	Books & Periodicals	300.00	300.00	298.97	300.00
7107	Subscriptions	180.00	180.00	57.24	180.00
7113	Duplicating	750.00	750.00	119.36	750.00
7118	Mileage Reimbursement	1,300.00	1,300.00	1,035.38	1,300.00
7123	Honoraria	200.00	200.00	100.00	200.00
7151	Office Supplies	270.00	270.00	269.96	270.00
7152	Educational Supplies	6,750.00	6,750.00	5,956.49	6,750.00
7153	Computer Supplies	350.00	350.00	63.85	350.00
7176	Food Service	300.00	300.00	322.00	300.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7185	Miscellaneous Expenses	0.00	0.00	17.82	0.00
Total Contractual		***10,400.00***	***10,400.00***	***8,241.07***	***10,400.00***
	Fund Total 1110	*324,642.00*	*400,956.33*	*318,809.84*	*329,448.00*
Department Total: 4494 Early Childhood		**324,642.00**	**400,956.33**	**318,809.84**	**329,448.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department:	*4495 Behavioral Sciences*				
Fund 1110	***Salaries/Benefits***				
6101	Professor	99,323.00	99,323.00	76,401.60	103,099.00
6102	Associate Professor	152,200.00	152,200.00	117,077.20	158,562.00
6103	Assistant Professor	174,842.00	174,842.00	136,501.00	130,970.00
6104	Instructor	8,626.00	8,626.00	8,625.40	0.00
6106	Substitute Faculty - Full Time	0.00	240.99	240.99	0.00
6109	Fall Adjunct	0.00	132,951.00	132,822.68	0.00
6110	Spring Adjunct	0.00	95,861.00	95,861.33	0.00
6112	Extra Svc Full Time Faculty	0.00	75,887.00	75,887.29	0.00
6113	Extra Svc Full Time Administrators	0.00	12,351.00	12,351.36	0.00
6114	Extra Svc Eve & Off-Campus Super	0.00	800.00	800.00	0.00
6118	Faculty Development	0.00	0.00	380.00	0.00
6120	Extra Service - Adjuncts	0.00	560.00	560.00	0.00
6606	Health Insurance Buy Out	0.00	3,000.00	2,307.80	0.00
Total Salaries/Benefits		***434,991.00***	***756,641.99***	***659,816.65***	***392,631.00***
Fund 1110	***Contractual***				
7111	Printing - Off Campus	0.00	0.00	8.00	0.00
7113	Duplicating	1,200.00	1,200.00	548.66	1,200.00
7115	Prof Support Travel	0.00	1,051.00	1,051.31	0.00
7118	Mileage Reimbursement	1,200.00	1,200.00	515.66	1,200.00
7151	Office Supplies	270.00	270.00	90.00	270.00
7152	Educational Supplies	270.00	270.00	160.00	270.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7176	Food Service	100.00	100.00	95.70	100.00
Total Contractual		***3,040.00***	***4,091.00***	***2,469.33***	***3,040.00***
	Fund Total 1110	*438,031.00*	*760,732.99*	*662,285.98*	*395,671.00*
Department Total: 4495 Behavioral Sciences		**438,031.00**	**760,732.99**	**662,285.98**	**395,671.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4496 Psychology					
Fund 1110	***Salaries/Benefits***				
6101	Professor	101,325.00	101,325.00	76,383.55	105,136.00
6102	Associate Professor	87,915.00	87,915.00	68,949.34	0.00
6103	Assistant Professor	62,889.00	62,889.00	48,376.20	65,647.00
6104	Instructor	76,211.00	76,211.00	58,625.40	77,545.00
6106	Substitute Faculty - Full Time	0.00	241.00	240.99	0.00
6107	Substitute Faculty - Part Time	0.00	514.00	514.39	0.00
6109	Fall Adjunct	0.00	153,265.00	153,264.51	0.00
6110	Spring Adjunct	0.00	121,465.00	121,465.13	0.00
6112	Extra Svc Full Time Faculty	0.00	89,090.00	89,089.87	0.00
6113	Extra Svc Full Time Administrators	0.00	3,164.00	3,163.16	0.00
6120	Extra Service - Adjuncts	0.00	285.00	285.00	0.00
6606	Health Insurance Buy Out	0.00	3,000.00	2,192.41	0.00
Total Salaries/Benefits		***328,340.00***	***699,364.00***	***622,549.95***	***248,328.00***
Fund 1110	***Contractual***				
7113	Duplicating	1,800.00	1,800.00	895.24	1,800.00
7115	Prof Support Travel	0.00	441.00	441.14	0.00
7118	Mileage Reimbursement	500.00	500.00	178.05	500.00
Total Contractual		***2,300.00***	***2,741.00***	***1,514.43***	***2,300.00***
	Fund Total 1110	*330,640.00*	*702,105.00*	*624,064.38*	*250,628.00*
Department Total: 4496 Psychology		**330,640.00**	**702,105.00**	**624,064.38**	**250,628.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4497 Behavioral Sciences General					
Fund 1110	***Salaries/Benefits***				
6101	Professor	0.00	0.00	1,558.85	0.00
6102	Associate Professor	163,104.00	163,104.00	124,140.26	169,657.00
6109	Fall Adjunct	0.00	12,213.00	12,212.62	0.00
6110	Spring Adjunct	0.00	19,909.00	19,909.13	0.00
6112	Extra Svc Full Time Faculty	0.00	3,705.00	3,705.45	0.00
6402	Clerical	38,163.00	38,163.00	33,323.28	40,461.00
6454	Longevity	3,504.00	3,504.00	3,051.84	3,955.00
6501	Student Aides Regular	9,150.00	9,150.00	1,753.86	9,150.00
Total Salaries/Benefits		***213,921.00***	***249,748.00***	***199,655.29***	***223,223.00***
Fund 1110	***Contractual***				
7113	Duplicating	800.00	800.00	106.70	800.00
7115	Prof Support Travel	0.00	2,810.00	2,810.41	0.00
7118	Mileage Reimbursement	0.00	0.00	0.00	800.00
7123	Honoraria	400.00	400.00	100.00	400.00
7143	Machines Rental	0.00	0.00	0.00	1,500.00
7147	Maintenance Contract Ofc Machinery	2,207.00	2,207.00	1,121.98	2,145.00
7151	Office Supplies	1,350.00	1,350.00	495.53	1,350.00
7152	Educational Supplies	315.00	315.00	0.00	315.00
7153	Computer Supplies	900.00	900.00	718.48	900.00
Total Contractual		***5,972.00***	***8,782.00***	***5,353.10***	***8,210.00***

	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Fund Total 1110	*219,893.00*	*258,530.00*	*205,008.39*	*231,433.00*
Department Total: 4497 Behavioral Sciences General	**219,893.00**	**258,530.00**	**205,008.39**	**231,433.00**

	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4498 Recreation Leadership				
Fund 1110 *Contractual*				
7115 Prof Support Travel	0.00	110.00	0.00	0.00
Total Contractual	***0.00***	***110.00***	***0.00***	***0.00***
Fund Total 1110	*0.00*	*110.00*	*0.00*	*0.00*
Department Total: 4498 Recreation Leadership	**0.00**	**110.00**	**0.00**	**0.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4499 Health					
Fund 1110	***Salaries/Benefits***				
6101	Professor	109,337.00	109,337.00	84,104.80	55,625.00
6109	Fall Adjunct	0.00	3,684.00	3,684.00	0.00
6112	Extra Svc Full Time Faculty	0.00	15,966.00	15,966.32	0.00
Total Salaries/Benefits		***109,337.00***	***128,987.00***	***103,755.12***	***55,625.00***
Fund 1110	***Contractual***				
7123	Honoraria	200.00	200.00	50.00	200.00
7152	Educational Supplies	3,047.00	3,047.00	2,489.59	3,050.00
Total Contractual		***3,247.00***	***3,247.00***	***2,539.59***	***3,250.00***
	Fund Total 1110	*112,584.00*	*132,234.00*	*106,294.71*	*58,875.00*
Department Total: 4499 Health		**112,584.00**	**132,234.00**	**106,294.71**	**58,875.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4501 Nursing					
Fund 1110	***Salaries/Benefits***				
6101	Professor	109,337.00	109,337.00	84,104.80	111,250.00
6102	Associate Professor	98,817.00	98,817.00	76,011.60	100,546.00
6103	Assistant Professor	161,573.00	161,573.00	123,034.80	166,058.00
6104	Instructor	201,288.00	201,288.00	126,253.00	138,978.00
6106	Substitute Faculty - Full Time	0.00	2,504.85	2,505.15	0.00
6107	Substitute Faculty - Part Time	0.00	1,567.00	1,567.02	0.00
6109	Fall Adjunct	0.00	52,541.00	52,540.95	0.00
6110	Spring Adjunct	0.00	42,275.00	42,274.94	0.00
6111	Summer Day Session 1	0.00	0.00	240.00	0.00
6112	Extra Svc Full Time Faculty	0.00	26,901.00	26,901.21	0.00
6113	Extra Svc Full Time Administrators	0.00	1,176.00	1,175.94	0.00
6120	Extra Service - Adjuncts	0.00	430.00	430.00	0.00
6204	Full Time Technical	107,410.00	107,410.00	64,062.28	102,958.00
6205	Part Time Technical	17,000.00	17,000.00	0.00	0.00
6402	Clerical	36,378.00	36,378.00	30,493.58	38,634.00
6501	Student Aides Regular	4,575.00	4,575.00	4,142.97	4,575.00
6606	Health Insurance Buy Out	0.00	7,050.00	5,434.87	0.00
Total Salaries/Benefits		***736,378.00***	***870,822.85***	***641,173.11***	***662,999.00***
Fund 1110	***Contractual***				
7107	Subscriptions	350.00	350.00	350.00	350.00
7108	Dues	4,915.00	4,915.00	4,955.00	4,955.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7111	Printing - Off Campus	0.00	0.00	24.00	0.00
7113	Duplicating	1,500.00	1,500.00	360.28	1,500.00
7115	Prof Support Travel	0.00	4,566.00	4,565.62	0.00
7118	Mileage Reimbursement	3,700.00	3,700.00	2,022.33	3,700.00
7123	Honoraria	400.00	400.00	300.00	400.00
7127	Laundry	1,250.00	1,250.00	1,780.20	1,250.00
7137	Repairs - Other	1,000.00	1,000.00	1,296.01	1,000.00
7147	Maintenance Contract Ofc Machinery	1,981.00	1,981.00	1,270.55	1,991.00
7151	Office Supplies	900.00	900.00	1,657.11	1,000.00
7152	Educational Supplies	16,200.00	16,200.00	9,766.92	16,200.00
7153	Computer Supplies	250.00	250.00	0.00	250.00
7172	Equipment - Non Capital	0.00	6,324.00	6,323.84	0.00
7174	Computer Software	3,200.00	3,200.00	2,365.00	3,300.00
7176	Food Service	0.00	0.00	125.92	0.00
7210	Training - On Campus	0.00	0.00	2,214.80	0.00
Total Contractual		***35,646.00***	***46,536.00***	***39,377.58***	***35,896.00***
	Fund Total 1110	*772,024.00*	*917,358.85*	*680,550.69*	*698,895.00*
Fund 9400	***Equipment***				
7302	Furniture & Equipment - Capital	0.00	0.00	19,999.00	0.00
Total Equipment		***0.00***	***0.00***	***19,999.00***	***0.00***
	Fund Total 9400	*0.00*	*0.00*	*19,999.00*	*0.00*
Department Total: 4501 Nursing		**772,024.00**	**917,358.85**	**700,549.69**	**698,895.00**

	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4511 Wellness & Fitness				
Fund 1110 *Contractual*				
7174 Computer Software	0.00	0.00	219.98	0.00
Total Contractual	***0.00***	***0.00***	***219.98***	***0.00***
Fund Total 1110	*0.00*	*0.00*	*219.98*	*0.00*
Department Total: 4511 Wellness & Fitness	**0.00**	**0.00**	**219.98**	**0.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department:	*4514 HPEAD General*				
Fund 1110	***Salaries/Benefits***				
6402	Clerical	0.00	0.00	2,159.43	0.00
6452	Service	0.00	0.00	-1,987.15	0.00
6453	Overtime	0.00	0.00	-14.94	0.00
6454	Longevity	0.00	0.00	-159.81	0.00
Total Salaries/Benefits		***0.00***	***0.00***	***-2.47***	***0.00***
	Fund Total 1110	*0.00*	*0.00*	*-2.47*	*0.00*
Department Total: 4514 HPEAD General		**0.00**	**0.00**	**-2.47**	**0.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4521 History					
Fund 1110	***Salaries/Benefits***				
6101	Professor	273,935.00	273,935.00	210,718.60	284,843.00
6102	Associate Professor	0.00	0.00	0.00	74,659.00
6103	Assistant Professor	204,939.00	204,939.00	156,599.80	142,883.00
6104	Instructor	56,065.00	56,065.00	43,127.00	58,703.00
6109	Fall Adjunct	0.00	61,728.00	65,586.00	0.00
6110	Spring Adjunct	0.00	41,791.00	41,791.20	0.00
6111	Summer Day Session 1	0.00	11,574.00	3,858.00	0.00
6112	Extra Svc Full Time Faculty	0.00	11,598.00	11,598.24	0.00
6113	Extra Svc Full Time Administrators	0.00	13,557.00	13,556.40	0.00
6606	Health Insurance Buy Out	0.00	6,000.00	3,334.77	0.00
Total Salaries/Benefits		***534,939.00***	***681,187.00***	***550,170.01***	***561,088.00***
Fund 1110	***Contractual***				
7118	Mileage Reimbursement	0.00	0.00	174.61	0.00
Total Contractual		***0.00***	***0.00***	***174.61***	***0.00***
	Fund Total 1110	*534,939.00*	*681,187.00*	*550,344.62*	*561,088.00*
Department Total: 4521 History		**534,939.00**	**681,187.00**	**550,344.62**	**561,088.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4522 Economics					
Fund 1110	***Salaries/Benefits***				
6101	Professor	105,331.00	105,331.00	81,024.00	109,213.00
6102	Associate Professor	80,646.00	80,646.00	62,033.20	83,906.00
6109	Fall Adjunct	0.00	18,765.00	18,765.04	0.00
6110	Spring Adjunct	0.00	14,907.00	14,907.04	0.00
6111	Summer Day Session 1	0.00	7,716.00	2,572.00	0.00
6112	Extra Svc Full Time Faculty	0.00	9,188.00	9,188.20	0.00
Total Salaries/Benefits		***185,977.00***	***236,553.00***	***188,489.48***	***193,119.00***
	Fund Total 1110	*185,977.00*	*236,553.00*	*188,489.48*	*193,119.00*
Department Total: 4522 Economics		**185,977.00**	**236,553.00**	**188,489.48**	**193,119.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4523 Geography					
Fund 1110	***Salaries/Benefits***				
6109	Fall Adjunct	0.00	3,858.00	3,858.00	0.00
6110	Spring Adjunct	0.00	3,858.00	3,858.00	0.00
Total Salaries/Benefits		***0.00***	***7,716.00***	***7,716.00***	***0.00***
	Fund Total 1110	*0.00*	*7,716.00*	*7,716.00*	*0.00*
Department Total: 4523 Geography		**0.00**	**7,716.00**	**7,716.00**	**0.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4524 Government					
Fund 1110	***Salaries/Benefits***				
6103	Assistant Professor	61,264.00	61,264.00	48,166.60	63,992.00
6104	Instructor	60,380.00	60,380.00	46,447.80	62,899.00
6109	Fall Adjunct	0.00	34,200.00	34,200.00	0.00
6110	Spring Adjunct	0.00	26,658.00	26,400.81	0.00
6112	Extra Svc Full Time Faculty	0.00	5,573.00	5,573.16	0.00
Total Salaries/Benefits		***121,644.00***	***188,075.00***	***160,788.37***	***126,891.00***
Fund 1110	***Contractual***				
7117	Field Trips	16,000.00	16,000.00	10,033.64	16,000.00
Total Contractual		***16,000.00***	***16,000.00***	***10,033.64***	***16,000.00***
	Fund Total 1110	*137,644.00*	*204,075.00*	*170,822.01*	*142,891.00*
Department Total: 4524 Government		**137,644.00**	**204,075.00**	**170,822.01**	**142,891.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4525 HGE General					
Fund 1110	***Salaries/Benefits***				
6112	Extra Svc Full Time Faculty	0.00	9,114.00	9,113.57	0.00
6113	Extra Svc Full Time Administrators	0.00	60.00	60.00	0.00
6114	Extra Svc Eve & Off-Campus Super	0.00	1,200.00	1,200.00	0.00
6120	Extra Service - Adjuncts	0.00	610.00	610.00	0.00
6402	Clerical	34,234.00	34,234.00	29,097.52	32,535.00
6501	Student Aides Regular	7,422.00	7,422.00	2,048.77	7,422.00
Total Salaries/Benefits		***41,656.00***	***52,640.00***	***42,129.86***	***39,957.00***
Fund 1110	***Contractual***				
7107	Subscriptions	200.00	200.00	0.00	200.00
7111	Printing - Off Campus	0.00	0.00	55.00	0.00
7113	Duplicating	4,000.00	4,000.00	1,027.39	4,000.00
7115	Prof Support Travel	0.00	357.00	356.99	0.00
7117	Field Trips	2,300.00	2,300.00	1,758.94	2,300.00
7118	Mileage Reimbursement	500.00	500.00	535.29	500.00
7123	Honoraria	1,750.00	1,750.00	2,500.00	1,750.00
7147	Maintenance Contract Ofc Machinery	2,208.00	2,208.00	1,205.60	2,145.00
7151	Office Supplies	1,350.00	1,350.00	1,359.70	1,350.00
7152	Educational Supplies	1,800.00	1,800.00	413.47	1,800.00
7153	Computer Supplies	500.00	500.00	820.73	500.00
7176	Food Service	400.00	400.00	411.31	400.00
Total Contractual		***15,008.00***	***15,365.00***	***10,444.42***	***14,945.00***

	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Fund Total 1110	*56,664.00*	*68,005.00*	*52,574.28*	*54,902.00*
Department Total: 4525 HGE General	**56,664.00**	**68,005.00**	**52,574.28**	**54,902.00**

Department: 4531 Math

Fund	1110	Salaries/Benefits	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
	6101	Professor	327,601.00	327,601.00	227,664.80	337,410.00
	6102	Associate Professor	252,839.00	252,839.00	194,487.20	262,811.00
	6103	Assistant Professor	75,906.00	75,906.00	58,388.60	78,891.00
	6104	Instructor	319,173.00	319,173.00	261,493.37	394,793.00
	6106	Substitute Faculty - Full Time	0.00	2,552.59	2,552.39	0.00
	6107	Substitute Faculty - Part Time	0.00	1,723.00	1,722.97	0.00
	6109	Fall Adjunct	0.00	251,130.00	248,557.52	0.00
	6110	Spring Adjunct	0.00	138,900.00	138,900.45	0.00
	6111	Summer Day Session 1	0.00	28,241.00	9,413.66	0.00
	6112	Extra Svc Full Time Faculty	0.00	36,875.00	36,874.58	0.00
	6113	Extra Svc Full Time Administrators	0.00	16,175.00	16,175.40	0.00
	6114	Extra Svc Eve & Off-Campus Super	0.00	5,300.00	5,300.00	0.00
	6119	Improvement of Instruction Stipend	0.00	1,441.00	1,440.50	0.00
	6120	Extra Service - Adjuncts	6,209.00	1,550.00	1,550.00	0.00
	6203	Specialists Sup Professional 12 mos	54,950.00	54,950.00	41,263.68	57,180.00
	6205	Part Time Technical	13,838.00	13,838.00	4,440.00	14,817.00
	6402	Clerical	33,463.00	33,463.00	28,944.17	35,174.00
	6453	Overtime	0.00	749.00	748.93	0.00
	6501	Student Aides Regular	6,863.00	6,863.00	4,543.63	6,863.00
	6606	Health Insurance Buy Out	0.00	15,000.00	11,492.84	0.00
		Total Salaries/Benefits	***1,090,842.00***	***1,584,269.59***	***1,295,954.69***	***1,187,939.00***

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Fund 1110	***Contractual***				
7113	Duplicating	7,000.00	7,000.00	620.31	4,000.00
7115	Prof Support Travel	0.00	2,066.00	2,065.54	0.00
7118	Mileage Reimbursement	1,000.00	1,000.00	1,509.21	1,500.00
7147	Maintenance Contract Ofc Machinery	9,000.00	9,000.00	8,045.65	4,145.00
7151	Office Supplies	1,800.00	1,800.00	1,845.74	1,800.00
7152	Educational Supplies	450.00	450.00	407.27	100.00
7153	Computer Supplies	2,000.00	2,000.00	306.50	2,000.00
7176	Food Service	500.00	500.00	323.20	500.00
7188	Faculty Development	0.00	230.00	230.00	0.00
Total Contractual		***21,750.00***	***24,046.00***	***15,353.42***	***14,045.00***
	Fund Total 1110	*1,112,592.00*	*1,608,315.59*	*1,311,308.11*	*1,201,984.00*
Department Total: 4531 Math		**1,112,592.00**	**1,608,315.59**	**1,311,308.11**	**1,201,984.00**

	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 4532 Computer Science				
Fund 1110 *Salaries/Benefits*				
6102 Associate Professor	98,817.00	98,817.00	76,011.60	100,546.00
Total Salaries/Benefits	***98,817.00***	***98,817.00***	***76,011.60***	***100,546.00***
Fund Total 1110	*98,817.00*	*98,817.00*	*76,011.60*	*100,546.00*
Department Total: 4532 Computer Science	**98,817.00**	**98,817.00**	**76,011.60**	**100,546.00**

			2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department:	*5001*	*V.P. Dean of Administration*				
Fund	**1110**	***Salaries/Benefits***				
	6202	Managerial Confidential	308,443.00	308,443.00	211,332.26	304,127.00
	6203	Specialists Sup Professional 12 mos	0.00	595.00	0.00	0.00
	6301	Vacation Payments	0.00	2,691.00	2,690.82	0.00
	6303	Sick Leave Payments	150,000.00	150,000.00	0.00	150,000.00
	6453	Overtime	129,950.00	57,105.00	0.00	129,950.00
	6501	Student Aides Regular	12.00	12.00	0.00	12.00
	6606	Health Insurance Buy Out	0.00	4,950.00	3,519.39	0.00
	Total Salaries/Benefits		***588,405.00***	***523,796.00***	***217,542.47***	***584,089.00***
Fund	**1110**	***Contractual***				
	7102	Postage	57.00	57.00	0.00	57.00
	7103	Telephone	190.00	190.00	0.00	190.00
	7106	Books & Periodicals	0.00	0.00	179.00	0.00
	7107	Subscriptions	3,860.00	3,860.00	2,236.69	4,000.00
	7108	Dues	1,000.00	1,000.00	475.00	500.00
	7111	Printing - Off Campus	0.00	0.00	32.00	0.00
	7113	Duplicating	0.00	0.00	60.00	0.00
	7115	Prof Support Travel	44,750.00	32,956.00	1,055.92	35,450.00
	7118	Mileage Reimbursement	475.00	475.00	0.00	475.00
	7147	Maintenance Contract Ofc Machinery	0.00	0.00	691.06	2,126.00
	7151	Office Supplies	450.00	450.00	222.14	450.00
	7153	Computer Supplies	1,600.00	1,600.00	71.58	0.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7176	Food Service	1,900.00	1,900.00	753.19	1,900.00
7185	Miscellaneous Expenses	1,400.00	1,400.00	2,049.99	1,400.00
7302	Furniture & Equipment - Capital	400,000.00	254,448.00	0.00	300,000.00
Total Contractual		***455,682.00***	***298,336.00***	***7,826.57***	***346,548.00***
	Fund Total 1110	*1,044,087.00*	*822,132.00*	*225,369.04*	*930,637.00*
Department Total: 5001 V.P. Dean of Administration		**1,044,087.00**	**822,132.00**	**225,369.04**	**930,637.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 5101 General Business					
Fund 1110	***Contractual***				
7121	Legal	30,000.00	30,000.00	12,716.25	30,000.00
7128	Insurance - Liability	280,000.00	280,000.00	295,418.00	320,394.00
7130	Insurance - Other	20,000.00	20,000.00	17,038.00	20,000.00
7138	Contracted Services	25,000.00	25,000.00	25,000.00	25,000.00
7151	Office Supplies	13,312.00	13,312.00	0.00	9,693.00
7152	Educational Supplies	39,388.00	39,388.00	0.00	0.00
7183	Discount Fees	0.00	0.00	90.00	0.00
7185	Miscellaneous Expenses	295,880.00	295,880.00	0.00	0.00
7186	Employee Tuition Waivers	35,000.00	35,000.00	27,527.50	35,000.00
7191	Tuition Expense	48,000.00	48,000.00	47,112.00	48,000.00
Total Contractual		***786,580.00***	***786,580.00***	***424,901.75***	***488,087.00***
	Fund Total 1110	*786,580.00*	*786,580.00*	*424,901.75*	*488,087.00*
Department Total: 5101 General Business		**786,580.00**	**786,580.00**	**424,901.75**	**488,087.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 5110 Business Office					
Fund 1110	***Salaries/Benefits***				
6202	Managerial Confidential	119,268.00	119,268.00	90,950.07	124,745.00
6203	Specialists Sup Professional 12 mos	0.00	1,842.00	0.00	0.00
6204	Full Time Technical	0.00	0.00	16,449.90	74,659.00
6301	Vacation Payments	0.00	2,218.00	2,218.32	0.00
6402	Clerical	262,826.00	262,826.00	196,983.72	273,134.00
6453	Overtime	0.00	445.00	444.50	0.00
6454	Longevity	6,805.00	6,805.00	6,364.79	11,400.00
6501	Student Aides Regular	16,876.00	16,876.00	0.00	16,876.00
Total Salaries/Benefits		***405,775.00***	***410,280.00***	***313,411.30***	***500,814.00***
Fund 1110	***Contractual***				
7106	Books & Periodicals	0.00	0.00	858.00	0.00
7113	Duplicating	100.00	100.00	50.00	100.00
7115	Prof Support Travel	0.00	691.00	690.60	0.00
7118	Mileage Reimbursement	100.00	100.00	0.00	100.00
7122	Auditing	45,600.00	45,600.00	8,000.00	45,600.00
7125	Other Professional	10,000.00	10,000.00	7,800.00	10,000.00
7145	Car Rental	0.00	0.00	143.16	0.00
7147	Maintenance Contract Ofc Machinery	3,900.00	3,900.00	1,610.15	1,968.00
7151	Office Supplies	900.00	900.00	298.37	900.00
7172	Equipment - Non Capital	0.00	300.00	299.99	0.00
7185	Miscellaneous Expenses	0.00	0.00	149.00	0.00

	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Total Contractual	*60,600.00*	*61,591.00*	*19,899.27*	*58,668.00*
Fund Total 1110	*466,375.00*	*471,871.00*	*333,310.57*	*559,482.00*
Department Total: 5110 Business Office	**466,375.00**	**471,871.00**	**333,310.57**	**559,482.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 5120 Student Accounts					
Fund 1110	***Salaries/Benefits***				
6203	Specialists Sup Professional 12 mos	65,279.00	31,611.00	1,644.95	0.00
6301	Vacation Payments	0.00	969.00	969.35	0.00
6302	Early Retirement Benefits	0.00	0.00	0.20	0.00
6402	Clerical	282,342.00	282,342.00	209,378.72	280,166.00
6453	Overtime	15,000.00	15,000.00	3,530.90	15,000.00
6454	Longevity	9,312.00	9,312.00	7,764.31	9,053.00
6501	Student Aides Regular	17,879.00	17,879.00	1,893.00	17,879.00
6502	Student Aides Work Study On-Campu	40,066.00	40,066.00	0.01	45,000.00
Total Salaries/Benefits		***429,878.00***	***397,179.00***	***225,181.44***	***367,098.00***
Fund 1110	***Contractual***				
7108	Dues	75.00	75.00	0.00	75.00
7113	Duplicating	1,500.00	1,500.00	64.00	1,000.00
7124	Collection Costs	3,500.00	3,500.00	324.25	3,500.00
7125	Other Professional	55,800.00	55,800.00	49,605.98	58,700.00
7147	Maintenance Contract Ofc Machinery	4,100.00	4,100.00	1,064.58	1,622.00
7151	Office Supplies	1,800.00	1,800.00	248.75	2,000.00
7173	Computer Equip - Non Capital	0.00	1,532.00	1,532.48	0.00
7182	Cash Short & Over	100.00	100.00	-10.44	200.00
7183	Discount Fees	190,000.00	190,000.00	173,355.12	190,000.00
7185	Miscellaneous Expenses	3,000.00	3,000.00	1,916.00	3,000.00
7190	Bad Debts	220,000.00	220,000.00	0.00	220,000.00

	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Total Contractual	*479,875.00*	*481,407.00*	*228,100.72*	*480,097.00*
Fund Total 1110	*909,753.00*	*878,586.00*	*453,282.16*	*847,195.00*
Department Total: 5120 Student Accounts	**909,753.00**	**878,586.00**	**453,282.16**	**847,195.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 5130 Payroll					
Fund 1110	***Salaries/Benefits***				
6203	Specialists Sup Professional 12 mos	82,460.00	82,460.00	61,924.83	85,751.00
6301	Vacation Payments	0.00	1,515.00	1,514.60	0.00
6402	Clerical	165,351.00	165,351.00	132,821.84	180,030.00
6453	Overtime	10,000.00	10,000.00	2,693.33	10,000.00
6454	Longevity	5,424.00	5,424.00	4,519.54	8,360.00
Total Salaries/Benefits		***263,235.00***	***264,750.00***	***203,474.14***	***284,141.00***
Fund 1110	***Contractual***				
7107	Subscriptions	800.00	800.00	0.00	800.00
7108	Dues	219.00	219.00	219.00	219.00
7111	Printing - Off Campus	1,100.00	1,100.00	568.92	1,100.00
7113	Duplicating	275.00	275.00	2.00	275.00
7115	Prof Support Travel	0.00	102.00	101.78	0.00
7147	Maintenance Contract Ofc Machinery	0.00	0.00	340.00	0.00
7151	Office Supplies	810.00	810.00	885.03	810.00
7153	Computer Supplies	1,000.00	1,000.00	0.00	850.00
7185	Miscellaneous Expenses	0.00	0.00	60.00	0.00
7402	Interest Expense	200.00	200.00	0.00	200.00
Total Contractual		***4,404.00***	***4,506.00***	***2,176.73***	***4,254.00***
	Fund Total 1110	*267,639.00*	*269,256.00*	*205,650.87*	*288,395.00*
Department Total: 5130 Payroll		**267,639.00**	**269,256.00**	**205,650.87**	**288,395.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 5140 Purchasing					
Fund 1110	***Salaries/Benefits***				
6402	Clerical	91,156.00	91,156.00	69,385.50	98,268.00
6453	Overtime	0.00	102.00	102.39	0.00
6454	Longevity	952.00	952.00	716.91	1,052.00
Total Salaries/Benefits		***92,108.00***	***92,210.00***	***70,204.80***	***99,320.00***
Fund 1110	***Contractual***				
7101	Advertising	1,500.00	1,500.00	750.00	1,000.00
7102	Postage	200.00	200.00	1,245.38	200.00
7107	Subscriptions	0.00	0.00	923.83	0.00
7108	Dues	420.00	420.00	50.00	420.00
7111	Printing - Off Campus	500.00	500.00	0.00	300.00
7113	Duplicating	300.00	300.00	0.00	300.00
7115	Prof Support Travel	0.00	532.00	532.25	0.00
7147	Maintenance Contract Ofc Machinery	0.00	0.00	85,589.47	0.00
7151	Office Supplies	720.00	720.00	60.00	700.00
7153	Computer Supplies	1,200.00	1,200.00	442.54	1,200.00
7185	Miscellaneous Expenses	750.00	750.00	0.00	750.00
Total Contractual		***5,590.00***	***6,122.00***	***89,593.47***	***4,870.00***
	Fund Total 1110	*97,698.00*	*98,332.00*	*159,798.27*	*104,190.00*
Department Total: 5140 Purchasing		**97,698.00**	**98,332.00**	**159,798.27**	**104,190.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 5150 Central Services					
Fund 1110	***Salaries/Benefits***				
6402	Clerical	173,266.00	173,266.00	116,074.83	164,241.00
6453	Overtime	2,000.00	2,000.00	712.10	2,000.00
6454	Longevity	3,971.00	3,971.00	3,012.05	4,375.00
Total Salaries/Benefits		***179,237.00***	***179,237.00***	***119,798.98***	***170,616.00***
Fund 1110	***Contractual***				
7102	Postage	110,000.00	110,000.00	76,292.43	110,000.00
7108	Dues	120.00	120.00	0.00	120.00
7111	Printing - Off Campus	3,000.00	3,000.00	500.00	2,000.00
7113	Duplicating	0.00	0.00	-11,144.37	0.00
7118	Mileage Reimbursement	400.00	400.00	0.00	400.00
7138	Contracted Services	0.00	13,000.00	14,331.00	0.00
7143	Machines Rental	0.00	0.00	47,376.08	48,552.00
7149	Services Contracts	13,000.00	0.00	0.00	0.00
7150	Maintenance Contract Other	116,216.00	116,216.00	135,978.74	120,941.00
7151	Office Supplies	900.00	900.00	10,691.87	900.00
7172	Equipment - Non Capital	0.00	2,348.00	2,348.05	0.00
Total Contractual		***243,636.00***	***245,984.00***	***276,373.80***	***282,913.00***
	Fund Total 1110	*422,873.00*	*425,221.00*	*396,172.78*	*453,529.00*
Department Total: 5150 Central Services		**422,873.00**	**425,221.00**	**396,172.78**	**453,529.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 5160 Commencement					
Fund 1110	***Contractual***				
7143	Machines Rental	22,000.00	22,000.00	23,885.00	22,000.00
7163	Building & Equipment Supplies	2,000.00	2,000.00	1,750.00	2,000.00
7176	Food Service	6,000.00	6,000.00	0.00	6,000.00
7185	Miscellaneous Expenses	10,000.00	10,000.00	1,365.00	10,000.00
Total Contractual		***40,000.00***	***40,000.00***	***27,000.00***	***40,000.00***
	Fund Total 1110	*40,000.00*	*40,000.00*	*27,000.00*	*40,000.00*
Department Total: 5160 Commencement		**40,000.00**	**40,000.00**	**27,000.00**	**40,000.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 5201 Physical Plant Administration					
Fund 1110	***Salaries/Benefits***				
6202	Managerial Confidential	133,631.00	133,631.00	101,630.30	139,394.00
6203	Specialists Sup Professional 12 mos	74,277.00	75,980.00	55,779.84	77,233.00
6301	Vacation Payments	0.00	1,988.00	1,988.34	0.00
6402	Clerical	82,753.00	82,753.00	60,673.24	85,889.00
6452	Service	21,842.00	21,842.00	17,263.50	22,695.00
6453	Overtime	500.00	500.00	0.00	500.00
6454	Longevity	2,769.00	2,769.00	2,657.08	4,031.00
6501	Student Aides Regular	8,985.00	8,985.00	7,079.00	8,985.00
Total Salaries/Benefits		***324,757.00***	***328,448.00***	***247,071.30***	***338,727.00***
Fund 1110	***Contractual***				
7106	Books & Periodicals	500.00	500.00	0.00	500.00
7108	Dues	240.00	240.00	115.00	240.00
7113	Duplicating	200.00	200.00	179.00	200.00
7115	Prof Support Travel	0.00	2,742.00	2,742.27	0.00
7118	Mileage Reimbursement	25.00	25.00	56.71	25.00
7138	Contracted Services	67,450.00	67,450.00	50,909.03	85,900.00
7139	Snow Removal	0.00	0.00	1,509.95	0.00
7143	Machines Rental	313,132.00	313,132.00	310,592.31	327,025.00
7147	Maintenance Contract Ofc Machinery	2,000.00	2,000.00	2,323.64	9,201.00
7149	Services Contracts	385,752.00	385,752.00	326,118.23	401,565.00
7151	Office Supplies	900.00	900.00	936.34	1,100.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7153	Computer Supplies	1,500.00	1,500.00	711.02	1,500.00
7163	Building & Equipment Supplies	0.00	0.00	59.96	0.00
7171	Uniform	7,500.00	7,500.00	6,386.18	7,500.00
7172	Equipment - Non Capital	0.00	16,760.00	16,760.43	0.00
7176	Food Service	500.00	500.00	767.62	500.00
7185	Miscellaneous Expenses	0.00	0.00	9.99	0.00
Total Contractual		***779,699.00***	***799,201.00***	***720,177.68***	***835,256.00***
	Fund Total 1110	*1,104,456.00*	*1,127,649.00*	*967,248.98*	*1,173,983.00*
Department Total: 5201 Physical Plant Administration		**1,104,456.00**	**1,127,649.00**	**967,248.98**	**1,173,983.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 5210 Building & Equipment Maintenance					
Fund 1110	***Salaries/Benefits***				
6451	Trades	393,339.00	393,339.00	293,703.63	414,783.00
6452	Service	54,381.00	54,381.00	41,527.71	56,441.00
6453	Overtime	0.00	9,503.00	9,502.82	0.00
6454	Longevity	22,412.00	22,412.00	16,598.45	25,882.00
6501	Student Aides Regular	8,987.00	8,987.00	9,670.76	8,987.00
6606	Health Insurance Buy Out	0.00	2,500.00	2,500.00	0.00
Total Salaries/Benefits		***479,119.00***	***491,122.00***	***373,503.37***	***506,093.00***
Fund 1110	***Contractual***				
7138	Contracted Services	15,000.00	15,000.00	11,394.48	15,000.00
7163	Building & Equipment Supplies	60,000.00	60,000.00	40,603.68	50,000.00
7179	Security - Locksmith	21,500.00	21,500.00	7,322.44	15,000.00
Total Contractual		***96,500.00***	***96,500.00***	***59,320.60***	***80,000.00***
	Fund Total 1110	*575,619.00*	*587,622.00*	*432,823.97*	*586,093.00*
Department Total: 5210 Building & Equipment Maintenance		**575,619.00**	**587,622.00**	**432,823.97**	**586,093.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department:	*5220 Motor Vehicle Maintenance*				
Fund 1110	***Contractual***				
7138	Contracted Services	15,000.00	15,000.00	7,215.99	15,000.00
7166	Motor Vehicles Supplies	25,000.00	25,000.00	24,267.10	25,000.00
7178	Gasoline	20,000.00	20,000.00	18,263.80	20,000.00
7185	Miscellaneous Expenses	0.00	0.00	3.00	0.00
Total Contractual		***60,000.00***	***60,000.00***	***49,749.89***	***60,000.00***
	Fund Total 1110	*60,000.00*	*60,000.00*	*49,749.89*	*60,000.00*
Department Total: 5220 Motor Vehicle Maintenance		**60,000.00**	**60,000.00**	**49,749.89**	**60,000.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 5230 Custodial Services					
Fund 1110	***Salaries/Benefits***				
6452	Service	1,233,763.00	1,233,763.00	916,367.10	1,307,808.00
6453	Overtime	2,500.00	11,003.00	11,002.73	2,500.00
6454	Longevity	37,615.00	37,615.00	28,260.06	44,014.00
Total Salaries/Benefits		***1,273,878.00***	***1,282,381.00***	***955,629.89***	***1,354,322.00***
Fund 1110	***Contractual***				
7138	Contracted Services	1,600.00	1,600.00	1,428.00	1,600.00
7163	Building & Equipment Supplies	135,000.00	135,000.00	89,388.88	125,000.00
Total Contractual		***136,600.00***	***136,600.00***	***90,816.88***	***126,600.00***
	Fund Total 1110	*1,410,478.00*	*1,418,981.00*	*1,046,446.77*	*1,480,922.00*
Department Total: 5230 Custodial Services		**1,410,478.00**	**1,418,981.00**	**1,046,446.77**	**1,480,922.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 5240 Utilities					
Fund 1110	***Salaries/Benefits***				
6451	Trades	420,238.00	420,238.00	320,136.43	439,787.00
6453	Overtime	4,500.00	5,812.00	5,811.61	4,500.00
6454	Longevity	20,227.00	20,227.00	16,425.81	23,593.00
Total Salaries/Benefits		***444,965.00***	***446,277.00***	***342,373.85***	***467,880.00***
Fund 1110	***Contractual***				
7131	Electric	550,000.00	550,000.00	487,696.56	552,269.00
7132	Gas	250,000.00	250,000.00	287,666.29	250,000.00
7134	Waste Disposal	40,000.00	40,000.00	35,000.00	40,000.00
7180	Waste Recycle	5,000.00	5,000.00	4,000.00	5,000.00
7184	Sewer & Water Tax	90,000.00	90,000.00	69,734.77	90,000.00
Total Contractual		***935,000.00***	***935,000.00***	***884,097.62***	***937,269.00***
	Fund Total 1110	*1,379,965.00*	*1,381,277.00*	*1,226,471.47*	*1,405,149.00*
Department Total: 5240 Utilities		**1,379,965.00**	**1,381,277.00**	**1,226,471.47**	**1,405,149.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 5241 HVAC					
Fund 1110	***Contractual***				
7138	Contracted Services	50,000.00	50,000.00	47,520.42	50,000.00
7163	Building & Equipment Supplies	90,000.00	90,000.00	73,676.58	90,000.00
Total Contractual		***140,000.00***	***140,000.00***	***121,197.00***	***140,000.00***
	Fund Total 1110	*140,000.00*	*140,000.00*	*121,197.00*	*140,000.00*
Department Total: 5241 HVAC		**140,000.00**	**140,000.00**	**121,197.00**	**140,000.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 5250 Grounds					
Fund 1110	***Salaries/Benefits***				
6451	Trades	391,329.00	391,329.00	295,842.50	412,693.00
6453	Overtime	5,000.00	8,006.00	8,006.47	5,000.00
6454	Longevity	13,492.00	13,492.00	10,835.86	15,745.00
6501	Student Aides Regular	8,987.00	8,987.00	6,805.08	8,987.00
Total Salaries/Benefits		***418,808.00***	***421,814.00***	***321,489.91***	***442,425.00***
Fund 1110	***Contractual***				
7107	Subscriptions	0.00	0.00	43.28	0.00
7115	Prof Support Travel	0.00	200.00	150.00	0.00
7138	Contracted Services	35,000.00	35,000.00	24,594.05	35,000.00
7139	Snow Removal	35,000.00	35,000.00	20,570.00	35,000.00
7164	Roads & Parking Lots Supplies	17,000.00	17,000.00	20,893.98	21,000.00
7165	Grounds Supplies	23,500.00	23,500.00	16,696.99	18,000.00
Total Contractual		***110,500.00***	***110,700.00***	***82,948.30***	***109,000.00***
	Fund Total 1110	*529,308.00*	*532,514.00*	*404,438.21*	*551,425.00*
Department Total: 5250 Grounds		**529,308.00**	**532,514.00**	**404,438.21**	**551,425.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 5260 Inventory					
Fund 1110	***Salaries/Benefits***				
6451	Trades	134,648.00	134,648.00	102,938.27	142,348.00
6453	Overtime	250.00	3,561.00	3,560.53	250.00
6454	Longevity	2,000.00	2,000.00	1,504.29	2,200.00
6501	Student Aides Regular	8,987.00	8,987.00	0.00	8,987.00
Total Salaries/Benefits		***145,885.00***	***149,196.00***	***108,003.09***	***153,785.00***
Fund 1110	***Contractual***				
7163	Building & Equipment Supplies	2,500.00	2,500.00	82.20	1,500.00
Total Contractual		***2,500.00***	***2,500.00***	***82.20***	***1,500.00***
	Fund Total 1110	*148,385.00*	*151,696.00*	*108,085.29*	*155,285.00*
Department Total: 5260 Inventory		**148,385.00**	**151,696.00**	**108,085.29**	**155,285.00**

	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 5270 Rental Facilities				
Fund 1110 *Contractual*				
7140 Building/Land Rental	537,837.00	537,837.00	534,698.54	538,744.00
Total Contractual	***537,837.00***	***537,837.00***	***534,698.54***	***538,744.00***
Fund Total 1110	*537,837.00*	*537,837.00*	*534,698.54*	*538,744.00*
Department Total: 5270 Rental Facilities	**537,837.00**	**537,837.00**	**534,698.54**	**538,744.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 5275 Risk Management					
Fund 1110	***Salaries/Benefits***				
6404	CSEA FT Technical	67,452.00	67,452.00	51,061.33	71,756.00
6453	Overtime	0.00	0.00	-126.98	0.00
6454	Longevity	1,571.00	1,571.00	1,170.65	1,671.00
6501	Student Aides Regular	8,987.00	8,987.00	0.00	8,987.00
Total Salaries/Benefits		***78,010.00***	***78,010.00***	***52,105.00***	***82,414.00***
Fund 1110	***Contractual***				
7134	Waste Disposal	0.00	0.00	3,408.19	0.00
7138	Contracted Services	5,000.00	5,000.00	3,915.00	5,000.00
7163	Building & Equipment Supplies	6,000.00	6,000.00	1,282.45	6,000.00
Total Contractual		***11,000.00***	***11,000.00***	***8,605.64***	***11,000.00***
	Fund Total 1110	*89,010.00*	*89,010.00*	*60,710.64*	*93,414.00*
Department Total: 5275 Risk Management		**89,010.00**	**89,010.00**	**60,710.64**	**93,414.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department:	*5277 Summer Projects*				
Fund 1110	***Contractual***				
7138	Contracted Services	0.00	0.00	37,327.73	0.00
7163	Building & Equipment Supplies	20,000.00	20,000.00	37,270.73	20,000.00
7172	Equipment - Non Capital	0.00	38,897.00	38,897.06	0.00
7179	Security - Locksmith	0.00	0.00	406.00	0.00
Total Contractual		***20,000.00***	***58,897.00***	***113,901.52***	***20,000.00***
	Fund Total 1110	*20,000.00*	*58,897.00*	*113,901.52*	*20,000.00*
Department Total: 5277 Summer Projects		**20,000.00**	**58,897.00**	**113,901.52**	**20,000.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 5280 Safety & Security					
Fund 1110	***Salaries/Benefits***				
6203	Specialists Sup Professional 12 mos	176,144.00	176,144.00	132,278.44	183,113.00
6402	Clerical	79,294.00	19,676.00	16,967.15	21,049.00
6404	CSEA FT Technical	0.00	118,017.00	89,566.39	125,676.00
6452	Service	190,909.00	132,510.00	102,098.95	137,516.00
6453	Overtime	7,500.00	7,500.00	3,269.17	7,500.00
6454	Longevity	2,831.00	2,831.00	2,793.91	4,146.00
6501	Student Aides Regular	21,086.00	21,086.00	13,062.06	21,086.00
6606	Health Insurance Buy Out	0.00	6,000.00	4,523.28	0.00
Total Salaries/Benefits		***477,764.00***	***483,764.00***	***364,559.35***	***500,086.00***
Fund 1110	***Contractual***				
7106	Books & Periodicals	0.00	0.00	0.00	150.00
7107	Subscriptions	100.00	100.00	152.65	100.00
7108	Dues	10,300.00	10,300.00	4,175.00	10,300.00
7111	Printing - Off Campus	2,000.00	2,000.00	1,932.44	2,000.00
7113	Duplicating	1,000.00	1,000.00	100.00	1,000.00
7115	Prof Support Travel	0.00	2,581.00	2,581.36	0.00
7118	Mileage Reimbursement	250.00	250.00	151.20	250.00
7125	Other Professional	18,000.00	18,000.00	12,735.00	16,000.00
7126	Security	937,524.00	937,524.00	935,814.52	974,995.00
7138	Contracted Services	29,844.00	29,844.00	34,941.40	38,352.00
7143	Machines Rental	18,000.00	18,000.00	17,154.00	18,000.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7147	Maintenance Contract Ofc Machinery	1,806.00	1,806.00	877.71	1,820.00
7151	Office Supplies	10,800.00	10,800.00	9,967.39	12,000.00
7171	Uniform	2,000.00	2,000.00	1,241.00	2,000.00
7172	Equipment - Non Capital	0.00	1,252.00	1,251.83	0.00
7174	Computer Software	0.00	0.00	3,200.00	0.00
7176	Food Service	500.00	500.00	479.20	500.00
7178	Gasoline	0.00	0.00	750.00	0.00
7210	Training - On Campus	0.00	0.00	2,300.00	2,150.00
Total Contractual		***1,032,124.00***	***1,035,957.00***	***1,029,804.70***	***1,079,617.00***
	Fund Total 1110	*1,509,888.00*	*1,519,721.00*	*1,394,364.05*	*1,579,703.00*
Department Total: 5280 Safety & Security		**1,509,888.00**	**1,519,721.00**	**1,394,364.05**	**1,579,703.00**

			2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department:	*5310*	*Computer Center*				
Fund	**1110**	***Salaries/Benefits***				
	6202	Managerial Confidential	371,000.00	371,000.00	277,402.70	380,480.00
	6203	Specialists Sup Professional 12 mos	116,446.00	114,845.00	89,003.60	118,484.00
	6205	Part Time Technical	55,233.00	55,233.00	42,955.26	54,487.00
	6301	Vacation Payments	0.00	4,340.00	4,339.68	0.00
	6402	Clerical	52,401.00	52,401.00	39,439.12	55,757.00
	6404	CSEA FT Technical	710,500.00	710,500.00	554,665.55	742,643.00
	6453	Overtime	0.00	2,665.00	2,664.92	0.00
	6454	Longevity	49,560.00	49,560.00	39,346.41	55,831.00
	Total Salaries/Benefits		***1,355,140.00***	***1,360,544.00***	***1,049,817.24***	***1,407,682.00***
Fund	**1110**	***Contractual***				
	7102	Postage	0.00	0.00	143.61	0.00
	7106	Books & Periodicals	250.00	250.00	0.00	250.00
	7108	Dues	5,775.00	5,775.00	5,120.00	5,775.00
	7113	Duplicating	0.00	0.00	3.00	0.00
	7115	Prof Support Travel	0.00	1,674.00	1,673.91	0.00
	7118	Mileage Reimbursement	500.00	500.00	0.00	500.00
	7120	Computer Services	452,424.00	452,424.00	389,029.34	539,367.00
	7125	Other Professional	0.00	0.00	200,163.69	2,300.00
	7138	Contracted Services	25,446.00	25,446.00	25,185.26	27,866.00
	7144	Computer Hardware & Software Rental	13,800.00	13,800.00	13,176.00	13,800.00
	7146	Internet Expenses	120,922.00	120,922.00	99,708.94	111,064.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7147	Maintenance Contract Ofc Machinery	3,846.00	3,846.00	1,099.88	4,369.00
7148	Maint Contracts Hardware & Software	828,119.00	828,119.00	669,574.46	843,393.00
7151	Office Supplies	900.00	900.00	142.46	1,000.00
7153	Computer Supplies	1,500.00	1,500.00	869.22	1,500.00
7173	Computer Equip - Non Capital	0.00	29,268.00	29,267.99	0.00
7174	Computer Software	30,000.00	30,000.00	81,232.81	0.00
7176	Food Service	150.00	150.00	124.00	150.00
7185	Miscellaneous Expenses	0.00	0.00	3.53	0.00
7194	Banner Consultant Travel	0.00	0.00	5,623.00	0.00
7210	Training - On Campus	4,093.00	4,093.00	7,877.87	7,306.00
Total Contractual		***1,487,725.00***	***1,518,667.00***	***1,530,018.97***	***1,558,640.00***
	Fund Total 1110	*2,842,865.00*	*2,879,211.00*	*2,579,836.21*	*2,966,322.00*
Department Total: 5310 Computer Center		**2,842,865.00**	**2,879,211.00**	**2,579,836.21**	**2,966,322.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 5320 Instructional Media					
Fund 1110	***Salaries/Benefits***				
6402	Clerical	56,965.00	56,965.00	43,717.91	60,944.00
6404	CSEA FT Technical	317,329.00	275,005.00	225,049.52	277,759.00
6453	Overtime	6,000.00	18,390.00	18,389.63	6,000.00
6454	Longevity	13,200.00	8,191.00	7,797.90	8,520.00
6501	Student Aides Regular	108,062.00	108,062.00	66,866.55	108,062.00
Total Salaries/Benefits		***501,556.00***	***466,613.00***	***361,821.51***	***461,285.00***
Fund 1110	***Contractual***				
7102	Postage	150.00	150.00	103.99	150.00
7103	Telephone	72,305.00	72,305.00	69,319.52	76,401.00
7109	License Agreements	4,739.00	4,739.00	4,297.67	4,454.00
7113	Duplicating	100.00	100.00	0.00	100.00
7115	Prof Support Travel	0.00	0.00	285.00	0.00
7118	Mileage Reimbursement	250.00	250.00	0.00	250.00
7125	Other Professional	30,000.00	30,000.00	25,133.40	30,000.00
7136	Repairs - Other Educational	3,000.00	3,000.00	26.99	3,000.00
7138	Contracted Services	31,140.00	31,140.00	28,179.24	32,550.00
7147	Maintenance Contract Ofc Machinery	0.00	0.00	38.05	0.00
7151	Office Supplies	1,800.00	1,800.00	1,219.05	2,000.00
7153	Computer Supplies	5,500.00	5,500.00	1,596.71	5,500.00
7156	Audio Visual & TV Supplies	6,500.00	6,500.00	2,626.29	6,500.00
7172	Equipment - Non Capital	0.00	11,476.00	11,475.80	0.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7173	Computer Equip - Non Capital	0.00	526.00	526.23	0.00
7174	Computer Software	0.00	0.00	710.41	0.00
7181	Other Supplies	55,000.00	55,000.00	56,311.87	55,000.00
Total Contractual		***210,484.00***	***222,486.00***	***201,850.22***	***215,905.00***
	Fund Total 1110	*712,040.00*	*689,099.00*	*563,671.73*	*677,190.00*
Department Total: 5320 Instructional Media		**712,040.00**	**689,099.00**	**563,671.73**	**677,190.00**

Department: 5510 Human Resource Office

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Fund 1110	***Salaries/Benefits***				
6202	Managerial Confidential	258,122.00	258,122.00	194,210.08	266,374.00
6203	Specialists Sup Professional 12 mos	0.00	494.00	0.00	0.00
6205	Part Time Technical	0.00	0.00	300.00	0.00
6301	Vacation Payments	0.00	2,275.00	2,275.48	0.00
6402	Clerical	103,262.00	144,666.00	110,477.08	148,350.00
6403	Special Projects	278,308.00	185,798.00	0.00	0.00
6453	Overtime	0.00	1,696.00	1,695.72	0.00
6602	Medicare	0.00	0.00	34.29	0.00
6606	Health Insurance Buy Out	0.00	3,000.00	2,261.64	0.00
Total Salaries/Benefits		***639,692.00***	***596,051.00***	***311,254.29***	***414,724.00***
Fund 1110	***Contractual***				
7101	Advertising	24,000.00	24,000.00	45,930.00	32,000.00
7102	Postage	200.00	200.00	27.45	200.00
7107	Subscriptions	0.00	0.00	103.87	0.00
7113	Duplicating	2,000.00	2,000.00	210.00	2,000.00
7115	Prof Support Travel	0.00	582.00	581.63	0.00
7118	Mileage Reimbursement	200.00	200.00	0.00	200.00
7123	Honoraria	0.00	0.00	1,392.49	0.00
7125	Other Professional	23,000.00	23,000.00	27,128.65	27,000.00
7137	Repairs - Other	300.00	300.00	0.00	300.00
7138	Contracted Services	0.00	0.00	8,492.29	0.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7147	Maintenance Contract Ofc Machinery	1,210.00	1,210.00	774.03	4,072.00
7151	Office Supplies	2,070.00	2,070.00	1,095.12	2,300.00
7176	Food Service	9,900.00	9,900.00	9,183.18	9,900.00
7185	Miscellaneous Expenses	13,000.00	13,000.00	18,840.07	13,000.00
7210	Training - On Campus	21,000.00	21,000.00	12,970.48	19,000.00
Total Contractual		***96,880.00***	***97,462.00***	***126,729.26***	***109,972.00***
	Fund Total 1110	*736,572.00*	*693,513.00*	*437,983.55*	*524,696.00*
Department Total: 5510 Human Resource Office		**736,572.00**	**693,513.00**	**437,983.55**	**524,696.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 5515 Benefits					
Fund 1110	***Salaries/Benefits***				
6601	Social Security	2,205,650.00	2,205,650.00	1,697,011.21	2,415,735.00
6602	Medicare	520,611.00	520,611.00	402,715.08	564,971.00
6603	Unemployment Insurance	80,000.00	80,000.00	33,873.54	80,000.00
6604	Workmens Compensation	459,131.00	459,131.00	277,291.29	480,835.00
6605	Health Insurance	7,474,980.00	7,450,659.00	6,906,134.39	8,246,484.00
6606	Health Insurance Buy Out	102,000.00	0.00	0.00	126,000.00
6607	CSEA Dental and Vision Insurance	220,000.00	220,000.00	229,798.75	235,000.00
6608	Dental Insurance Prof Staff	102,000.00	102,000.00	72,482.91	100,000.00
6609	Disability Insurance - Employer	65,000.00	65,000.00	54,154.18	70,000.00
6610	Life Insurance	38,000.00	38,000.00	33,527.37	45,000.00
6611	NYS Teachers Retirement	527,489.00	527,489.00	498,622.95	550,845.00
6612	NYS Employees Retirement	1,518,798.00	1,518,798.00	1,276,339.90	1,597,831.00
6613	TIAA-CREF	1,389,076.00	1,389,076.00	1,110,147.37	1,354,088.00
6616	Disability Insurance - Employer	5,000.00	5,000.00	1,184.23	5,000.00
6617	Flexible Premium	5,000.00	5,000.00	4,868.00	5,000.00
6618	Grants Funded - Fringe	0.00	0.00	-6,028.65	0.00
6620	MTA Tax	124,223.00	124,223.00	96,983.28	133,398.00
6622	Dorm Funded Fringe	0.00	0.00	-2,269.96	0.00
Total Salaries/Benefits		***14,836,958.00***	***14,710,637.00***	***12,686,835.84***	***16,010,187.00***
Fund 1110	***Contractual***				
7402	Interest Expense	0.00	0.00	921.11	0.00

	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Total Contractual	*0.00*	*0.00*	*921.11*	*0.00*
Fund Total 1110	*14,836,958.00*	*14,710,637.00*	*12,687,756.95*	*16,010,187.00*
Department Total: 5515 Benefits	**14,836,958.00**	**14,710,637.00**	**12,687,756.95**	**16,010,187.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 5520 Switchboard					
Fund 1110	***Salaries/Benefits***				
6402	Clerical	61,433.00	20,029.00	16,534.20	20,559.00
6453	Overtime	0.00	55.00	55.48	0.00
6454	Longevity	886.00	886.00	725.45	976.00
Total Salaries/Benefits		***62,319.00***	***20,970.00***	***17,315.13***	***21,535.00***
	Fund Total 1110	*62,319.00*	*20,970.00*	*17,315.13*	*21,535.00*
Department Total: 5520 Switchboard		**62,319.00**	**20,970.00**	**17,315.13**	**21,535.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 6001 Dean of Student Services- Office					
Fund 1110	***Salaries/Benefits***				
6201	Managers/NTE	191,911.00	191,911.00	74,205.99	100,544.00
6202	Managerial Confidential	27,929.00	27,929.00	0.00	121,025.00
6203	Specialists Sup Professional 12 mos	64,287.00	64,287.00	0.00	67,260.00
6205	Part Time Technical	42,465.00	42,465.00	29,896.75	43,206.00
6301	Vacation Payments	0.00	1,856.00	1,855.90	0.00
6402	Clerical	45,139.00	45,139.00	35,187.53	48,988.00
6453	Overtime	4,000.00	4,000.00	105.78	4,000.00
6501	Student Aides Regular	10,573.00	10,573.00	0.00	10,573.00
Total Salaries/Benefits		***386,304.00***	***388,160.00***	***141,251.95***	***395,596.00***
Fund 1110	***Contractual***				
7102	Postage	400.00	400.00	264.96	400.00
7107	Subscriptions	700.00	700.00	321.39	700.00
7108	Dues	2,369.00	2,369.00	1,495.00	2,573.00
7111	Printing - Off Campus	100.00	100.00	0.00	100.00
7113	Duplicating	1,100.00	1,100.00	20.00	1,100.00
7115	Prof Support Travel	30,710.00	22,048.00	1,110.75	34,952.00
7118	Mileage Reimbursement	250.00	250.00	0.00	250.00
7119	Orientation Expense	27,211.00	27,211.00	824.99	27,211.00
7123	Honoraria	800.00	800.00	0.00	800.00
7125	Other Professional	1,000.00	1,000.00	0.00	1,000.00
7145	Car Rental	600.00	600.00	0.00	600.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7147	Maintenance Contract Ofc Machinery	600.00	600.00	265.70	882.00
7151	Office Supplies	1,800.00	1,800.00	695.38	2,000.00
7176	Food Service	500.00	500.00	0.00	500.00
7185	Miscellaneous Expenses	800.00	800.00	0.00	800.00
Total Contractual		***68,940.00***	***60,278.00***	***4,998.17***	***73,868.00***
	Fund Total 1110	*455,244.00*	*448,438.00*	*146,250.12*	*469,464.00*
Department Total: 6001 Dean of Student Services- Office		**455,244.00**	**448,438.00**	**146,250.12**	**469,464.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 6010 Admissions					
Fund 1110	***Salaries/Benefits***				
6201	Managers/NTE	109,336.00	109,336.00	82,106.75	111,250.00
6203	Specialists Sup Professional 12 mos	190,289.00	190,289.00	149,992.25	208,521.00
6402	Clerical	211,839.00	211,839.00	153,315.13	223,042.00
6453	Overtime	0.00	845.00	844.63	0.00
6454	Longevity	5,635.00	5,635.00	4,962.26	7,287.00
6501	Student Aides Regular	9,760.00	9,760.00	15,728.03	9,760.00
6606	Health Insurance Buy Out	0.00	6,000.00	4,523.28	0.00
Total Salaries/Benefits		***526,859.00***	***533,704.00***	***411,472.33***	***559,860.00***
Fund 1110	***Contractual***				
7107	Subscriptions	6,075.00	6,075.00	0.00	0.00
7108	Dues	275.00	275.00	325.00	350.00
7111	Printing - Off Campus	11,775.00	11,775.00	9,852.68	14,000.00
7113	Duplicating	20,000.00	20,000.00	16,471.20	20,000.00
7115	Prof Support Travel	0.00	493.00	492.95	0.00
7118	Mileage Reimbursement	3,325.00	3,325.00	1,123.97	3,000.00
7125	Other Professional	1,900.00	1,900.00	1,948.65	1,900.00
7144	Computer Hardware & Software Rental	1,900.00	1,900.00	1,980.00	1,900.00
7145	Car Rental	0.00	0.00	130.90	400.00
7147	Maintenance Contract Ofc Machinery	3,450.00	3,450.00	1,957.42	3,607.00
7148	Maint Contracts Hardware & Software	0.00	0.00	4,950.00	0.00
7151	Office Supplies	4,275.00	4,275.00	1,737.84	4,275.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7174	Computer Software	15,281.00	15,281.00	0.00	0.00
7176	Food Service	14,000.00	14,000.00	10,824.73	13,000.00
7185	Miscellaneous Expenses	0.00	0.00	2,460.00	2,000.00
Total Contractual		***82,256.00***	***82,749.00***	***54,255.34***	***64,432.00***
	Fund Total 1110	*609,115.00*	*616,453.00*	*465,727.67*	*624,292.00*
Department Total: 6010 Admissions		**609,115.00**	**616,453.00**	**465,727.67**	**624,292.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 6020 Financial Aid					
Fund 1110	***Salaries/Benefits***				
6202	Managerial Confidential	0.00	117,748.00	70,967.53	123,085.00
6203	Specialists Sup Professional 12 mos	418,641.00	334,561.00	255,434.68	331,603.00
6301	Vacation Payments	0.00	1,094.00	1,094.34	0.00
6402	Clerical	213,202.00	213,202.00	161,639.30	219,745.00
6453	Overtime	6,000.00	6,000.00	5,396.61	6,000.00
6454	Longevity	5,063.00	5,063.00	4,521.71	6,615.00
6501	Student Aides Regular	9,760.00	9,760.00	13,980.96	9,760.00
Total Salaries/Benefits		***652,666.00***	***687,428.00***	***513,035.13***	***696,808.00***
Fund 1110	***Contractual***				
7102	Postage	0.00	0.00	1,367.00	0.00
7108	Dues	2,000.00	2,000.00	0.00	1,800.00
7113	Duplicating	5,000.00	5,000.00	1,097.50	5,000.00
7115	Prof Support Travel	0.00	2,690.00	2,690.16	0.00
7118	Mileage Reimbursement	615.00	615.00	211.33	615.00
7125	Other Professional	53,428.00	53,428.00	57,611.50	53,428.00
7138	Contracted Services	11,960.00	11,960.00	18,936.65	11,960.00
7147	Maintenance Contract Ofc Machinery	1,140.00	1,140.00	763.02	1,719.00
7151	Office Supplies	2,052.00	2,052.00	1,872.20	2,200.00
Total Contractual		***76,195.00***	***78,885.00***	***84,549.36***	***76,722.00***
	Fund Total 1110	*728,861.00*	*766,313.00*	*597,584.49*	*773,530.00*

	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department Total: 6020 Financial Aid	**728,861.00**	**766,313.00**	**597,584.49**	**773,530.00**

Department: 6030 Registrar

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Fund 1110	***Salaries/Benefits***				
6203	Specialists Sup Professional 12 mos	264,278.00	264,278.00	183,249.00	272,597.00
6301	Vacation Payments	0.00	1,822.00	1,821.77	0.00
6402	Clerical	305,989.00	305,989.00	253,472.91	319,109.00
6453	Overtime	3,000.00	3,000.00	2,111.45	3,000.00
6454	Longevity	8,462.00	8,462.00	7,656.56	11,567.00
6501	Student Aides Regular	7,320.00	7,320.00	4,527.05	7,320.00
Total Salaries/Benefits		***589,049.00***	***590,871.00***	***452,838.74***	***613,593.00***
Fund 1110	***Contractual***				
7102	Postage	200.00	200.00	0.00	200.00
7105	Display Advertising	500.00	500.00	328.00	500.00
7108	Dues	1,653.00	1,653.00	100.00	1,800.00
7111	Printing - Off Campus	200.00	200.00	15.00	50.00
7113	Duplicating	11,000.00	11,000.00	943.00	7,000.00
7115	Prof Support Travel	0.00	8,256.00	8,255.98	0.00
7118	Mileage Reimbursement	500.00	500.00	0.00	500.00
7125	Other Professional	0.00	8,000.00	19,448.00	0.00
7144	Computer Hardware & Software Rental	9,119.00	9,119.00	6,448.00	9,248.00
7145	Car Rental	0.00	0.00	186.07	0.00
7147	Maintenance Contract Ofc Machinery	2,400.00	2,400.00	937.51	1,842.00
7148	Maint Contracts Hardware & Software	0.00	0.00	5,533.36	0.00
7151	Office Supplies	8,681.00	8,681.00	1,546.18	5,000.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7152	Educational Supplies	0.00	0.00	171.63	0.00
Total Contractual		***34,253.00***	***50,509.00***	***43,912.73***	***26,140.00***
	Fund Total 1110	*623,302.00*	*641,380.00*	*496,751.47*	*639,733.00*
Department Total: 6030 Registrar		**623,302.00**	**641,380.00**	**496,751.47**	**639,733.00**

			2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department:	*6040*	*Student Activities*				
Fund	**1110**	***Salaries/Benefits***				
6201		Managers/NTE	80,643.00	80,643.00	60,559.69	83,902.00
6203		Specialists Sup Professional 12 mos	59,359.00	59,359.00	58,223.37	80,544.00
6301		Vacation Payments	0.00	1,426.00	1,425.61	0.00
6402		Clerical	47,683.00	47,683.00	36,418.07	49,494.00
6453		Overtime	0.00	355.00	355.12	0.00
6454		Longevity	2,928.00	2,928.00	2,345.82	4,381.00
6501		Student Aides Regular	6,100.00	6,100.00	4,835.45	6,100.00
6606		Health Insurance Buy Out	0.00	3,000.00	2,261.64	0.00
Total Salaries/Benefits			***196,713.00***	***201,494.00***	***166,424.77***	***224,421.00***
Fund	**1110**	***Contractual***				
7111		Printing - Off Campus	0.00	0.00	23.00	0.00
7113		Duplicating	2,000.00	2,000.00	258.75	2,000.00
7138		Contracted Services	32,500.00	32,500.00	37,500.00	33,000.00
7147		Maintenance Contract Ofc Machinery	1,934.00	1,934.00	194.47	2,127.00
7151		Office Supplies	1,620.00	1,620.00	419.36	1,800.00
7153		Computer Supplies	2,000.00	2,000.00	0.00	2,000.00
7173		Computer Equip - Non Capital	0.00	992.00	992.40	0.00
Total Contractual			***40,054.00***	***41,046.00***	***39,387.98***	***40,927.00***
		Fund Total 1110	*236,767.00*	*242,540.00*	*205,812.75*	*265,348.00*
Department Total: 6040 Student Activities			**236,767.00**	**242,540.00**	**205,812.75**	**265,348.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 6050 Health Office					
Fund 1110	***Salaries/Benefits***				
6402	Clerical	106,326.00	106,326.00	63,786.45	81,312.00
6404	CSEA FT Technical	71,151.00	71,151.00	53,988.34	73,859.00
6453	Overtime	0.00	1,689.00	1,688.55	0.00
6454	Longevity	8,730.00	8,730.00	6,497.43	9,330.00
6501	Student Aides Regular	1,627.00	1,627.00	0.00	1,627.00
Total Salaries/Benefits		***187,834.00***	***189,523.00***	***125,960.77***	***166,128.00***
Fund 1110	***Contractual***				
7106	Books & Periodicals	0.00	0.00	0.00	250.00
7107	Subscriptions	150.00	150.00	153.20	300.00
7108	Dues	375.00	375.00	375.00	0.00
7111	Printing - Off Campus	100.00	100.00	0.00	0.00
7113	Duplicating	750.00	750.00	532.08	500.00
7118	Mileage Reimbursement	50.00	50.00	0.00	0.00
7125	Other Professional	34,000.00	34,000.00	32,500.00	34,000.00
7134	Waste Disposal	6,000.00	6,000.00	6,580.00	6,000.00
7147	Maintenance Contract Ofc Machinery	445.00	445.00	563.75	1,574.00
7151	Office Supplies	900.00	900.00	348.31	900.00
7159	Medical Supplies	7,000.00	7,000.00	4,936.13	7,000.00
7171	Uniform	400.00	400.00	146.89	400.00
Total Contractual		***50,170.00***	***50,170.00***	***46,135.36***	***50,924.00***

	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Fund Total 1110	*238,004.00*	*239,693.00*	*172,096.13*	*217,052.00*
Department Total: 6050 Health Office	**238,004.00**	**239,693.00**	**172,096.13**	**217,052.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 6110 Counseling					
Fund 1110	***Salaries/Benefits***				
6203	Specialists Sup Professional 12 mos	232,726.00	232,726.00	174,768.49	240,110.00
6205	Part Time Technical	176,522.00	176,522.00	83,824.29	137,012.00
6402	Clerical	39,602.00	39,602.00	30,099.35	41,109.00
6454	Longevity	2,625.00	2,625.00	2,018.96	3,900.00
6501	Student Aides Regular	13,217.00	13,217.00	6,135.65	13,217.00
6606	Health Insurance Buy Out	0.00	4,962.00	3,530.93	0.00
Total Salaries/Benefits		***464,692.00***	***469,654.00***	***300,377.67***	***435,348.00***
Fund 1110	***Contractual***				
7105	Display Advertising	0.00	0.00	1,023.18	0.00
7106	Books & Periodicals	800.00	800.00	558.00	800.00
7107	Subscriptions	300.00	300.00	0.00	300.00
7108	Dues	750.00	750.00	0.00	750.00
7111	Printing - Off Campus	500.00	500.00	16.00	500.00
7112	Copying	0.00	0.00	0.00	200.00
7113	Duplicating	7,000.00	7,000.00	1,218.95	7,000.00
7115	Prof Support Travel	0.00	270.00	764.82	0.00
7118	Mileage Reimbursement	300.00	300.00	282.04	400.00
7123	Honoraria	1,500.00	1,500.00	2,600.00	2,600.00
7125	Other Professional	16,600.00	16,600.00	11,717.50	18,500.00
7126	Security	0.00	0.00	122.90	0.00
7144	Computer Hardware & Software Rental	1,300.00	1,300.00	0.00	7,300.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7147	Maintenance Contract Ofc Machinery	660.00	660.00	566.50	1,558.00
7151	Office Supplies	1,800.00	1,800.00	474.81	2,000.00
7152	Educational Supplies	3,150.00	3,150.00	2,509.60	3,500.00
7176	Food Service	7,000.00	7,000.00	4,487.79	7,000.00
7185	Miscellaneous Expenses	0.00	0.00	600.00	0.00
7210	Training - On Campus	0.00	0.00	99.00	0.00
Total Contractual		***41,660.00***	***41,930.00***	***27,041.09***	***52,408.00***
	Fund Total 1110	*506,352.00*	*511,584.00*	*327,418.76*	*487,756.00*
Department Total: 6110 Counseling		**506,352.00**	**511,584.00**	**327,418.76**	**487,756.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 6115 Career Services					
Fund 1110	***Salaries/Benefits***				
6203	Specialists Sup Professional 12 mos	71,022.00	71,022.00	53,335.32	73,921.00
6205	Part Time Technical	38,724.00	38,724.00	44,206.16	35,530.00
6301	Vacation Payments	0.00	1,303.00	1,303.38	0.00
6501	Student Aides Regular	0.00	0.00	788.52	0.00
Total Salaries/Benefits		***109,746.00***	***111,049.00***	***99,633.38***	***109,451.00***
Fund 1110	***Contractual***				
7106	Books & Periodicals	300.00	300.00	34.38	300.00
7107	Subscriptions	495.00	495.00	25.00	520.00
7108	Dues	935.00	935.00	260.00	1,030.00
7111	Printing - Off Campus	50.00	50.00	272.00	150.00
7113	Duplicating	1,000.00	1,000.00	0.00	1,500.00
7115	Prof Support Travel	0.00	582.00	581.60	0.00
7118	Mileage Reimbursement	250.00	250.00	0.00	250.00
7125	Other Professional	0.00	0.00	0.00	500.00
7147	Maintenance Contract Ofc Machinery	0.00	0.00	596.83	1,865.00
7151	Office Supplies	675.00	675.00	498.94	1,000.00
7152	Educational Supplies	2,250.00	2,250.00	0.00	2,760.00
7176	Food Service	1,000.00	1,000.00	2,985.91	3,000.00
Total Contractual		***6,955.00***	***7,537.00***	***5,254.66***	***12,875.00***
	Fund Total 1110	*116,701.00*	*118,586.00*	*104,888.04*	*122,326.00*

	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department Total: 6115 Career Services	**116,701.00**	**118,586.00**	**104,888.04**	**122,326.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 6120 Accommodative Services					
Fund 1110	***Salaries/Benefits***				
6203	Specialists Sup Professional 12 mos	69,395.00	69,395.00	52,113.66	72,266.00
6205	Part Time Technical	103,735.00	103,735.00	66,504.55	108,506.00
6301	Vacation Payments	0.00	509.00	509.12	0.00
6402	Clerical	39,602.00	39,602.00	30,433.98	41,109.00
6453	Overtime	0.00	25.00	24.83	0.00
6454	Longevity	3,500.00	3,500.00	2,873.22	4,875.00
6501	Student Aides Regular	21,147.00	21,147.00	18,271.28	21,147.00
6606	Health Insurance Buy Out	0.00	3,000.00	2,261.64	0.00
Total Salaries/Benefits		***237,379.00***	***240,913.00***	***172,992.28***	***247,903.00***
Fund 1110	***Contractual***				
7107	Subscriptions	250.00	250.00	0.00	0.00
7108	Dues	450.00	450.00	463.00	463.00
7111	Printing - Off Campus	740.00	740.00	0.00	1,472.00
7113	Duplicating	670.00	670.00	174.00	868.00
7115	Prof Support Travel	0.00	173.00	173.30	0.00
7118	Mileage Reimbursement	389.00	389.00	0.00	389.00
7123	Honoraria	500.00	500.00	0.00	500.00
7125	Other Professional	86,950.00	86,950.00	106,808.49	125,000.00
7147	Maintenance Contract Ofc Machinery	600.00	600.00	271.62	693.00
7151	Office Supplies	2,692.00	2,692.00	2,258.45	2,692.00
7152	Educational Supplies	1,710.00	1,710.00	713.04	1,710.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7176	Food Service	900.00	900.00	894.50	900.00
7181	Other Supplies	0.00	0.00	34.64	0.00
Total Contractual		***95,851.00***	***96,024.00***	***111,791.04***	***134,687.00***
	Fund Total 1110	*333,230.00*	*336,937.00*	*284,783.32*	*382,590.00*
Department Total: 6120 Accommodative Services		**333,230.00**	**336,937.00**	**284,783.32**	**382,590.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 6125 TRIO					
Fund 1110	***Salaries/Benefits***				
6115	Professional Tutor	13,500.00	13,500.00	12,007.43	13,500.00
6402	Clerical	39,227.00	39,227.00	13,651.51	19,535.00
6453	Overtime	0.00	0.00	-10.47	0.00
6501	Student Aides Regular	11,183.00	11,183.00	12,187.70	11,183.00
Total Salaries/Benefits		***63,910.00***	***63,910.00***	***37,836.17***	***44,218.00***
Fund 1110	***Contractual***				
7111	Printing - Off Campus	1,500.00	1,500.00	237.50	1,000.00
7113	Duplicating	500.00	500.00	1.50	500.00
7115	Prof Support Travel	0.00	412.00	412.36	0.00
7117	Field Trips	3,000.00	3,000.00	3,126.97	3,000.00
7118	Mileage Reimbursement	1,500.00	1,500.00	-75.37	400.00
7151	Office Supplies	1,125.00	1,125.00	424.33	800.00
7152	Educational Supplies	450.00	450.00	414.24	450.00
7174	Computer Software	1,595.00	1,595.00	1,590.00	1,595.00
7176	Food Service	1,250.00	1,250.00	1,570.57	1,250.00
7185	Miscellaneous Expenses	0.00	0.00	33.28	0.00
Total Contractual		***10,920.00***	***11,332.00***	***7,735.38***	***8,995.00***
	Fund Total 1110	*74,830.00*	*75,242.00*	*45,571.55*	*53,213.00*
Department Total: 6125 TRIO		**74,830.00**	**75,242.00**	**45,571.55**	**53,213.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 6130 Educational Opportunity Program					
Fund 1110	***Salaries/Benefits***				
6203	Specialists Sup Professional 12 mos	96,992.00	96,992.00	72,841.44	100,541.00
6204	Full Time Technical	56,379.00	56,379.00	42,339.14	59,021.00
6301	Vacation Payments	0.00	1,753.00	1,753.49	0.00
6402	Clerical	0.00	0.00	7,282.26	19,535.00
6453	Overtime	0.00	62.00	62.42	0.00
6501	Student Aides Regular	16,013.00	16,013.00	17,647.04	16,013.00
6606	Health Insurance Buy Out	0.00	3,000.00	2,261.64	0.00
Total Salaries/Benefits		***169,384.00***	***174,199.00***	***144,187.43***	***195,110.00***
Fund 1110	***Contractual***				
7101	Advertising	0.00	0.00	450.00	0.00
7102	Postage	0.00	0.00	25.19	0.00
7111	Printing - Off Campus	1,000.00	1,000.00	532.50	1,000.00
7113	Duplicating	1,000.00	1,000.00	107.90	1,000.00
7115	Prof Support Travel	0.00	718.00	718.47	0.00
7117	Field Trips	2,000.00	2,000.00	3,126.62	2,040.00
7118	Mileage Reimbursement	200.00	200.00	588.22	260.00
7151	Office Supplies	900.00	900.00	374.17	900.00
7152	Educational Supplies	540.00	540.00	940.27	700.00
7173	Computer Equip - Non Capital	0.00	398.00	398.00	0.00
7176	Food Service	3,500.00	3,500.00	3,115.16	3,500.00
7185	Miscellaneous Expenses	800.00	800.00	206.15	800.00

	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Total Contractual	***9,940.00***	***11,056.00***	***10,582.65***	***10,200.00***
Fund Total 1110	*179,324.00*	*185,255.00*	*154,770.08*	*205,310.00*
Department Total: 6130 Educational Opportunity Program	**179,324.00**	**185,255.00**	**154,770.08**	**205,310.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 6150 Veterans Program					
Fund 1110	***Salaries/Benefits***				
6203	Specialists Sup Professional 12 mos	79,158.00	79,158.00	59,445.23	82,200.00
Total Salaries/Benefits		***79,158.00***	***79,158.00***	***59,445.23***	***82,200.00***
Fund 1110	***Contractual***				
7107	Subscriptions	100.00	100.00	39.17	100.00
7108	Dues	175.00	175.00	175.00	175.00
7111	Printing - Off Campus	250.00	250.00	8.00	200.00
7113	Duplicating	250.00	250.00	375.00	100.00
7115	Prof Support Travel	0.00	345.00	344.99	0.00
7118	Mileage Reimbursement	500.00	500.00	0.00	250.00
7151	Office Supplies	450.00	450.00	151.69	300.00
7152	Educational Supplies	450.00	450.00	0.00	200.00
7153	Computer Supplies	400.00	400.00	0.00	100.00
7174	Computer Software	250.00	250.00	0.00	0.00
7176	Food Service	550.00	550.00	350.35	300.00
Total Contractual		***3,375.00***	***3,720.00***	***1,444.20***	***1,725.00***
	Fund Total 1110	*82,533.00*	*82,878.00*	*60,889.43*	*83,925.00*
Department Total: 6150 Veterans Program		**82,533.00**	**82,878.00**	**60,889.43**	**83,925.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 7001 Community Service General					
Fund 1110	***Salaries/Benefits***				
6154	Community Svc Spring Non State Aid	0.00	0.00	87.50	0.00
6156	Community Svc Summer Non State Ai	26,118.00	827.00	826.50	26,118.00
6202	Managerial Confidential	116,835.00	116,835.00	87,637.68	120,202.00
6203	Specialists Sup Professional 12 mos	155,832.00	155,698.00	117,025.13	162,255.00
6301	Vacation Payments	0.00	3,551.00	3,551.11	0.00
6402	Clerical	286,094.00	286,094.00	237,264.51	315,294.00
6453	Overtime	1,000.00	5,474.00	5,474.45	1,000.00
6454	Longevity	16,045.00	16,045.00	13,423.78	20,070.00
6501	Student Aides Regular	8,967.00	8,967.00	4,709.01	8,967.00
Total Salaries/Benefits		***610,891.00***	***593,491.00***	***469,999.67***	***653,906.00***
Fund 1110	***Contractual***				
7101	Advertising	1,000.00	1,000.00	350.00	1,000.00
7102	Postage	100.00	100.00	28.87	0.00
7107	Subscriptions	100.00	100.00	194.67	330.00
7108	Dues	400.00	400.00	330.00	330.00
7111	Printing - Off Campus	45,000.00	45,000.00	23,308.45	45,000.00
7113	Duplicating	3,000.00	3,000.00	1,285.88	2,000.00
7115	Prof Support Travel	9,700.00	9,700.00	3,710.93	0.00
7118	Mileage Reimbursement	300.00	300.00	380.64	300.00
7125	Other Professional	200.00	200.00	0.00	0.00
7147	Maintenance Contract Ofc Machinery	5,123.00	5,123.00	2,112.25	5,478.00

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
7151	Office Supplies	4,500.00	4,500.00	5,329.11	4,500.00
7152	Educational Supplies	900.00	900.00	1,004.85	0.00
7176	Food Service	500.00	500.00	422.29	500.00
7185	Miscellaneous Expenses	200.00	200.00	1.25	200.00
7191	Tuition Expense	0.00	0.00	35.00	0.00
Total Contractual		*71,023.00*	*71,023.00*	*38,494.19*	*59,638.00*
	Fund Total 1110	*681,914.00*	*664,514.00*	*508,493.86*	*713,544.00*
Department Total: 7001 Community Service General		**681,914.00**	**664,514.00**	**508,493.86**	**713,544.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 7010 EMT Program					
Fund 1110	***Salaries/Benefits***				
6152	Community Svc Fall Non State Aided	53,518.00	53,518.00	17,531.66	53,518.00
6154	Community Svc Spring Non State Aid	25,000.00	25,000.00	8,182.78	25,000.00
6156	Community Svc Summer Non State Ai	7,500.00	7,500.00	5,050.10	7,500.00
Total Salaries/Benefits		***86,018.00***	***86,018.00***	***30,764.54***	***86,018.00***
Fund 1110	***Contractual***				
7102	Postage	0.00	0.00	16.47	0.00
7113	Duplicating	1,200.00	1,200.00	324.10	1,200.00
7118	Mileage Reimbursement	500.00	500.00	122.08	500.00
7123	Honoraria	500.00	500.00	0.00	500.00
7136	Repairs - Other Educational	1,000.00	1,000.00	295.42	1,000.00
7151	Office Supplies	1,800.00	1,800.00	1,176.02	1,800.00
7152	Educational Supplies	8,100.00	10,100.00	5,725.15	8,100.00
7153	Computer Supplies	500.00	500.00	377.79	500.00
7173	Computer Equip - Non Capital	0.00	437.00	437.00	0.00
7176	Food Service	1,000.00	1,000.00	325.14	1,000.00
Total Contractual		***14,600.00***	***17,037.00***	***8,799.17***	***14,600.00***
	Fund Total 1110	*100,618.00*	*103,055.00*	*39,563.71*	*100,618.00*
Department Total: 7010 EMT Program		**100,618.00**	**103,055.00**	**39,563.71**	**100,618.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department:	*7020 Health Programs*				
Fund 1110	***Salaries/Benefits***				
6152	Community Svc Fall Non State Aided	0.00	1,100.00	1,100.02	0.00
6154	Community Svc Spring Non State Aid	0.00	1,460.00	1,460.00	0.00
Total Salaries/Benefits		***0.00***	***2,560.00***	***2,560.02***	***0.00***
	Fund Total 1110	*0.00*	*2,560.00*	*2,560.02*	*0.00*
Department Total: 7020 Health Programs		**0.00**	**2,560.00**	**2,560.02**	**0.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 7030 Drinking Driver Program					
Fund 1110	***Salaries/Benefits***				
6152	Community Svc Fall Non State Aided	5,423.00	10,291.00	10,290.96	5,423.00
6154	Community Svc Spring Non State Aid	20,000.00	15,132.00	13,535.93	20,000.00
6156	Community Svc Summer Non State Ai	2,500.00	2,500.00	4,226.92	2,500.00
6205	Part Time Technical	65,198.00	65,198.00	64,520.33	106,315.00
Total Salaries/Benefits		***93,121.00***	***93,121.00***	***92,574.14***	***134,238.00***
Fund 1110	***Contractual***				
7108	Dues	325.00	325.00	325.00	325.00
7113	Duplicating	350.00	350.00	0.00	350.00
7118	Mileage Reimbursement	250.00	250.00	8.74	600.00
7152	Educational Supplies	3,600.00	3,600.00	7,858.46	11,550.00
Total Contractual		***4,525.00***	***4,525.00***	***8,192.20***	***12,825.00***
	Fund Total 1110	*97,646.00*	*97,646.00*	*100,766.34*	*147,063.00*
Department Total: 7030 Drinking Driver Program		**97,646.00**	**97,646.00**	**100,766.34**	**147,063.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department:	*7040 Drivers Education*				
Fund 1110	***Salaries/Benefits***				
6152	Community Svc Fall Non State Aided	5,000.00	5,000.00	2,175.00	5,000.00
6154	Community Svc Spring Non State Aid	5,000.00	5,000.00	2,350.00	5,000.00
6156	Community Svc Summer Non State Ai	2,000.00	2,000.00	765.00	2,000.00
Total Salaries/Benefits		***12,000.00***	***12,000.00***	***5,290.00***	***12,000.00***
Fund 1110	***Contractual***				
7108	Dues	1,000.00	1,000.00	720.00	1,000.00
7125	Other Professional	20,000.00	16,300.00	3,780.00	20,000.00
7152	Educational Supplies	4,500.00	4,500.00	9,680.23	6,000.00
Total Contractual		***25,500.00***	***21,800.00***	***14,180.23***	***27,000.00***
	Fund Total 1110	*37,500.00*	*33,800.00*	*19,470.23*	*39,000.00*
Department Total: 7040 Drivers Education		**37,500.00**	**33,800.00**	**19,470.23**	**39,000.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 7060 HSE					
Fund 1110	***Salaries/Benefits***				
6151	Community Svc Fall State Aided	339,418.00	339,418.00	271,294.43	339,418.00
6153	Community Svc Spring State Aided	325,315.00	325,315.00	254,027.23	325,315.00
6155	Summer State Aided	288,640.00	288,640.00	96,122.75	288,640.00
6205	Part Time Technical	118,297.00	118,297.00	58,364.39	86,889.00
Total Salaries/Benefits		***1,071,670.00***	***1,071,670.00***	***679,808.80***	***1,040,262.00***
Fund 1110	***Contractual***				
7111	Printing - Off Campus	0.00	0.00	40.00	0.00
7113	Duplicating	2,000.00	2,000.00	279.40	2,000.00
7118	Mileage Reimbursement	500.00	500.00	0.00	500.00
7125	Other Professional	0.00	0.00	90.00	0.00
7141	Classroom Rental	12,000.00	12,000.00	3,550.00	12,000.00
7147	Maintenance Contract Ofc Machinery	4,535.00	4,535.00	1,360.45	2,245.00
7151	Office Supplies	2,700.00	2,700.00	1,164.06	2,700.00
7152	Educational Supplies	27,000.00	25,000.00	2,313.50	27,000.00
7153	Computer Supplies	100.00	100.00	0.00	0.00
7173	Computer Equip - Non Capital	0.00	398.00	398.00	0.00
7176	Food Service	1,000.00	1,000.00	0.00	1,000.00
7185	Miscellaneous Expenses	0.00	0.00	554.00	0.00
Total Contractual		***49,835.00***	***48,233.00***	***9,749.41***	***47,445.00***
	Fund Total 1110	*1,121,505.00*	*1,119,903.00*	*689,558.21*	*1,087,707.00*

	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department Total: 7060 HSE	**1,121,505.00**	**1,119,903.00**	**689,558.21**	**1,087,707.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 7070 Music School					
Fund 1110	***Salaries/Benefits***				
6152	Community Svc Fall Non State Aided	45,000.00	45,000.00	30,902.36	45,000.00
6154	Community Svc Spring Non State Aid	45,000.00	45,000.00	35,754.96	45,000.00
6156	Community Svc Summer Non State Ai	55,772.00	55,772.00	2,615.51	55,772.00
6205	Part Time Technical	47,846.00	47,846.00	35,067.60	48,571.00
Total Salaries/Benefits		***193,618.00***	***193,618.00***	***104,340.43***	***194,343.00***
Fund 1110	***Contractual***				
7101	Advertising	600.00	600.00	550.00	600.00
7108	Dues	100.00	100.00	0.00	100.00
7111	Printing - Off Campus	200.00	200.00	0.00	200.00
7113	Duplicating	150.00	150.00	0.00	150.00
7123	Honoraria	200.00	200.00	0.00	200.00
7136	Repairs - Other Educational	2,000.00	2,000.00	2,200.00	2,000.00
7141	Classroom Rental	6,000.00	6,000.00	5,040.00	6,000.00
7152	Educational Supplies	1,800.00	1,800.00	1,500.00	1,800.00
Total Contractual		***11,050.00***	***11,050.00***	***9,290.00***	***11,050.00***
	Fund Total 1110	*204,668.00*	*204,668.00*	*113,630.43*	*205,393.00*
Department Total: 7070 Music School		**204,668.00**	**204,668.00**	**113,630.43**	**205,393.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 7080 Contract Courses					
Fund 1110	***Salaries/Benefits***				
6152	Community Svc Fall Non State Aided	0.00	0.00	447.05	0.00
6157	Contract Instruction Fall	10,000.00	10,000.00	1,600.00	10,000.00
6158	Contract Instruction Spring	10,000.00	10,000.00	2,075.00	10,000.00
6159	Contract Instruction Summer	10,000.00	10,000.00	0.00	10,000.00
6205	Part Time Technical	33,772.00	33,772.00	7,247.10	9,444.00
Total Salaries/Benefits		***63,772.00***	***63,772.00***	***11,369.15***	***39,444.00***
Fund 1110	***Contractual***				
7101	Advertising	600.00	600.00	950.00	600.00
7108	Dues	400.00	400.00	0.00	400.00
7113	Duplicating	500.00	500.00	40.50	500.00
7118	Mileage Reimbursement	400.00	400.00	0.00	400.00
7125	Other Professional	0.00	3,700.00	0.00	0.00
7141	Classroom Rental	0.00	0.00	900.00	0.00
7152	Educational Supplies	1,800.00	1,800.00	4,591.34	1,800.00
7176	Food Service	500.00	500.00	0.00	500.00
7185	Miscellaneous Expenses	200.00	200.00	0.00	200.00
Total Contractual		***4,400.00***	***8,100.00***	***6,481.84***	***4,400.00***
	Fund Total 1110	*68,172.00*	*71,872.00*	*17,850.99*	*43,844.00*
Department Total: 7080 Contract Courses		**68,172.00**	**71,872.00**	**17,850.99**	**43,844.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 7090 Computer Software Training					
Fund 1110	***Salaries/Benefits***				
6151	Community Svc Fall State Aided	6,000.00	6,000.00	0.00	6,000.00
6152	Community Svc Fall Non State Aided	7,000.00	7,000.00	4,930.00	7,000.00
6153	Community Svc Spring State Aided	6,000.00	6,000.00	0.00	6,000.00
6154	Community Svc Spring Non State Aid	6,000.00	6,000.00	6,770.00	6,000.00
6156	Community Svc Summer Non State Ai	10,500.00	10,500.00	657.00	10,500.00
Total Salaries/Benefits		***35,500.00***	***35,500.00***	***12,357.00***	***35,500.00***
Fund 1110	***Contractual***				
7113	Duplicating	200.00	200.00	0.00	200.00
Total Contractual		***200.00***	***200.00***	***0.00***	***200.00***
	Fund Total 1110	*35,700.00*	*35,700.00*	*12,357.00*	*35,700.00*
Department Total: 7090 Computer Software Training		**35,700.00**	**35,700.00**	**12,357.00**	**35,700.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 7100 ESL Community Services					
Fund 1110	***Salaries/Benefits***				
6151	Community Svc Fall State Aided	45,000.00	45,000.00	81,502.50	85,000.00
6152	Community Svc Fall Non State Aided	4,000.00	4,000.00	0.00	4,000.00
6153	Community Svc Spring State Aided	50,000.00	50,000.00	78,150.00	80,000.00
6155	Summer State Aided	10,000.00	10,000.00	17,685.00	20,000.00
6205	Part Time Technical	45,500.00	45,500.00	34,969.56	48,571.00
Total Salaries/Benefits		***154,500.00***	***154,500.00***	***212,307.06***	***237,571.00***
Fund 1110	***Contractual***				
7108	Dues	500.00	500.00	0.00	500.00
7113	Duplicating	300.00	300.00	227.20	300.00
7118	Mileage Reimbursement	200.00	200.00	0.00	200.00
7125	Other Professional	2,000.00	2,000.00	0.00	2,000.00
7141	Classroom Rental	7,000.00	7,000.00	6,610.00	7,000.00
7151	Office Supplies	450.00	450.00	0.00	450.00
7152	Educational Supplies	2,700.00	2,700.00	0.00	2,700.00
7176	Food Service	150.00	150.00	0.00	150.00
Total Contractual		***13,300.00***	***13,300.00***	***6,837.20***	***13,300.00***
	Fund Total 1110	*167,800.00*	*167,800.00*	*219,144.26*	*250,871.00*
Department Total: 7100 ESL Community Services		**167,800.00**	**167,800.00**	**219,144.26**	**250,871.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 7120 Personal Development					
Fund 1110	***Salaries/Benefits***				
6152	Community Svc Fall Non State Aided	5,000.00	5,000.00	12,913.99	9,546.00
6154	Community Svc Spring Non State Aid	5,000.00	5,000.00	12,082.02	5,000.00
6155	Summer State Aided	5,000.00	5,000.00	0.00	5,000.00
6156	Community Svc Summer Non State Ai	0.00	0.00	1,318.09	0.00
Total Salaries/Benefits		***15,000.00***	***15,000.00***	***26,314.10***	***19,546.00***
Fund 1110	***Contractual***				
7125	Other Professional	12,000.00	12,000.00	9,688.75	12,000.00
7152	Educational Supplies	1,800.00	1,800.00	1,748.20	1,800.00
Total Contractual		***13,800.00***	***13,800.00***	***11,436.95***	***13,800.00***
	Fund Total 1110	*28,800.00*	*28,800.00*	*37,751.05*	*33,346.00*
Department Total: 7120 Personal Development		**28,800.00**	**28,800.00**	**37,751.05**	**33,346.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 7130 Professional Development					
Fund 1110	***Salaries/Benefits***				
6152	Community Svc Fall Non State Aided	20,000.00	20,000.00	18,540.52	30,000.00
6154	Community Svc Spring Non State Aid	13,000.00	13,000.00	21,429.99	20,000.00
6156	Community Svc Summer Non State Ai	5,000.00	5,000.00	3,247.80	5,000.00
Total Salaries/Benefits		***38,000.00***	***38,000.00***	***43,218.31***	***55,000.00***
Fund 1110	***Contractual***				
7108	Dues	0.00	0.00	300.00	0.00
7125	Other Professional	23,000.00	23,000.00	175.00	0.00
7152	Educational Supplies	450.00	450.00	139.00	450.00
Total Contractual		***23,450.00***	***23,450.00***	***614.00***	***450.00***
	Fund Total 1110	*61,450.00*	*61,450.00*	*43,832.31*	*55,450.00*
Department Total: 7130 Professional Development		**61,450.00**	**61,450.00**	**43,832.31**	**55,450.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 7140 Vocational					
Fund 1110	***Salaries/Benefits***				
6151	Community Svc Fall State Aided	0.00	15,591.00	15,590.50	0.00
6152	Community Svc Fall Non State Aided	500.00	500.00	8,402.50	500.00
6153	Community Svc Spring State Aided	0.00	7,140.00	10,462.50	0.00
6154	Community Svc Spring Non State Aid	1,000.00	1,000.00	1,537.50	1,000.00
6156	Community Svc Summer Non State Ai	1,000.00	1,000.00	350.00	1,000.00
Total Salaries/Benefits		***2,500.00***	***25,231.00***	***36,343.00***	***2,500.00***
Fund 1110	***Contractual***				
7101	Advertising	0.00	0.00	0.00	500.00
7108	Dues	0.00	0.00	0.00	500.00
7113	Duplicating	400.00	400.00	0.00	700.00
7118	Mileage Reimbursement	0.00	0.00	0.00	200.00
7125	Other Professional	100,000.00	100,000.00	106,002.65	80,000.00
7152	Educational Supplies	3,600.00	3,600.00	3,577.50	12,420.00
Total Contractual		***104,000.00***	***104,000.00***	***109,580.15***	***94,320.00***
	Fund Total 1110	*106,500.00*	*129,231.00*	*145,923.15*	*96,820.00*
Department Total: 7140 Vocational		**106,500.00**	**129,231.00**	**145,923.15**	**96,820.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 7150 Youth Program					
Fund 1110	***Salaries/Benefits***				
6154	Community Svc Spring Non State Aid	0.00	0.00	946.90	0.00
6156	Community Svc Summer Non State Ai	50,000.00	50,000.00	405.82	50,000.00
Total Salaries/Benefits		***50,000.00***	***50,000.00***	***1,352.72***	***50,000.00***
Fund 1110	***Contractual***				
7113	Duplicating	300.00	300.00	0.00	0.00
7152	Educational Supplies	900.00	900.00	105.80	5,250.00
Total Contractual		***1,200.00***	***1,200.00***	***105.80***	***5,250.00***
	Fund Total 1110	*51,200.00*	*51,200.00*	*1,458.52*	*55,250.00*
Department Total: 7150 Youth Program		**51,200.00**	**51,200.00**	**1,458.52**	**55,250.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 7160 Business					
Fund 1110	***Salaries/Benefits***				
6152	Community Svc Fall Non State Aided	1,000.00	1,000.00	0.00	1,000.00
6153	Community Svc Spring State Aided	1,000.00	1,000.00	8,856.25	1,000.00
Total Salaries/Benefits		***2,000.00***	***2,000.00***	***8,856.25***	***2,000.00***
Fund 1110	***Contractual***				
7113	Duplicating	200.00	200.00	0.00	100.00
7125	Other Professional	500.00	500.00	600.00	0.00
7152	Educational Supplies	0.00	0.00	87.50	100.00
Total Contractual		***700.00***	***700.00***	***687.50***	***200.00***
	Fund Total 1110	*2,700.00*	*2,700.00*	*9,543.75*	*2,200.00*
Department Total: 7160 Business		**2,700.00**	**2,700.00**	**9,543.75**	**2,200.00**

	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department: 7170 Distance Learning				
Fund 1110 *Contractual*				
7125 Other Professional	18,000.00	18,000.00	17,000.00	18,000.00
Total Contractual	***18,000.00***	***18,000.00***	***17,000.00***	***18,000.00***
Fund Total 1110	*18,000.00*	*18,000.00*	*17,000.00*	*18,000.00*
Department Total: 7170 Distance Learning	**18,000.00**	**18,000.00**	**17,000.00**	**18,000.00**

		2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Department:	*7190 ACT High Stakes Testing*				
Fund 1110	***Salaries/Benefits***				
6152	Community Svc Fall Non State Aided	6,000.00	0.00	120.00	6,000.00
6154	Community Svc Spring Non State Aid	2,000.00	0.00	80.00	2,000.00
6156	Community Svc Summer Non State Ai	0.00	0.00	24.00	0.00
6205	Part Time Technical	0.00	8,000.00	8,887.26	16,358.00
Total Salaries/Benefits		***8,000.00***	***8,000.00***	***9,111.26***	***24,358.00***
	Fund Total 1110	*8,000.00*	*8,000.00*	*9,111.26*	*24,358.00*
Department Total: 7190 ACT High Stakes Testing		**8,000.00**	**8,000.00**	**9,111.26**	**24,358.00**

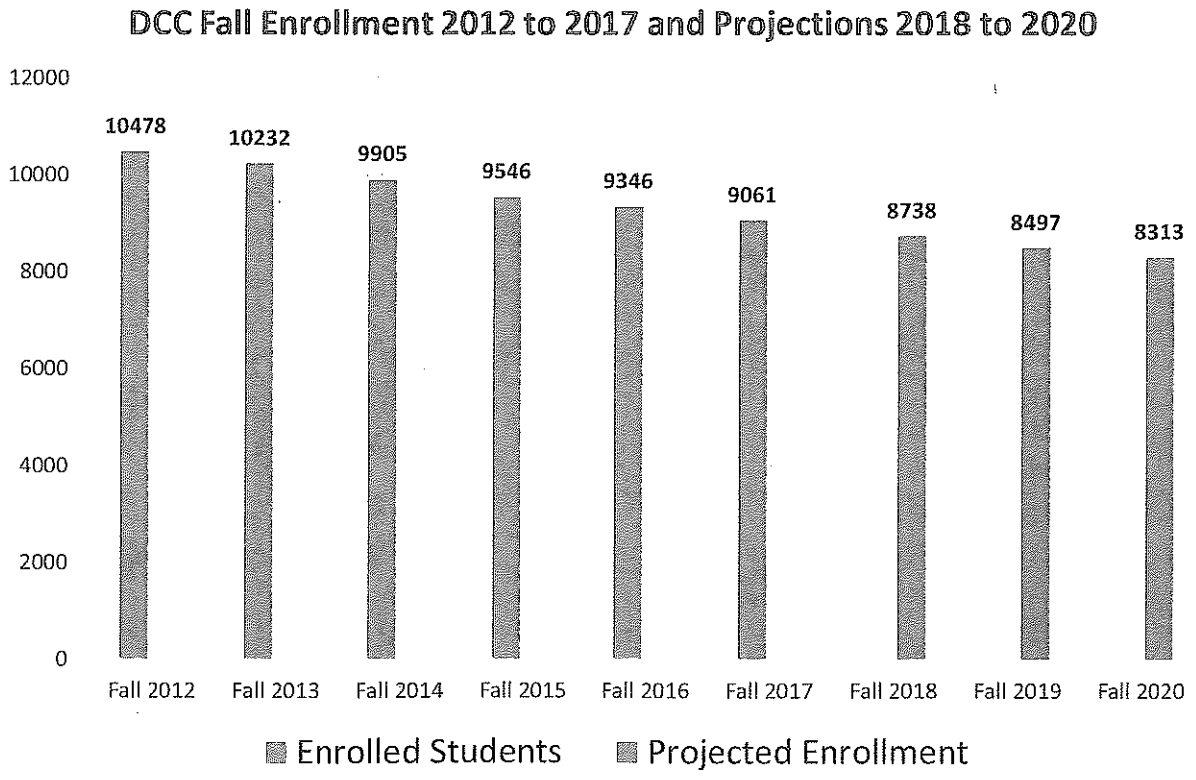
	2017-2018 Original Budget	2017-2018 Adjusted Budget	2017-2018 Year to Date	2018-2019 Budget
Personnel	**38,032,255.00**	**38,032,255.00**	**28,301,898.00**	**39,441,166.00**
Benefits	**14,836,958.00**	**14,836,958.00**	**12,780,239.00**	**16,010,187.00**
Contractual	**9,913,718.00**	**9,913,718.00**	**8,775,491.00**	**9,968,414.00**
Equipment	**500,000.00**	**500,000.00**	**171,417.00**	**300,000.00**
Total Budget	**63,282,931.00**	**63,282,931.00**	**50,029,045.00**	**65,719,767.00**

DUTCHESS
COMMUNITY COLLEGE

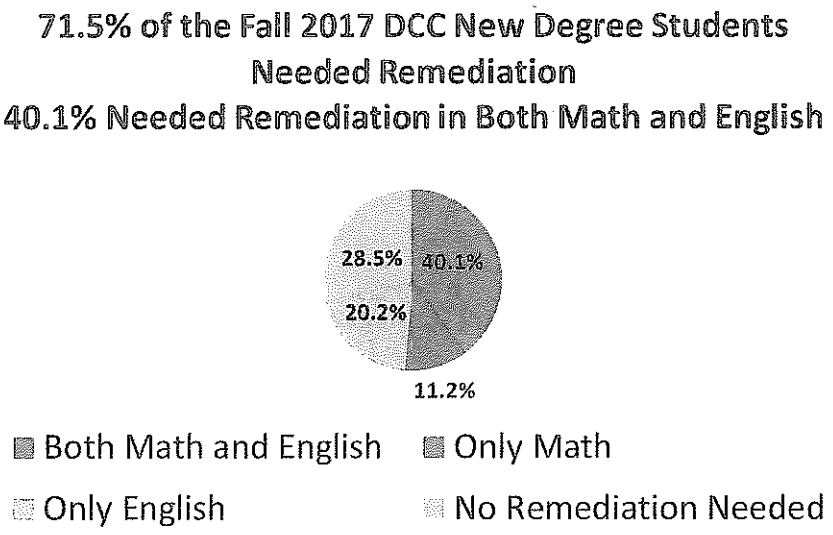
REPORT TO THE DUTCHESS COUNTY LEGISLATURE
JUNE 2018

Enrollment Trends

- DCC is one of the larger community colleges in the SUNY system; 1,114 students graduated on May 17.
- One-third of the County's college-bound high school graduates choose to attend DCC.
- 73% of students are from Dutchess and 22% are from Putnam, Ulster and Orange.
- Recent decreases in enrollment reflect lower unemployment and, more significantly, changes in local, state and national demographics. In Dutchess County, 12th-grade public school enrollment dropped almost 7% between 2012 and 2017.



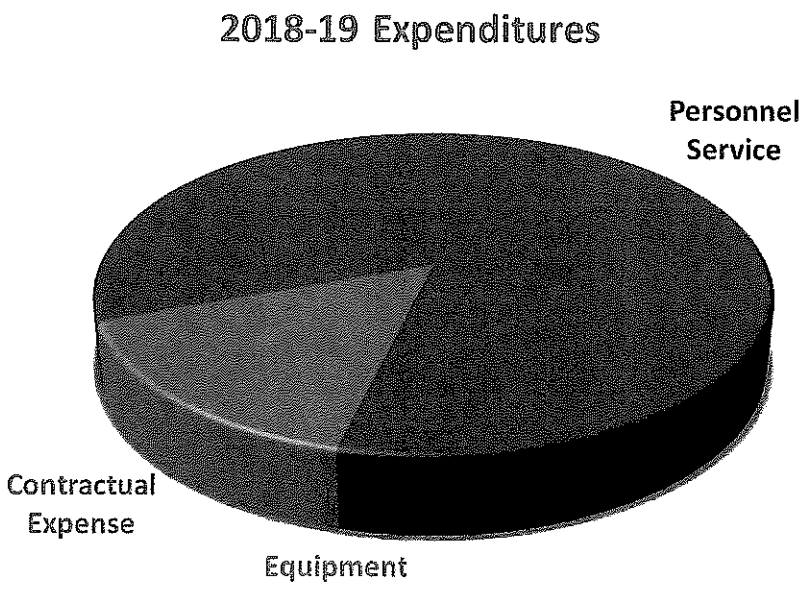
- Unlike selective institutions, DCC is an open access institution and does not engineer the makeup of its student population.
- The depth and breadth of academic support services students require continues to increase dramatically. DCC must provide the support services, adaptive technologies and other resources our diverse student body needs to succeed.
- In Fall 2017, more than 71% of our new degree-seeking students needed remediation – meaning 7 out of 10 incoming students graduated from high school unprepared for college-level work. That's an increase of 13% in just four years.



- The number of students who self-identify as requiring accommodative services also is rising, numbering 750 in 2017-18. These students include those with autism spectrum disorder, learning disabilities, ADHD, medical conditions and sensory impairment. The cost of providing support for these students averages $500,000 per year; $63,000 was funded by grants in 2017-18. As an example, the College has spent $198,000 on closed captioning and sign language services for deaf students in a single academic year.
- Efforts to increase graduation rates and reduce time-to-degree completion have been successful. This is in the best interest of students, as they spend less time and money at our institution, but it negatively impacts enrollment.
- Several new initiatives are underway. In the near future, degree and certificate programs will be launched in certified nursing assistant, airframe and power plant maintenance and hospitality and tourism.
- Online offerings are being expanded and course delivery adapted to better serve adult students. For example, a new accelerated, hybrid business program model will be introduced this Fall.
- Academic and Facilities Master Plans will be developed in the next year to identify additional opportunities, provide a strategic framework and guide the College's work over the next 10 years.

Economic Realities and Impact

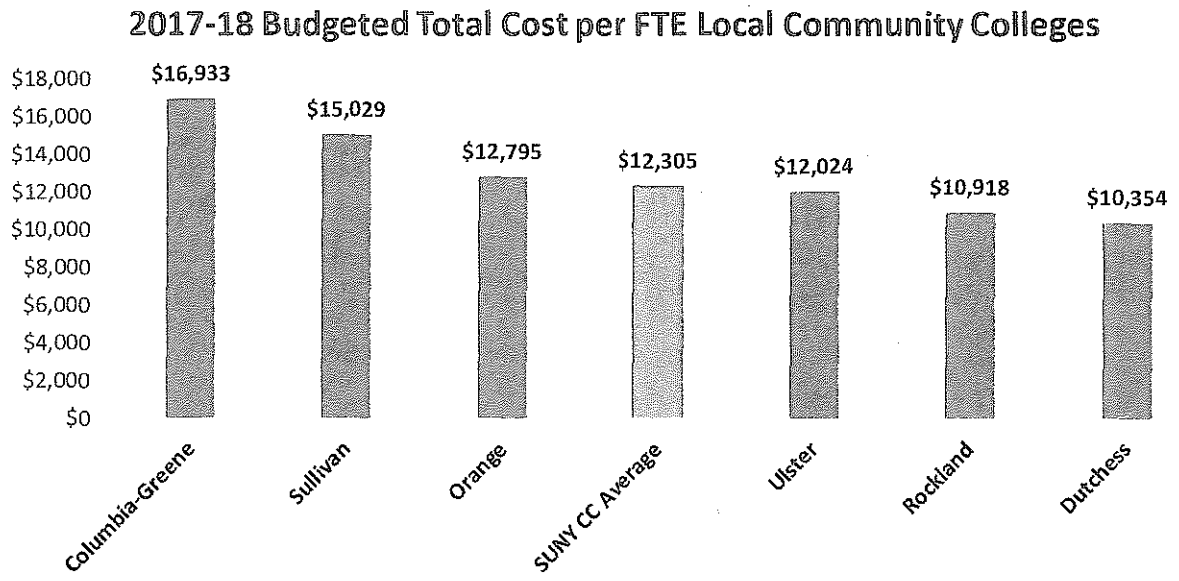
- In all, DCC served 19,832 (unduplicated) students in 2017-18, including those in degree, certificate, workforce development, high school equivalency and English as a Second Language programs.
- The College is closely aligned with County priorities. A few examples include the new Think Ahead program for adults with developmental disabilities and the site at the Family Partnership Center.
- The County and local nonprofit organizations rely on complimentary use of DCC's facilities. For example, during 2017-18, civil service exams were administered on campus over 16 days.
- According to a 2016 report from E.M.S.I. – a highly regarded economic modeling and forecasting company – the College adds about $60 million in income to the County annually. Together, our students and alumni generate more than $340 million in added income to the local area.
- E.M.S.I. also estimates that because of Dutchess Community College, $14 million a year is saved in reduced demand for social services reflecting the benefits of education that represent avoided costs to government – most notably in health care, crime, welfare and unemployment.
- About 80% of DCC's operating budget is personnel – salaries and benefits.



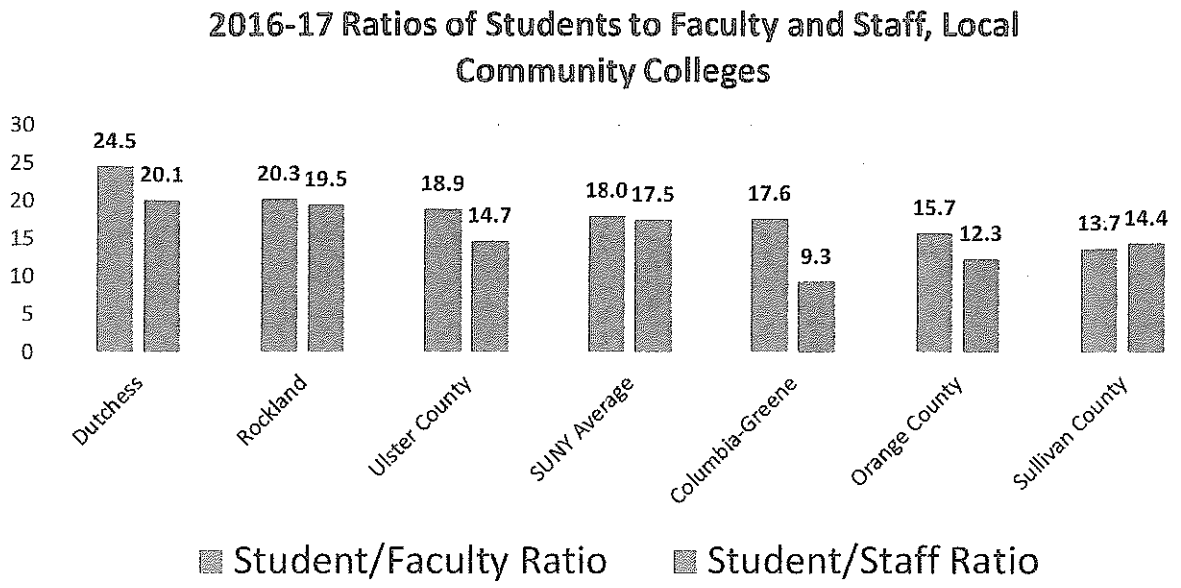
- The faculty and professional staff (Dutchess United Educators) 2016-2020 contract negotiated by the College last year provides for increases of 2%, 2%, 1.75% and 1.75% for 2018-19.
- The CSEA contract recently negotiated by the County calls for increases of 2.5%, 2.25%, 2.25% and 2.25%.
- Despite cost controls implemented by our health insurance consortium, health care premiums will rise $800,000 in 2018-19.
- The safety and security of students, employees and visitors is a top priority that requires ongoing, significant investment in personnel, hardware and software. For example, the College recently completed a $744,000 upgrade of its campus-wide emergency notification system. Ensuring the security of student and employee electronic information also is an expensive enterprise, requiring ongoing investment.
- Information technology must continually be upgraded to ensure an optimal teaching and learning environment. This requires substantial investment in both hardware and software.

Operating Efficiencies

- DCC has the third lowest per-student (FTE) expenditure of the 30 community colleges for 2017-18 according to SUNY; $10,354 vs. $12,305.



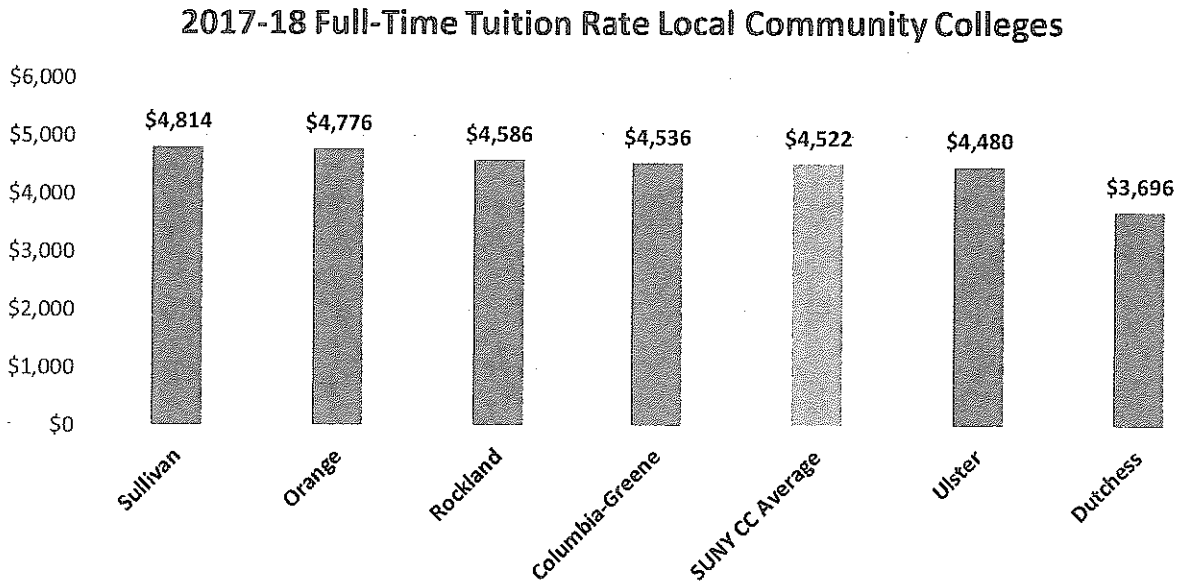
- The student-to-faculty and student-to-staff ratios at DCC are higher than at most of the other SUNY community colleges. DCC has more students to faculty than 27 of our peer institutions and more students to staff than 23 of our peer institutions. A comparison with neighboring community colleges appears below.



- Over the past two years, contractual (non-personnel) expenditures – including supplies, maintenance and equipment – were reduced by $1 million.
- Hiring has been limited to critical positions.
- New software optimizes class scheduling to efficiently allocate faculty and classroom resources.
- Energy expenditures decreased 30% over the past four years as a result of measures that included the installation of exterior LED lighting under a Central Hudson grant and the introduction of interior occupancy sensors that turn off lights when spaces are not in use.
- As traditional desktop computers need replacement, virtual desktops are being installed. This saves approximately $700 per unit.
- The College aggressively pursues federal, state and private grants to support programs and services. In 2017-18, grant funding totaled $2.5 million.

Revenue

- DCC's annual tuition of $3696 for 2017-18 was the lowest in the state, $826 below the state average for community colleges of $4522 and significantly below that of our neighboring institutions. A full comparison appears on the next page.

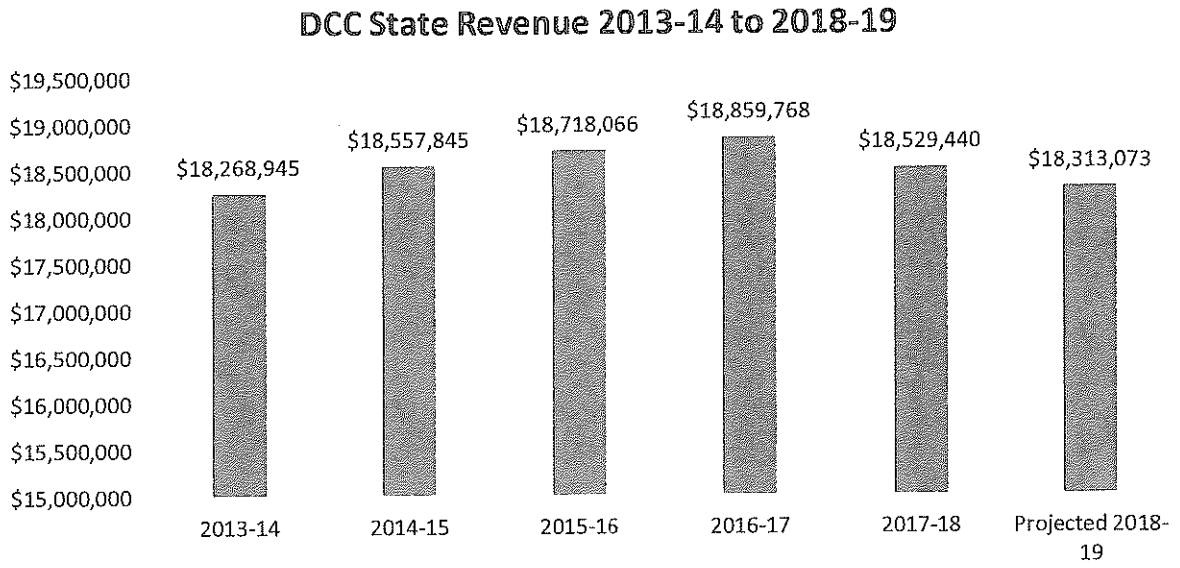


- Forty-one percent of full-time DCC students attend tuition-free through grants and scholarships, including Pell and/or TAP awards, the Excelsior scholarship and the Conklin Scholarship for students graduating in the top 10% of a Dutchess County high school.
- 74% of first-time, full-time students receive financial aid, including loans.
- The DCC Foundation provides $450,000 in scholarships annually to continuing and graduating students.

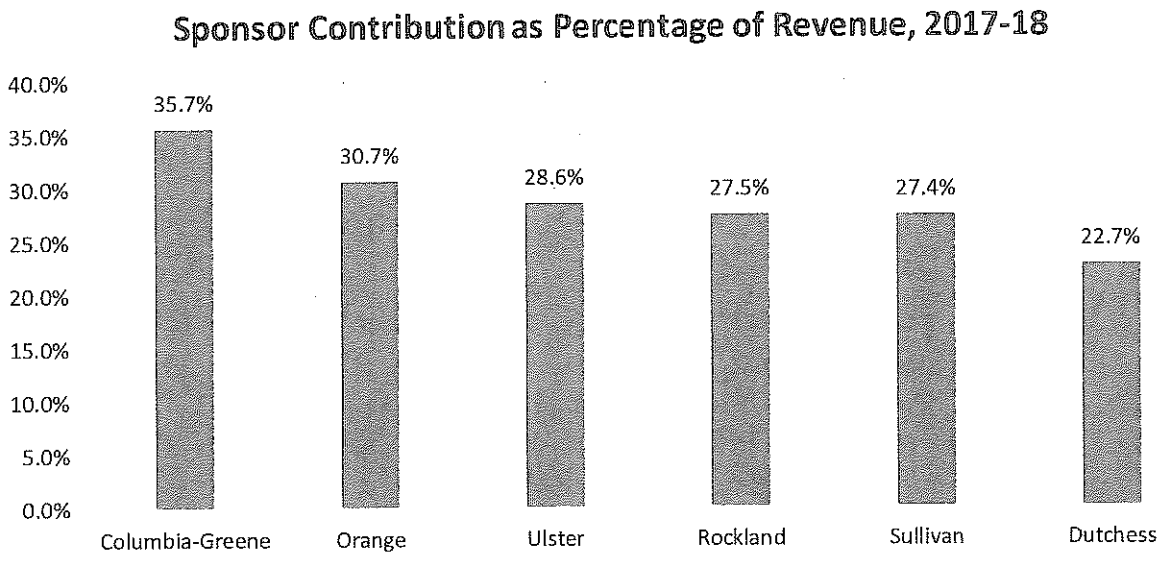
Projected 2018-2019
SUNY Community College Tuition Rates

	Actual	Projected
	2017/18	2018/19
Adirondack	4,392	4,560
Broome	4,592	4,776
Cayuga	4,544	4,658
Clinton	4,644	5,062
Columbia-Greene	4,536	4,680
Corning	4,518	4,710
Dutchess	3,696	3,864
Erie	4,900	4,900
Fashion Institute	4,690	4,890
Finger Lakes	4,522	4,584
Fulton-Montgomery	4,450	4,597
Genesee	4,050	4,150
Herkimer	4,470	4,670
Hudson Valley	4,500	4,650
Jamestown	4,750	4,869
Jefferson	4,584	4,754
Mohawk Valley	4,250	4,370
Monroe	4,280	4,380
Nassau	5,102	5,300
Niagara	4,224	4,392
North Country	4,692	4,880
Onondaga	4,570	4,900
Orange	4,776	4,976
Rockland	4,586	4,747
Schenectady	3,936	4,176
Suffolk	4,870	5,220
Sullivan	4,814	4,814
Tompkins-Cortland	4,950	4,950
Ulster	4,480	4,480
Westchester	4,280	4,430
SUNY Average	**4,522**	**4,680**

- State support of the 30 community colleges is aligned with enrollment, whereas the four-year SUNY institutions receive predictable, stable funding that is not enrollment-dependent. Consequently, although the contribution will increase by $100 per FTE in 2018-19, there will be a decline in state support totaling more than $200,000.



- Dutchess County invests $2,829 per student, while SUNY reports that the state average for sponsor contribution to community colleges is $3,639.



Majority Leader Roman, duly seconded by Assistant Majority Leader Sagliano, moved the foregoing resolution. Discussion on Resolution No. 2018198 proceeded as follows:

Legislator Llaverias requested to recuse himself from voting on this resolution because he was employed by Dutchess Community College.

Legislator Tyner spoke regarding the county fund balance and added that the county contributed the lowest of the three funding sources.

Legislator Truitt called Point of Order and stated that Legislator Tyner's comments were untrue.

The point of order was not recognized by the chair.

Legislator Tyner spoke regarding wasting two million dollars a year on incarcerating people who are nonviolent drug addicts.

Legislator Miccio called Point of Order because the statement had nothing to do with this resolution.

Chairman Pulver ruled Legislator Tyner out of order.

Legislator Tyner stated that the majority caucus threatened the minority caucus if anyone seconded his amendment to freeze tuition.

Legislator Metzger called Point of Order regarding Legislator Tyner's accusation.

Chairman Pulver ruled Legislator Tyner out of order.

Assistant Minority Leader Munn Moved the Question, duly seconded by Legislator Black.

Roll call on Moving the Question resulted as follows:

AYES:	22	Pulver, Roman, Sagliano, Black, Munn, Borchert, Edwards, Truitt, Brendli, Johnson, Jeter-Jackson, Metzger, Amparo, Incoronato, Zernike, Miccio, Page, Horton, Garito, Thomes, Surman, Houston
NAYS:	1	Tyner
ABSENT:	1	Bolner
ABSTAIN:	1	Llaverias

Roll call on the foregoing resolution resulted as follows:

AYES:	16	Pulver, Sagliano, Black, Munn, Edwards, Truitt, Brendli, Johnson, Jeter-Jackson, Metzger, Amparo, Zernike, Page, Garito, Thomes, Houston
NAYS:	7	Roman, Borchert, Incoronato, Miccio, Horton, Surman, Tyner
ABSENT:	1	Bolner
ABSTAIN:	1	Llaverias

Resolution adopted.

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	1	
District 5 - Town of Poughkeepsie	Roman*	2	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*	3	
District 4 - Town of Hyde Park	Black*	4	
District 20 - Town of Red Hook/Tivoli	Munn*	5	
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt (VC)	6	
District 9 - City of Poughkeepsie	Johnson	7	
District 10 - City of Poughkeepsie	Jeter-Jackson	8	
District 12 - Town of East Fishkill	Metzger	9	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner (C)	10	
District 15 - Town of Wappinger	Incoronato	11	
District 18 - City of Beacon and Town of Fishkill	Page	12	

Present: 12 **Resolution:** ____ **Total :** 12 (Yes) 0 (No)

Absent: 0 **Motion:** ✓

Vacant: 0 **Abstentions:** 0

GP · KR

Add a Resolved

See attached

7·3·18

2018198

Budget, Finance, & Personnel

RESOLUTION NO. 2018198

RE: ADOPTION OF DUTCHESS COMMUNITY COLLEGE BUDGET

Legislators BOLNER, BORCHERT, and JETER-JACKSON offer the following and move its adoption:

WHEREAS, the Annual Operating Budget Request of Dutchess Community College for the period September 1, 2018 through August 31, 2019, has been developed in accordance with guidelines furnished by the State University of New York, and,

WHEREAS, the requirement for operating expenditures has been determined to be $69,331,963, and

WHEREAS, by Resolution No. 2018-69, the Board of Trustees of Dutchess Community College did approve such budget, now, therefore, be it

RESOLVED, that the Legislature does hereby request the County Comptroller to oversee an independent comprehensive program audit of Dutchess Community College programs and services with the purpose of identifying cost saving measures; and be it further

RESOLVED, that the Operating Budget for Dutchess Community College for the fiscal year September 1, 2018 through August 31, 2019 in the amount of $69,331,963 with anticipated funding from the County of Dutchess by appropriation from fiscal year 2019 of $16,287,898 is hereby approved.

17088,733

NP / HB

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 9th day of July 2018, 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 9th day of July 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*		1
District 5 - Town of Poughkeepsie	Roman*		2
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		3
District 4 - Town of Hyde Park	Black*	1	
District 20 - Town of Red Hook/Tivoli	Munn*	2	
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt (VC)		4
District 9 - City of Poughkeepsie	Johnson	3	
District 10 - City of Poughkeepsie	Jeter-Jackson	4	
District 12 - Town of East Fishkill	Metzger		5
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner (C)		6
District 15 - Town of Wappinger	Incoronato		7
District 18 - City of Beacon and Town of Fishkill	Page	5	

Present: 12
Absent: 0
Vacant: 0

Resolution: ____
Motion: ✓

Total : 5 (Yes) 7 (No)
Abstentions: 0

NP/ HB

increase to $17,088,733

2018198
7.3.18

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	1	
District 5 - Town of Poughkeepsie	Roman*	2	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*	3	
District 4 - Town of Hyde Park	Black*	4	
District 20 - Town of Red Hook/Tivoli	Munn*	10	
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt (VC)	5	
District 9 - City of Poughkeepsie	Johnson	6	
District 10 - City of Poughkeepsie	Jeter-Jackson	7	
District 12 - Town of East Fishkill	Metzger	8	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner (C)		1
District 15 - Town of Wappinger	Incoronato		2
District 18 - City of Beacon and Town of Fishkill	Page	9	

Present: 12 **Resolution:** ✓ **Total :** 10 2

Absent: 0 **Motion:** ____ Yes No

Vacant: 0 **Abstentions:** 0

2018198 ADOPTION OF DUTCHESS COMMUNITY COLLEGE BUDGET

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	1	
District 5 - Town of Poughkeepsie	Roman	2	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	3	
District 4 - Town of Hyde Park	Black	4	
District 20 - Town of Red Hook/Tivoli	Munn	5	
District 1 - Town of Poughkeepsie	Llaverias	abstain / recuse	
District 3 - Town of LaGrange	Borchert	6	
District 6 - Town of Poughkeepsie	Edwards	7	
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt	8	
District 8 - City and Town of Poughkeepsie	Brendli	9	
District 9 - City of Poughkeepsie	Johnson	10	
District 10 - City of Poughkeepsie	Jeter-Jackson	11	
District 11 - Towns of Rhinebeck and Clinton	Tyner		1
District 12 - Town of East Fishkill	Metzger	12	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo	13	
District 15 - Town of Wappinger	Incoronato	14	
District 16 - Town of Fishkill and City of Beacon	Zernike	15	
District 17 - Town and Village of Fishkill	Miccio	16	
District 18 - City of Beacon and Town of Fishkill	Page	17	
District 21 - Town of East Fishkill	Horton	18	
District 22 - Towns of Beekman and Union Vale	Garito	19	
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes	20	
District 24 - Towns of Dover and Union Vale	Surman	21	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston	22	

Present: 24 Resolution: ___ Total: 22 (Yes) 1 (No)

Absent: 1 Motion: ✓

Vacant: 0 Abstentions: 1

Call the question

KM/JM

7.9.18

2018 198

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	1	
District 5 - Town of Poughkeepsie	Roman		1
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	2	
District 4 - Town of Hyde Park	Black	3	
District 20 - Town of Red Hook/Tivoli	Munn	4	
District 1 - Town of Poughkeepsie	Llaverias	abstain/recuse	
District 3 - Town of LaGrange	Borchert		2
District 6 - Town of Poughkeepsie	Edwards	5	
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt	6	
District 8 - City and Town of Poughkeepsie	Brendli	7	
District 9 - City of Poughkeepsie	Johnson	8	
District 10 - City of Poughkeepsie	Jeter-Jackson	9	
District 11 - Towns of Rhinebeck and Clinton	Tyner		7
District 12 - Town of East Fishkill	Metzger	10	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo	11	
District 15 - Town of Wappinger	Incoronato		3
District 16 - Town of Fishkill and City of Beacon	Zernike	12	
District 17 - Town and Village of Fishkill	Miccio		4
District 18 - City of Beacon and Town of Fishkill	Page	13	
District 21 - Town of East Fishkill	Horton		5
District 22 - Towns of Beekman and Union Vale	Garito	14	
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes	15	
District 24 - Towns of Dover and Union Vale	Surman		6
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston	16	

Present: 24 Resolution: ✓ Total : 16 (Yes) 7 (No)

Absent: 1 Motion: ____

Vacant: 0 Abstentions: 1

2018198 ADOPTION OF DUTCHESS COMMUNITY COLLEGE BUDGET

July 9, 2018

Budget, Finance, & Personnel

RESOLUTION NO. 2018199

RE: AMENDING RESOLUTION NO. 2018157 ESTABLISHING STANDARD WORK DAY FOR ELECTED AND APPOINTED OFFICIALS EFFECTIVE JANUARY 2018

Legislators BOLNER, PULVER, SAGLIANO, JETER-JACKSON offer the following and move its adoption:

WHEREAS, on the 11th day of June 2018 the Dutchess County Legislature adopted Resolution No. 2018157 establishing a standard workday for elected and appointed officials, and

WHEREAS, it is necessary to amend the Standard Workday Resolution to receive additional Record of Activity Logs, now, therefore, be it

RESOLVED, that the following Record of Activity Logs for Elected Officials be reported to the New York State and local employees retirement system based on the record of activities maintained and submitted by these officials to the Clerk of this body:

See Attached Schedule

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 9th day of July 2018, 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 9th day of July 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 1/8/2019

BACKGROUND TO RESOLUTION NO. 2018199

TERM APPOINTMENTS OF ELECTED AND APPOINTED OFFICIALS

DEPARTMENT	EMPLOYEE	TITLE	TERM	HOURS IN WORK DAY	IN TIME-KEEPING SYSTEM	DAYS/ MONTH (Based on Record of Activities)
Legislature	Llaverias, Giancarlo	Legislator	01/01/2018-12/31/2019	6	No	NO ROA RECEIVED
Legislature	Houston, Deirdre	Legislator	01/01/2018-12/31/2019	6	No	8.79
Legislature	Page, Nicholas	Legislator	01/01/2018-12/31/2019	6	No	11.19
Legislature	Zernike, Frits	Legislator	01/01/2018-12/31/2019	6	No	NO ROA RECEIVED

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*		
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*		
District 20 - Town of Red Hook/Tivoli	Munn*		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt (VC)		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner (C)		
District 15 - Town of Wappinger	Incoronato		
District 18 - City of Beacon and Town of Fishkill	Page		

Present: ____ **Resolution:** ____ **Total :** _____ _____

Absent: **Motion:** ____ **Yes** **No**

Vacant: ____ **Abstentions:** _____

2018199 AMENDING RESOLUTION NO. 2018157 ESTABLISHING STANDARD WORK DAY FOR ELECTED AND APPOINTED OFFICIALS EFFECTIVE JANUARY 2018

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
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District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 **Resolution:** ✓ **Total :** 24 Yes 0 No

Absent: 1 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018199 AMENDING RESOLUTION NO. 2018157 ESTABLISHING STANDARD WORK DAY FOR ELECTED AND APPOINTED OFFICIALS EFFECTIVE JANUARY 2018

July 9, 2018

Budget, Finance, & Personnel

RESOLUTION NO. 2018200

RE: APPROVAL OF APPLICATION TO CANCEL A TAX BILL AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE

APPLICANT: The Board of Education of the Wappingers Central School Dist
25 Corporate Park Rd.
Hopewell Jct. NY 12533

ACCOUNT NO. 132800-6356-03-449033-0000

Legislator BOLNER, HORTON, JETER-JACKSON, and INCORONATO offers the following and moves its adoption:

WHEREAS, there is an assessment on the 2017 assessment roll for the Town of East Fishkill under the name of The Board of Education of the Wappingers Central School District Account no: 132800-6356-03-449033-0000, and

WHEREAS, the owner of said parcel, by application attached hereto, has applied for a cancellation of real property taxes on the basis of an unlawful entry, and

WHEREAS, pursuant to Section 554 of the Real Property Tax Law, the County Director of the Real Property Tax Service Agency has investigated this claim, and it has been determined and certified by said Director that the tax bill, as issued, is incorrect due the unlawful entry, and

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

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

RESOLVED, that the application received May 25, 2018 relating to account no. 132800-6356-03-449033-000 for a cancellation of said tax bill is hereby approved, and be it further

RESOLVED, that the Clerk of the Dutchess County Legislature be and is hereby authorized, and directed to send a copy of this resolution to the applicant, the Commissioner of Finance directing said Finance Commissioner to cancel said tax bill, and be it further

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

A342 Allowance for Uncoll. Taxes	$13,330.53
A430 Town of East Fishkill	8,340.18
A430 East Fishkill Fire (EF006	2,108.66
A430 East Fishkill Pub Lib (EFPL1)	605.26
A440 Wappingers Central School Dist.	59,001.97
Total	$83,386.60 + Interest and Penalties

CA-110-18
CEN/MB/kvh/G-0194
06/04/18
Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/18/2018

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 9th day of July 2018, 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 9th day of July 2018.

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: Maggie Burns Prepared On: May 30, 2018

Dut.pdf

Dutchess County Real Property Tax Service Agency

COE Investigating Report

Lc Description (grid #) **132800-6356-03-449033-0000**

Owner's Name **The Board of Education of the Wappingers Central School Dist.**

Mailing Address **25 Corporate Park Rd. Hopewell Jct NY 12533**

Property Location **25 Corporate Park Rd.**

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

Total Assessed Value now on roll **2,600,000** Corrected to **Same**

Taxable Assessed Value now on roll **2,600,000** Corrected to **0**

Exempt codes and amounts if applicable
Wholly Exempt 2,600,000

Amount Levied **$83,386.60** Should be **$0**

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

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

__Subdivision 2, Paragraph __ (clerical error)
__ ubdivision 3, Paragraph __ (error in essential fact)
X Subdivision 7, Paragraph **A** (unlawful entry)

Reason:

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

Exemption amount incorrectly calculated __

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

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

Assessment based on incorrect acreage ___

Parcel should be Wholly Exempt **X**

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

Other: ___

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

Details: **It is recommended that the application to cancel the 2017/18 Cnty/Town tax bill be approved.**

***342 $13,330.53 / A430 (T/O East Fishkill) $8340.18 / A430 (EF Fire EF006) $2,108.66 /**
A 430 (EF Public Lib EFPL1) $605.26 / A440 (WCSD) $59,001.97 plus all interest and penalties.

Investigator Margaret Burns Director [signature] Date 5/30/2018

Department of Taxation and Finance
Office of Real Property Tax Services

Application for Corrected Tax Roll

RP-554
(12/17)

Part 1 – General information: To be completed in duplicate by the applicant.

Names of owners Board of Education of the WCSD	
Mailing address of owners *(number and street or PO box)* 25 Corporate Park Road	Location of property *(street address)* 25 Corporate Park Road
City, village, or post office / State / ZIP code Hopewell Junction / NY / 12533	City, town, or village / State / ZIP code Hopewell Junction / NY / 12533
Daytime contact number: 845-298-5000 Evening contact number:	Tax map number of section/block/lot: Property identification *(see tax bill or assessment roll)* 6356-03-449033
Account number *(as appears on tax bill)* Bill # 000875	Amount of taxes currently billed 83,386.60
Reasons for requesting a correction to tax roll: Property should be wholly exempt (Roll section 8)	

RECEIVED
2018 MAY 25 AM 11:52
REAL PROPERTY TAX SERVICES

I hereby request a correction of tax levied by _____ for the year(s) _____.
(County, city, village, etc.)

Signature of applicant K Prendell	Date 5/22/18

Part 2 – To be completed by the County Director or Village Assessor. Attach a written report including documentation and recommendation. Specify the type of error and paragraph of subdivision 2, 3, or 7 of Section 550 under which the error falls. If a *Directed reinstatement*, see instructions.

Date application received 5/25/18	Period of warrant for collection of taxes 12/18/17
Last day for collection of taxes without interest 2/28/18	Recommendation **Approve application** ☒ **Deny application** ☐
Signature of official Eric Alfeker	Date 5/30/2018

If approved, the County Director must file a copy of this form with the assessor and board of assessment review of the city/town/village of Town of East Fishkill who must consider the attached report and recommendation as equivalent of petitions filed under section 553.

Part 3 – For use by the **tax levying body** or **official designated by resolution** _____:
(insert number or date, if applicable)

Application approved (mark an ***X*** in the applicable box):

Clerical error ☐ Error in essential fact ☐ Unlawful Entry ☐ Directed reinstatement ☐

Amount of taxes currently billed	Corrected tax
Date notice of approval mailed to applicant	Date order transmitted to collecting officer

Application denied (reason):

_____

_____

Signature of chief executive officer, or official designated by resolution	Date

Town of East Fishkill
Dutchess County, New York
330 Route 376, Hopewell Junction,
New York 12533
Telephone 845-226-6353

Kathleen A. Martin
Assessor

RECEIVED
2018 MAY 30 AM 9:48
REAL PROPERTY
TAX SERVICES

May 16, 2018

RE: 25 Corporate Park, Hopewell Junction NY
Parcel ID 6356-03-449033

To whom it may concern:

Please be aware that the above property purchased by the Board of Education of the Wappingers Central School District on June 30, 2016 should have been put into Roll Section 8 (wholly exempt) rather than Roll Section 1 for the 2017 assessment roll.

Paperwork has been filed to correct this error.

Thank you.

Sincerely,

Kathleen A. Martin

KAM/cam

2017-2018 Wappingers CSD

Claudia D. Heckert, 845-221-2160
330 Route 376
Hopewell Junction, NY 12533

Property Address: 25 Corporate Park Rd **Owner:** Board of Education of the Wappingers Central School Dist 25 Corporate Park Rd Hopewell Junction NY 12533

Account #:
Bill #: 700
Tax Map #: 6356-03-449033-0000

SWIS Code: 132800
School Code: 135601
School District:

Land Assessment: $780,000.00
Total Assessment: $2,600,000.00
Tax Before Star: $59,001.97
Star Savings: $0.00

Front: 0
Depth: 0
Acreage: 4.94
Bank:

Book #: 22016
Page #: 4605
Roll Section: 1
Class: 464

Exemptions: There are currently no exemptions applied to this property.

Levy Description	Tax Value	Tax Rate	Tax Amount
School Taxes	2600000.00	22.693065	$59,001.97

Total Tax: $59,001.97

Payment History

(Payments made to the county directly may not be reflected on this site.)

Date	Comments	Amount	Paid By
09/11/2017	Tax Bill	$59,001.97	

Tax Due: $59,001.97 *

* Does not include penalties or fees, if any.

Penalty Schedule

This table shows the penalties that will be due for late payments on this property.

Pay By	Penalty	Fee	Total Due
10/10/2017	$0.00	$0.00	$59,001.97 **
11/01/2017	$1,180.04	$0.00	$60,182.01 **

** Does not include returned check fees, if any.

Tax ID#6356-03-449033-0000

2018 - STATEMENT OF TAXES

Fiscal Year 01/01/2018 to 12/31/2018 Warrant Date 12/18/2017 Bank # Bill #000875

Mail Payments/Checks payable to:

JDIA D. HECKERT
RECEIVER OF TAXES
330 ROUTE 376
HOPEWELL JUNCTION, NY 12533

In Person Payment:

TOWN HALL
330 ROUTE 376
HOPEWELL JUNCTION, NY

MAKE CHECKS PAYABLE TO:
CLAUDIA D. HECKERT

Collection information:

Monday through Friday
8:00 AM -3:00 PM
Closed Holidays

Property Description and Location
Town 132800 School 135601
Location: 25 Corporate Park Rd
Class 464 Roll Sect. 1
Account No.
Mortgage No. 2550463
Front 0.00 Depth 0.00
Acres 4.94

Board of Education of the
Wappingers Central School Dist
25 Corporate Park Rd
Hopewell Junction, NY 12533

6356-03-449033-00

Property Taxpayer's Bill of Rights

The Assessor estimates the FULL MARKET VALUE OF THIS PROPERTY as of 07/01/2015 was 2,600,000
The assessed value of this property as of 07/01/2016 was 2,600,000. The UNIFORM PERCENTAGE OF VALUE to establish assessments was 100.0 %. If You feel your assessment is inequitable, you have the right to seek a review. A publication entitled 'Contesting Your Assessment' is available at www.tax.ny.gov. Please note that the period for filing complaints on the above assessment has passed.
Est County Aid 66,830,294 Est State Aid 52,047

(STAR exemptions apply only to school taxes.)

Exemption/Purpose	Value	Full Value	Exemption/Purpose	Value	Full Value	Exemption/Purpose	Value	Full Value

Levy Description	Taxable Value*	Tax Rate	Tax Levy	% Levy Change	Tax Amount
County Tax	2600000.00	3.53861000M	106303699	-0.100	9,200.39
Town Tax	2600000.00	3.20776200M	12539122	4.100	8,340.18
Ret 2017 School Tax	63132.11	1.00000000U	0	0.000	63,132.11
East Fishkill Fire	2600000.00	0.81102200M	3245108	2.500	2,108.66
shkill Pub Lib	2600000.00	0.23279400M	931301	2.500	605.26

(for late payments, see schedule below)

Pay by 02/28/2018 83386.60 Pay by 03/31/2018 85054.33 Pay by 04/30/2018 85888.20
Pay by 05/31/2018 86724.06

Total Tax Due 83386.60

RECEIVED
2018 MAY 25 AM 11:52
SEAL PROPERTY TAX SERVICES

cut here cut here

WWW.TAXLOOKUP.NET

(for receipt, check the box [ ] and return entire bill with payment)

School 135601
Bank

2018 - STATEMENT OF TAXES

000875

Tax Map ID #6356-03-449033-0000

*** Checks Subject to Collection ***

Check_____ Cash_____ **Town 132800 Bill # 000875**

Paid by_____ *circle amount paid*

Returned Check Fee

Board of Education of the
Wappingers Central School Dist
25 Corporate Park Rd
Hopewell Junction, NY 12533

Tax	Penalty	2ND NOTICE Svc Chg Fees	Pay on or before	Pay This Amount
83386.60	0.00	0.00	02/28/2018	83386.60
83386.60	1667.73	0.00	03/31/2018	85054.33
83386.60	2501.60	0.00	04/30/2018	85888.20
83386.60	3335.46	2.00	05/31/2018	86724.06

SCHEDULE A

Correction
Town of East Fishkill
017/18 C/T Tax Bill

Grid Number: 132800-6356-03-449033-0000
Name: The Board of Education of the Wappingers Centra
Location: 25 Corporate Pard Rd.

Currently on Tax Roll	Assessed Value	Exemption Amount	Taxable Value	Tax Rate	Total
Dutchess County	2,600,000		2,600,000	0.00353861	9,200.39
Town of East Fishkill	2,600,000		2,600,000	0.003207762	8,340.18
East Fishkill Fire (EF006)	2,600,000		2,600,000	0.000811022	2,108.66
East Fishkill Pub Lib (EFPL1)	2,600,000		2,600,000	0.000232794	605.26
		School Interest (0 or 2%)		County Interest	
	Original amount	2%		7%	
Ret School	59,001.97		59,001.97	4130.14	63,132.11
				Total Tax on Current Roll	83,386.60

Corrected Tax Roll	Assessed Value	Exemption Amount	Taxable Value	Tax Rate	Total
Dutchess County	2,600,000	2,600,000		0.00353861	
Town of East Fishkill	2,600,000	2,600,000		0.003207762	
East Fishkill Fire (EF006)	2,600,000	2,600,000		0.000811022	
East Fishkill Pub Lib (EFPL1)	2,600,000	2,600,000		0.000232794	
		School Interest (0 or 2%)		County Interest	
	Original amount	2%		7%	
Ret School					
				Total Tax on Corrected Roll	

Chargeback	A342	Allow. For Uncoll. Taxes	13,330.53
	A430	Town of East Fishkill	8,340.18
	A430	East Fishkill Fire (EF006)	2,108.66
	A430	East Fishkill Pub Lib (EFPL1)	605.26
	A440	Wappingers Central School Dist	59,001.97
		TOTAL CHARGEBACK AMOUNT	83,386.60 Plus Int/Pen

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*		
District 20 - Town of Red Hook/Tivoli	Munn*		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt (VC)		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner (C)		
District 15 - Town of Wappinger	Incoronato		
District 18 - City of Beacon and Town of Fishkill	Page		

Present: 12 **Resolution:** ✓ **Total :** 12 0

Absent: 0 **Motion:** ____ Yes No

Vacant: 0 **Abstentions:** 0

2018200 APPROVAL OF APPLICATION TO CANCEL A TAX BILL AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE – TOWN OF EAST FISHKILL

July 3, 2018

Roll Call Sheets

District	Last Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓	
District 5 - Town of Poughkeepsie	Roman		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 20 - Town of Red Hook/Tivoli	Munn		
District 1 - Town of Poughkeepsie	Llaverias		
District 3 - Town of LaGrange	Borchert		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	absent	
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Garito		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 24 **Resolution:** ✓ **Total :** 24 Yes 0 No

Absent: 1 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018200 APPROVAL OF APPLICATION TO CANCEL A TAX BILL AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE – TOWN OF EAST FISHKILL

July 9, 2018

Dutchess County Legislature

Commendation: Eagle Scout Nick Robinson

Legislator Borchert offers the following and moves its adoption:

WHEREAS, Nick Robinson is a member of Boy Scout Troop 275 and has obtained the rank of Eagle Scout, which he will receive at a Court of Honor on July 27, 2018, and

WHEREAS, Nick Robinson has demonstrated a commitment to the highest ideals of Scouting and to his community earning 23 Merit Badges while obtaining the rank of Eagle Scout, and

WHEREAS, Eagle Scout Robinson has held the positions of Senior Patrol Leader, Assistant Senior Patrol Leader, Patrol Leader, Assistant Patrol Leader, Quartermaster, and Historian, and

WHEREAS, for Nick Robinson's Eagle Scout Project, he led his troop in building cubbies for children who attend after school and summer camp programs at the Hudson Valley Community Center, which serves the children of the City of Poughkeepsie, and

WHEREAS, Nick has finished his sophomore year at Arlington High School, where he assisted the auto teacher in his spare time, working on engines as well as being involved in the Church and Youth Group at Calvary Chapel Church, playing Basketball and Little League Baseball and helping seniors by volunteering his services by shoveling snow, and

WHEREAS, Nick plans on attending BOCES for auto mechanics, now, therefore, be it

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

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

Resolution No. 2018201

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 9th day of July 2018, 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 9th day of July 2018.

Carolyn Morris

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

GOVERNMENT SERVICES & ADMINISTRATION
LAID ON DESK 7/9/18

PULLED BY CHAIR 8/7/18

RESOLUTION NO. 2018202

RE: LOCAL LAW NO. OF 2018 A LOCAL LAW PROHIBITING CONVERSION THERAPY UPON A MINOR WITHIN DUTCHESS COUNTY

Legislators TYNER, BLACK, PAGE, BRENDLI, and EDWARDS offer the following and move its adoption:

RESOLVED, that the Legislature of the County of Dutchess adopt Local Law No. _____ of, 2018, which has been submitted this day for consideration by said Legislature.

~~STATE OF NEW YORK~~

~~ss:~~

~~COUNTY OF DUTCHESS~~

~~This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 20th day of August 2018, and that the same is a true and correct transcript of said original resolution and of the whole thereof.~~

~~IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 20th day of August 2018.~~

~~CAROLYN MORRIS, CLERK OF THE LEGISLATURE~~

LOCAL LAW NO. ____ of 2018

RE: LOCAL LAW NO. OF 2018 A LOCAL LAW PROHIBITING CONVERSION THERAPY UPON A MINOR WITHIN DUTCHESS COUNTY

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

SECTION 1. LEGISLATIVE INTENT AND FINDINGS.

The purpose of this Local Law is to ensure the physical and psychological well-being of minors by protecting Dutchess County youth from nefarious and unsubstantiated quasi-medical practices.

The Dutchess County Legislature finds that there is significant and substantial evidence that reparative, otherwise known as conversion therapy, causes serious psychological harm to minors who have been exposed to sexual orientation or gender identity change efforts including higher instances of depression, anxiety, substance abuse and even suicide.

The Dutchess County Legislature further finds that Conversion Therapy has been discredited by virtually every American medical, psychiatric, psychological and professional counseling organization including: American Academy of Child Adolescent Psychiatry, American Academy of Pediatrics, American Association for Marriage and Family Therapy, American College of Physicians, American Counseling Association, American Medical Association, American Psychiatric Association, American Psychoanalytic Association, American Psychological Association, American School Counselor Association, American School Health Association, National Association of Social Workers, World Health Organization and the World Psychiatric Association.

The Dutchess County Legislature strives to promote an inclusive and supportive culture, ensuring all visitors and residents of Dutchess County feel welcome. The Dutchess County Legislature desires to show solidarity with the nine states and numerous cities and counties throughout the country, including New York City and Erie County within New York State, by recognizing the harm Conversion Therapy causes children and young adults by enacting a Local Law which bans the practice in Dutchess County.

SECTION 2. DEFINTIONS

As used in this law, the following terms shall have the meanings indicated:

A. "Conversion Therapy" means any formal treatment that aims to change sexual orientation and gender identity of a minor. This includes attempting to change a person's sexual orientation from homosexual to heterosexual as well as from heterosexual to homosexual.

B. "Minor" means any person less than eighteen (18) years of age.

C. "Reparative Therapy" has the same meaning as conversion therapy.

D. "Sexual Orientation or Gender Identity Change Efforts" means conversion therapy, reparative therapy, or any other practice that seeks to change an individual's sexual orientation or gender identity. "Sexual Orientation or Gender Identity Change Efforts" do not include psychotherapies that provide acceptance, support, and understanding for clients. And in addition do not prohibit clergy from pastoral counseling, teaching, or relaying of their religion's doctrine.

E. "Formal Treatment" is defined as a continued effort through a program or through many sessions or meetings to change a minor's sexual identity or orientation.

SECTION 3. PROHIBITION

The administering sexual orientation or gender identity change efforts, Conversion Therapy, or Reparative Therapy upon a minor within the geographic boundaries of the County of Dutchess is prohibited.

SECTION 4. PENALTIES.

Any person who knowingly violates the provisions of this Local Law shall be guilty of an unspecified misdemeanor punishable by a fine of up to $5000 and/or up to one year in prison.

SECTION 5. SEVERABILITY.

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

SECTION 6. EFFECTIVE DATE.

This Local Law shall take effect upon filing with the Secretary of State.

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: Legislator Joel Tyner Prepared On: 6/14/18

Morris, Carolyn

om: Pulver, Gregg
ent: Tuesday, August 7, 2018 12:52 PM
To: Tyner, Joel; Black, Hannah; Page, Nick; Brendli, Craig
Cc: Morris, Carolyn
Subject: R2018202 Memo
Attachments: R2018202 Memo.pdf

Legislators Tyner, Black, Page and Brendli,

Please see the attached memo regarding Resolution 2018202. Let me know if you have any questions.

Thanks, Gregg.

COUNTY OF DUTCHESS
STATE OF NEW YORK

A. GREGG PULVER
CHAIRMAN OF THE LEGISLATURE

Memorandum

To: Legislators Tyner, Black, Page, and Brendli

From: A. Gregg Pulver, Chairman of the Legislature

Re: Resolution 2018202

Date: August 7, 2018

Upon review of Resolution 2018202, the fiscal impact statement projects no fiscal impact without explanation. However there being no fiscal impact is inaccurate, a new local law that is effective immediately and includes penalties clearly has a fiscal impact to Dutchess County through enforcement and/or revenue. Due to an inaccurate fiscal impact statement, I have made the decision that Resolution 2018202 will be pulled from the August agenda.

22 Market Street, Poughkeepsie, New York 12601
Phone: 845.486.2112 Fax: 845.486.2113
gpulver@dutchessny.gov
www.dutchessny.gov

Morris, Carolyn

om:	Hannah Black <hblackdc4@gmail.com>
Sent:	Wednesday, August 8, 2018 12:30 PM
To:	Pulver, Gregg
Cc:	Brendli, Craig; Joseph, Nick; Kristofer Munn; Amparo, Francena; Morris, Carolyn; Page, Nick; Tyner, Joel
Subject:	Re: R2018202 Memo

Good Afternoon Gregg,

Thank you for offering assistance on which departments the sponsors of this local law need to discuss potential fiscal impact with. I will gladly take you up on that offer. Please have legislative staff initiate a request to the appropriate department(s) to provide us with an "accurate" fiscal impact statement.

We would appreciate an expedited response given that had the the sponsors been informed of the possible inaccurate fiscal impact statement promptly, after the committee chair's meeting, we could have had ample time to work with departments on an updated fiscal impact statement and re-laid it on the desks to be ready for September's agenda.

Finally, I am happy to hear that this will make it to the floor in the future. The sooner the better, as sending a message to our community that we are an inclusive county is extremely important. It becomes disturbing that we appear to be archaic and behind compared to our neighboring counties when we look at what local news sources are reporting on their successes.

Kindly,

Hannah

On Wed, Aug 8, 2018 at 11:04 AM Pulver, Gregg <gpulver@dutchessny.gov> wrote:

I have every intention of bringing this up for debate and a vote. Joel, I agree with you that this won't cost the County much money but it could cost/bring-in some. We cannot circumvent our Legislative rules when a local law/resolution has an inaccurate fiscal impact statement. As an aside, I think the discussion regarding the intent of this local law was very positive in our caucus.

If the sponsors need help determining the fiscal impact to County Government I would be happy to assist you in talking with the appropriate departments.

Gregg.

From: Joel Tyner [mailto:joeltyner@earthlink.net]
Sent: Wednesday, August 08, 2018 8:49 AM
To: Page, Nick; Pulver, Gregg
Cc: Tyner, Joel; Black, Hannah; Brendli, Craig; Morris, Carolyn
Subject: Re: R2018202 Memo

I agree with Nick-- it is indeed unfortunate that we won't even be able to openly debate this proposed law tomorrow.

Our proposed language for our local law is essentially identical to what has been passed in other counties...

[....unanimously, actually, just this June across the river in Ulster County...]

Enforcement of this new law would not break the bank-- it would barely cost anything.

Frankly, Gregg, I think you know that.

I've noticed a ton of homophobia still here and now in 2018 rampant throughout Dutchess County.

This law would go a long way towards making it public that at least the Dutchess County Legislature

finds this homophobia unacceptable.

Why not pass the law and send that message?

J

https://hudsonvalleyone.com/2018/08/03/ulster-county-bans-gay-conversion-therapy/

Ulster County bans gay conversion 'therapy'

by Jesse J. Smith/August 3, 2018/3 comments

County Legislator Jonathan Heppner.

Ulster County became the fourth community in New York to ban a long-discredited form of treatment that seeks to alter a youth's sexual orientation or gender identity.

The ban on so-called "conversion therapy" was passed by a unanimous vote of the Ulster County Legislature on June 20 and signed into law by County Executive Mike Hein one month later.

The law imposes penalties of up to one year in prison and fines up to $500 for anyone who practices conversion or "reparative" techniques on a minor under the age of 18 within the bounds of Ulster County. The practice is defined in the statute as, "Any formal treatment that aims to change the sexual orientation and gender identity of a minor. This includes attempting to change a person's sexual orientation from homosexual to heterosexual as well as from heterosexual to homosexual." The law does not include "psychotherapies that provide acceptance, support and understanding for clients." The law also specifies that it does not prohibit clergy from "pastoral counseling, teaching or relaying of their religion's doctrine."

Homosexuality was removed from the American Psychological Association's list of mental disorders in 1973. Virtually every professional organization in psychology and social science has deemed the now-outlawed practice not only ineffective, but harmful. Experts say the practice is particularly damaging when applied to children.

"It can lead to everything from depression to increased risk of substance abuse to suicide," said Jeff Rindler, executive director of the Hudson Valley LGBTQ Community Center. "When you tell someone that they are bad and wrong for being who they are and they are damned to hell, it has a horrifying impact on them."

The technique is already illegal in 14 states, the District of Columbia and 43 municipalities around the country. An executive order signed by Gov. Andrew Cuomo bars practitioners from seeking reimbursement from insurance

companies for it as well. But efforts to ban the practice outright have repeatedly stalled in New York's Republican controlled state Senate. New York City, Erie County both enacted local laws prohibiting conversion techniques earlier this year. A ban on the practice is set to take effect in Rochester next month and Albany in September.

In Ulster County, the legislation was introduced by county lawmaker Jonathan Heppner (D-Woodstock). Heppner said he got the idea after reading about Erie County's efforts. Heppner said he was unaware of anyone practicing conversion techniques in Ulster County, but he said he had learned that the practice frequently occurs hidden from public view.

"As our society and culture has changed to be more accepting, conversion therapy has been pushed into the shadows," said Heppner. "It's going on in church basements and camps run by religious institutions."

Backers of the ban say that in addition to preventing actual harm to minors subjected to the technique, the new legislation would send a message of acceptance to gay and transgender youth.

"With this law, we are saying loud and clear that Ulster County will not tolerate psychological or physical abuse of our youth in any form, regardless of their sexual orientation or gender identity," said Hein. "And that the disgraceful pseudo-science practice of conversion therapy in all its forms has no place here."

-----Original Message-----
From: "Page, Nick"
Sent: Aug 7, 2018 3:20 PM
To: "Pulver, Gregg"
Cc: "Tyner, Joel" , "Black, Hannah" , "Brendli, Craig" , "Morris, Carolyn"
Subject: Re: R2018202 Memo

This isn't good Gregg. This resolution concerns a rare and ugly practice that, regardless of frequency, should be explicitly prohibited. If you can show evidence of recent local activity then we should:

1. Consider the financial implications

and

2. Get the resolution on the books ASAP

If not, the projection of no fiscal impact should stand and we should get this thing on the record.

yours,

Nick

On Aug 7, 2018, at 12:51 PM, Pulver, Gregg <gpulver@dutchessny.gov> wrote:

Legislators Tyner, Black, Page and Brendli,

Please see the attached memo regarding Resolution 2018202. Let me know if you have any questions.

Thanks, Gregg.

<R2018202 Memo.pdf>

--

Hannah Black
Minority Leader
Dutchess County Legislator
Town of Hyde Park & Staatsburg
(845) 674-2534

Morris, Carolyn

om: Joel Tyner <joeltyner@earthlink.net>
Sent: Wednesday, August 8, 2018 11:19 AM
To: Pulver, Gregg; Page, Nick
Cc: Black, Hannah; Brendli, Craig; Morris, Carolyn
Subject: RE: R2018202 Memo

Gregg thx if you could help reach out to pertinent county dept.'s (Fedorchak et. al.) that'd be great much appreciated.

[....pls pls pls understand and realize however that I/we might have a right to be a wee bit -say- frustrated if fiscal impact is not realistic.....I really and truly feel there would be hardly any fiscal impact to this law being passed in Dutchess-- pls I ask you and county dept.(s) involved to not consider exaggerating cost of enforcing this...]

thx

joel

-----Original Message-----
From: "Pulver, Gregg"
Sent: Aug 8, 2018 11:03 AM
To: "Tyner, Joel" , "Page, Nick"
Cc: "Black, Hannah" , "Brendli, Craig" , "Morris, Carolyn"
Subject: RE: R2018202 Memo

I have every intention of bringing this up for debate and a vote. Joel, I agree with you that this won't cost the County much money but it could cost/bring-in some. We cannot circumvent our Legislative rules when a local law/resolution has an inaccurate fiscal impact statement. As an aside, I think the discussion regarding the intent of this local law was very positive in our caucus.

If the sponsors need help determining the fiscal impact to County Government I would be happy to assist you in talking with the appropriate departments.

Gregg.

From: Joel Tyner [mailto:joeltyner@earthlink.net]
Sent: Wednesday, August 08, 2018 8:49 AM
To: Page, Nick; Pulver, Gregg
Cc: Tyner, Joel; Black, Hannah; Brendli, Craig; Morris, Carolyn
Subject: Re: R2018202 Memo

I agree with Nick-- it is indeed unfortunate that we won't even be able to openly debate this proposed law tomorrow.

Our proposed language for our local law is essentially identical to what has been passed in other counties...

[...unanimously, actually, just this June across the river in Ulster County...]

Enforcement of this new law would not break the bank-- it would barely cost anything.

Frankly, Gregg, I think you know that.

I've noticed a ton of homophobia still here and now in 2018 rampant throughout Dutchess County.

This law would go a long way towards making it public that at least the Dutchess County Legislature finds this homophobia unacceptable.

Why not pass the law and send that message?

J

https://hudsonvalleyone.com/2018/08/03/ulster-county-bans-gay-conversion-therapy/

Ulster County bans gay conversion 'therapy'

by Jesse J. Smith/August 3, 2018/3 comments

County Legislator Jonathan Heppner.

Ulster County became the fourth community in New York to ban a long-discredited form of treatment that seeks to alter a youth's sexual orientation or gender identity.

The ban on so-called "conversion therapy" was passed by a unanimous vote of the Ulster County Legislature on June 20 and signed into law by County Executive Mike Hein one month later.

The law imposes penalties of up to one year in prison and fines up to $500 for anyone who practices conversion or "reparative" techniques on a minor under the age of 18 within the bounds of Ulster County. The practice is defined in the statute as, "Any formal treatment that aims to change the sexual orientation and gender identity of a minor. This includes attempting to change a person's sexual orientation from homosexual to heterosexual as well as from heterosexual to homosexual." The law does not include "psychotherapies that provide acceptance, support and understanding for clients." The law also specifies that it does not prohibit clergy from "pastoral counseling, teaching or relaying of their religion's doctrine."

Homosexuality was removed from the American Psychological Association's list of mental disorders in 1973. Virtually every professional organization in psychology and social science has deemed the now-outlawed practice not only ineffective, but harmful. Experts say the practice is particularly damaging when applied to children.

"It can lead to everything from depression to increased risk of substance abuse to suicide," said Jeff Rindler, executive director of the Hudson Valley LGBTQ Community Center. "When you tell someone that they are bad and wrong for being who they are and they are damned to hell, it has a horrifying impact on them."

The technique is already illegal in 14 states, the District of Columbia and 43 municipalities around the country. An executive order signed by Gov. Andrew Cuomo bars practitioners from seeking reimbursement from insurance companies for it as well. But efforts to ban the practice outright have repeatedly stalled in New York's Republican controlled state Senate. New York City, Erie County both enacted local laws prohibiting conversion techniques earlier this year. A ban on the practice is set to take effect in Rochester next month and Albany in September.

In Ulster County, the legislation was introduced by county lawmaker Jonathan Heppner (D-Woodstock). Heppner said he got the idea after reading about Erie County's efforts. Heppner said he was unaware of anyone practicing conversion techniques in Ulster County, but he said he had learned that the practice frequently occurs hidden from public view.

"As our society and culture has changed to be more accepting, conversion therapy has been pushed into the shadows," said Heppner. "It's going on in church basements and camps run by religious institutions."

Backers of the ban say that in addition to preventing actual harm to minors subjected to the technique, the new legislation would send a message of acceptance to gay and transgender youth.

"With this law, we are saying loud and clear that Ulster County will not tolerate psychological or physical abuse of our youth in any form, regardless of their sexual orientation or gender identity," said Hein. "And that the disgraceful pseudo-science practice of conversion therapy in all its forms has no place here."

-----Original Message-----
From: "Page, Nick"
Sent: Aug 7, 2018 3:20 PM
To: "Pulver, Gregg"
Cc: "Tyner, Joel" , "Black, Hannah" , "Brendli, Craig" , "Morris, Carolyn"
Subject: Re: R2018202 Memo

This isn't good Gregg. This resolution concerns a rare and ugly practice that, regardless of frequency, should be explicitly prohibited. If you can show evidence of recent local activity then we should:

1. Consider the financial implications
and
2. Get the resolution on the books ASAP

If not, the projection of no fiscal impact should stand and we should get this thing on the record.

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Morris, Carolyn

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Morris, Carolyn

From: Page, Nick
Sent: Tuesday, August 7, 2018 3:21 PM
To: Pulver, Gregg
Cc: Tyner, Joel; Black, Hannah; Brendli, Craig; Morris, Carolyn
Subject: Re: R2018202 Memo

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<R2018202 Memo.pdf>

The foregoing Resolution No. 2018202, A LOCAL LAW PROHIBITING CONVERSION THERAPY UPON A MEMBER WITHIN DUTCHESS COUNTY, was laid on desks on July 9, 2018, and pulled by Chair on August 7, 2018. No further action was taken.

Dutchess County Legislature

Condolence: Jean Elizabeth Farinacci

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

WHEREAS, the Dutchess County Legislature has learned with sadness and regret of the recent death of Jean Elizabeth Farinacci, on June 8, 2018, at the age of 77, and

WHEREAS, Jean Elizabeth Farinacci, was born on February 4, 1941, in Poughkeepsie, she was the daughter of the late Vere and Edith Grantner Foster, and

WHEREAS, Jean retired following a long and dedicated career of service with Dutchess County that spanned 25 years at the Dutchess County Infirmary in Millbrook, and

WHEREAS, Jean was a former member of the Faith Assembly of God in Poughkeepsie and most recently attended the Full Gospel Center in Lagrangeville, and

WHEREAS, Jean was a strong, independent and compassionate lady who always supported her family and enjoyed being with her friends and family and spending time at the beach, and

WHEREAS, her passing will be mourned by her family, friends, and colleagues throughout Dutchess County, now, therefore, be it

RESOLVED, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby extend its deep sympathy and sincere condolences to the family and friends of the late Jean Farinacci, and, be it further

RESOLVED, that the meeting of the Dutchess County Legislature be adjourned in memory of the late Jean Elizabeth Farinacci.

Resolution No. 2018203

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 9th day of July 2018, 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 9th day of July 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

On motion by Assistant Minority Munn, duly seconded by Legislator Llaverias and carried, the Rules were suspended to allow the public to address the Legislature on agenda and non-agenda items.

Carol Madrid spoke in favor of Legislator Tyner's letter regarding immigration.

Gloria Grossnickel spoke regarding the loss of her son's life through drug addiction.

Constantine Kazolias, 47 Noxon Street, Poughkeepsie, spoke in support of youth services in the City of Poughkeepsie. He encouraged the formation of a committee to review the City of Poughkeepsie Police budget.

No one wishing to speak, on motion by Majority Leader Roman, duly seconded by Legislator Llaverias and carried, the Regular Order of Business was resumed.

There being no further business, the Chairman adjourned the meeting at 9:37 p.m.