

Attendance Sheets

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

Date: 11/10/14

Regular Meeting
of the
Dutchess County Legislature

Monday, November 10, 2014

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

Roll Call by the Clerk of the Legislature

PRESENT: 25 Amparo, Bolner, Borchert, Farley, Flesland, Horton,
Hutchings, Incoronato, Jeter-Jackson, Johnson, Kelsey,
MacAvery, Miccio, Nesbitt, Perkins, Pulver, Rolison,
Roman, Sagliano, Serino, Strawinski, Surman, Thomes,
Tyner, Weiss

ABSENT: 0

PRESENT, LATE: 0

Quorum Present.

Pledge of Allegiance to the Flag; invocation given by Monsignor James P. Sullivan of St. Martin dePorres in Poughkeepsie, followed by a moment of silent meditation.

Proclamations/Commendation:

Proclamation: November is National Marrow Awareness
Month
Commendation: Joe Panik

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

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

Chairman Rolison entertained a motion to approve the October 2014 minutes.

The October 2014 minutes were adopted.

COMMUNICATIONS RECEIVED FOR THE NOVEMBER 2014 BOARD MEETING

Received from County Clerk, Summary of Mortgage Tax collected October 2014.

Received from Dutchess County Local Development Corporation, proposed budget for 2015.

Received from Dutchess County Industrial Development Corporation, proposed budget for 2015.

Received from New York City Environmental Protection, Notice of Correction for the Recently Released Draft Scope of Work for the Water for the Future Upstate Water Supply Resiliency Project.

Received from Dutchess County Water and Wastewater Authority, Final Assessment of 2015 Debt Service Expenditures and Revenue Needs and the Final Assessment Rolls for Zone of Assessment A, B, C, D, H, J, K and L in the Dutchess County Water District and for Part County Sewer District 1, 2, and 3.

Received from New York State Comptroller, Dutchess County Financial Condition, Report of Examination, period covered January 1, 2012 – November 30, 2013.

Received from Seneca County Board of Supervisors, Resolution No. 221-14, Legislation to Permit Collection of Lawfully Due Taxes on Indian Tribal Properties.

Morris, Carolyn

From: Kendall, Bradford
Sent: Monday, November 03, 2014 11:13 AM
To: Kendall, Bradford
Subject: October Mortgage Tax receipts
Attachments: Summary of Mortgage tax collection Oct 14 to Mar 15.xls

Here are the Mortgage Tax receipts for October. The Resolution for the distribution of the proceeds for the prior 6 month period is on the November Legislative agenda.

Bradford Kendall
Dutchess County Clerk

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

as well as distribution to villages.

Summary of Mortgage Tax Received Oct 14 to Mar 15

Town	October 14	November	December	January 15	February	March	Total for six months
Amenia	\$ 4,478.50						\$ 4,478.50
Beekman	\$ 16,940.27						\$ 16,940.27
Clinton	\$ 19,750.64						\$ 19,750.64
Dover	\$ 12,126.50						\$ 12,126.50
East Fishkill	\$ 73,829.00						\$ 73,829.00
Fishkill	\$ 37,766.05						\$ 37,766.05
Hyde Park	\$ 21,653.00						\$ 21,653.00
LaGrange	\$ 39,000.23						\$ 39,000.23
Milan	\$ 3,317.16						\$ 3,317.16
North East	\$ 2,990.00						\$ 2,990.00
Pawling	\$ 15,566.00						\$ 15,566.00
Pine Plains	\$ 2,017.50						\$ 2,017.50
Pleasant Valley	\$ 14,270.01						\$ 14,270.01
Poughkeepsie	\$ 48,871.31						\$ 48,871.31
Red Hook	\$ 21,368.00						\$ 21,368.00
Rhinebeck	\$ 14,302.00						\$ 14,302.00
Stanford	\$ 5,232.00						\$ 5,232.00
Union Vale	\$ 7,420.50						\$ 7,420.50
Wappinger	\$ 30,453.95						\$ 30,453.95
Washington	\$ 5,335.20						\$ 5,335.20
City Beacon	\$ 32,207.00						\$ 32,207.00
City Poughkeepsie	\$ 32,541.68						\$ 32,541.68
Total	\$ 461,436.50	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 461,436.50
County Tax	\$ 461,436.50	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 461,436.50
MTA	\$ 261,095.10						\$ 261,095.10
Special Add	\$ 22,943.75						\$ 22,943.75
1-6 Family	\$ 160,362.50						\$ 160,362.50
Local Tax							
Taxes Held	\$ 11,573.60						
Ret/Out Cnty							
Total	\$ 917,411.45	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 905,837.85
MTA Take	\$ 421,457.60	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 421,457.60

DUTCHESS COUNTY LOCAL DEVELOPMENT CORPORATION

November 3, 2014

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

Dear Ms. Morris:

Enclosed please find the proposed budget for the Dutchess County Local Development Corporation for the Fiscal Year 2015.

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

Sincerely,



Catherine A. Maloney
Executive Director

Enclosure.

**Dutchess County
Local Development Corporation
2015 Budget**

Revenues:

Charges for services	100,750
Interest Earnings	<u>900</u>
Total Revenue	101,650

Expenditures:

Professional Services Contracts	80,000
Other	20,750
Supplies	<u>300</u>
Total Expense	101,050

Excess Income /Expense	600
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COMMUNICATIONS

November 3, 2014

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

Dear Ms. Morris:

Enclosed please find the proposed budget for the Dutchess County Industrial Development Agency for the Fiscal Year 2015.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "C Maloney".

Catherine A. Maloney
Executive Director

Enclosure

**Dutchess County
Industrial Development Agency
2015 Budget**

Revenues:

Charges for services	365,000
Interest Earnings	<u>2,000</u>
Total Revenue	367,000

Expenditures:

Professional Services Contracts	655,000
Other	37,178
Supplies	<u>1,000</u>
Total Expense	693,178

Excess Income /Expense	(326,178)
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Environmental
Protection

**NOTICE OF CORRECTION FOR THE RECENTLY RELEASED
DRAFT SCOPE OF WORK FOR THE WATER FOR THE FUTURE:
UPSTATE WATER SUPPLY RESILIENCY PROJECT**

Emily Lloyd
Commissioner

CEQR No. 15DEP006U
October 22, 2014

Angela Licata
Deputy Commissioner of
Sustainability
alicata@dep.nyc.gov

59-17 Junction Blvd.
Flushing, New York 11373

Tel. (718) 595-4398
Fax (718) 595-4479

A Draft Scope of Work was issued on October 10, 2014 for the Water for the Future: Upstate Water Supply Resiliency Project. Please note that Part 3 of the Environmental Assessment Form incorrectly indicated that a conditional negative declaration would be prepared. DEP acknowledges this project may result in one or more significant adverse impacts on the environment and issued a Positive Declaration reflecting that an environmental impact statement will be prepared accordingly.

The corrected Part 3 is enclosed. We apologize for any inconvenience this may have caused you. Please note Parts 1, 2, and 3 of the Environmental Assessment Form as well as the Draft Scope of Work is available on the NYCDEP website: <http://www.nyc.gov/dep>.

A handwritten signature in black ink, appearing to read "Mark N. Page, Jr.", written in a cursive style.

Mark N. Page, Jr.
Managing Director

Enclosure

Project : Agency Use Only (Attachment)

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.

An Environmental Impact Statement will be prepared.

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
An Environmental Impact Statement will be prepared.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
NYCDEP Bureau of Environmental Planning and Analysis 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: Water for the Future: Upstate Water Supply Resiliency

Name of Lead Agency: NYCDEP Bureau of Environmental Planning and Analysis

Name of Responsible Officer in Lead Agency: Mark N. Page, Jr.

Title of Responsible Officer: Managing Director

Signature of Responsible Officer in Lead Agency:

Date: 10/22/2014

Signature of Preparer (if different from Responsible Officer)

Date: 10/22/2014

For Further Information:

Contact Person: Jennifer Farmwald

Address: 59-17 Junction Boulevard, 11th Floor

Telephone Number:

E-mail: WFFComments@dep.nyc.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/enh/enb.html>

DUTCHESS COUNTY



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

Authority Board Members

Thomas LeGrand
Chairperson

Vincent DiMaso
Vice-Chairperson

Rudy Vavra
Treasurer

Lawrence R. Knapp
Secretary

Ex officio Members

Ed Hoxsie
District Manager
Soil and Water Conservation District

Eion Wrafter
Acting Commissioner
D.C. Dept. of Planning & Development

Staff

Bridget Barclay
Executive Director

Mary C. Morris
Deputy Director

TO: Carolyn Morris, Clerk of the Legislature

FROM: Bridget Barclay, Executive Director

DATE: October 22, 2014

RE: Year 2015 Final Assessment Levy

Dutchess County Water District

Dutchess County Part County Sewer District 1

Dutchess County Part County Sewer District 2

Dutchess County Part County Sewer District 3

Attached please find the Final Estimate of 2015 Debt Service Expenditures and Revenue Needs, and the Final Assessment Rolls for Zones of Assessment A, B, C, D, H, J, K and L in the Dutchess County Water District, and for Part County Sewer Districts 1, 2 and 3.

cc w/out Assessment Rolls:

James Fedorchak, County Attorney

Heidi Seelbach, Commissioner of Finance

Valerie Sommerville, Budget Director

ESTIMATE OF 2015 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
ZONES OF ASSESSMENT A and B
IN THE DUTCHESS COUNTY WATER DISTRICT

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

EXPENSES:

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

Principal and Interest	\$1,434,987.36
Repayment of County Service Fee	\$75,119.73
Administrative Expenses:	
Trustee Fees	\$9,004.25
DCWWA Admin.	\$40,369.85

TOTAL EXPENSES FOR ZONES A & B	\$1,559,481.19
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REVENUES:

Zone A Benefit Assessment Levy	\$951,240.47
<u>Zone B Benefit Assessment Levy</u>	<u>\$546,226.28</u>
Total Zones A & B	\$1,497,466.75
Capital Contribution from Zone of Assessment D and L	\$62,014.44

TOTAL REVENUES FROM ZONES A & B	\$1,559,481.19
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ESTIMATE OF 2015 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
ZONE OF ASSESSMENT C
IN THE DUTCHESS COUNTY WATER DISTRICT

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

EXPENSES:

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

Principal and Interest	\$290,519.99
Administrative Expenses:	
Trustee Fees	\$1,511.57
DCWWA Admin.	\$6,258.39

TOTAL EXPENSES FOR ZONE C	\$298,289.95
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REVENUES:

Benefit Assessment Levy - Hyde Park	\$245,387.23
<u>Benefit Assessment Levy - Rhinebeck</u>	<u>\$45,916.85</u>
Total Zone C Levy	\$291,304.08

Capital Charges Against District Tenants	\$6,985.87
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TOTAL REVENUES FROM ZONE C	\$298,289.95
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ESTIMATE OF 2015 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
ZONE OF ASSESSMENT D
IN THE DUTCHESS COUNTY WATER DISTRICT

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

EXPENSES:

Debt Service and other expenses for Zone D

Principal and Interest	\$226,506.92
Hyde Park Plant Capital Payment	\$ 45,985.28
Administrative Expenses:	
Trustee Fees	\$ 4,033.33
DCWWA Admin.	\$ 4,722.78

TOTAL EXPENSES FOR ZONE D	\$281,248.31
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REVENUES:

Zone D Assessment Levy	\$280,704.94
Capital Charges Against District Tenants	\$543.37

TOTAL REVENUES FROM ZONE D	\$281,243.31
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ESTIMATE OF 2015 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
ZONE OF ASSESSMENT H
IN THE DUTCHESS COUNTY WATER DISTRICT

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

EXPENSES:

Debt Service and other expenses for Zone H

Principal and Interest	\$156,162.50
Administrative Expenses:	
Trustee Fees	\$ 1,925.00
DCWWA Admin.	\$ 3,766.12

TOTAL EXPENSES FOR ZONE H	\$161,853.62
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REVENUES:

Zone H Assessment Levy	\$161,853.62
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TOTAL REVENUES FROM ZONE H	\$161,853.62
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ESTIMATE OF 2015 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
ZONE OF ASSESSMENT J
IN THE DUTCHESS COUNTY WATER DISTRICT

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

EXPENSES:

Debt Service and other expenses for Zone J

Principal and Interest	\$110,785.80
Administrative Expenses:	
Trustee Fees	\$ 364.49
DCWWA Admin.	\$ 1,584.12

TOTAL EXPENSES FOR ZONE J	\$112,734.41
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REVENUES:

Zone J Assessment Levy	\$112,734.41
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TOTAL REVENUES FROM ZONE J	\$112,734.41
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ESTIMATE OF 2015 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
ZONE OF ASSESSMENT K
IN THE DUTCHESS COUNTY WATER DISTRICT

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

EXPENSES:

Debt Service and other expenses for Zone K

Principal and Interest	\$68,151.45
Administrative Expenses:	
Trustee Fees	\$ 406.44
DCWWA Admin.	\$ 932.70

TOTAL EXPENSES FOR ZONE K	\$69,490.59
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REVENUES:

Zone K Assessment Levy	\$69,490.59
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TOTAL REVENUES FROM ZONE K	\$69,490.59
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ESTIMATE OF 2015 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
ZONE OF ASSESSMENT L
IN THE DUTCHESS COUNTY WATER DISTRICT

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

EXPENSES:

Debt Service and other expenses for Zone L

Principal and Interest	\$75,818.36
Hyde Park Plant Capital Payment	\$16,029.16
Administrative Expenses:	
Trustee Fees	\$ 304.90
DCWWA Admin.	\$ 1,113.63

TOTAL EXPENSES FOR ZONE L	\$93,266.05
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REVENUES:

Zone L Assessment Levy	\$93,266.05
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TOTAL REVENUES FROM ZONE L	\$93,266.05
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ESTIMATE OF 2015 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
DUTCHESS COUNTY
PART COUNTY SEWER DISTRICT #1

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

EXPENSES:

Debt Service and other expenses for Sewer District #1

Principal and Interest	\$115,780.00
Administrative Expenses:	
Trustee Fees	\$ 1,500.00
DCWWA Admin.	\$ 6,679.70

TOTAL EXPENSES FOR SEWER DISTRICT #1	\$123,959.70
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REVENUES:

District #1:

Zone A Benefit Assessment Levy	\$121,892.59
<u>Zone B Benefit Assessment Levy</u>	<u>\$ 2,067.11</u>
Total Zones A & B	\$123,959.70

TOTAL REVENUES FROM SEWER DISTRICT #1	\$123,959.70
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ESTIMATE OF 2015 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
DUTCHESS COUNTY
PART COUNTY SEWER DISTRICT #2

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

EXPENSES:

Debt Service and other expenses for Sewer District #2

Principal and Interest	\$29,538.48
Administrative Expenses:	
Trustee Fees	\$ 1,500.00
DCWWA Admin.	\$ 1,535.57

TOTAL EXPENSES FOR SEWER DISTRICT #2	\$32,574.05
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REVENUES:

District #2 Assessment Levy	\$32,574.05
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TOTAL REVENUES FROM SEWER DISTRICT #2	\$32,574.05
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ESTIMATE OF 2015 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
DUTCHESS COUNTY
PART COUNTY SEWER DISTRICT #3

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

EXPENSES:

Debt Service and other expenses for Sewer District #3

Principal and Interest	\$163,812.50
Administrative Expenses:	
Trustee Fees	\$ 1,925.00
DCWWA Admin.	\$ 3,522.52

TOTAL EXPENSES FOR SEWER DISTRICT #3	\$169,260.02
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REVENUES:

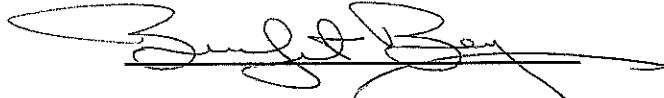
District #3 Assessment Levy	\$169,260.02
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TOTAL REVENUES FROM SEWER DISTRICT #3	\$169,260.02
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CERTIFICATION

The undersigned, Executive Director of the Dutchess County Water and Wastewater Authority, hereby certifies that the foregoing estimates of the 2015 Debt Service Expenditures for Zones of Assessment A, B, C, D, H, J, K and L in the Dutchess County Water District, and Part County Sewer Districts #1, 2 and 3 accurately state the debt service and other expense requirements and projected revenues required to satisfy those requirements in the service areas covered by said Zones and said Part-County Districts.

Dated: Poughkeepsie, NY
October 22, 2014

A handwritten signature in black ink, appearing to read "Bridget Barclay", written over a horizontal line.

Bridget Barclay, Executive Director
Dutchess County Water and
Wastewater Authority



Dutchess County

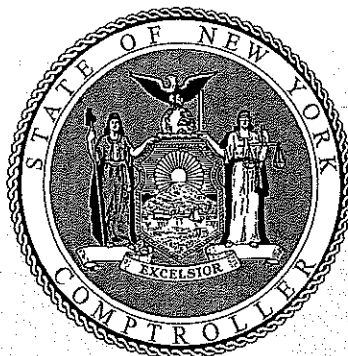
Financial Condition

Report of Examination

Period Covered:

January 1, 2012 — November 30, 2013

2013M-370



Thomas P. DiNapoli

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State of New York

Office of the State Comptroller

Division of Local Government and School Accountability

March 2014

Dear County Officials:

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

Following is a report of our audit of Dutchess County, entitled Financial Condition. This audit was conducted pursuant to Article V, Section 1 of the State Constitution and the State Comptroller's authority as set forth in Article 3 of the General Municipal Law.

This audit's results and recommendations are resources for local government officials to use in effectively managing operations and in meeting the expectations of their constituents. If you have questions about this report, please feel free to contact the local regional office for your county, as listed at the end of this report.

Respectfully submitted,

*Office of the State Comptroller
Division of Local Government
and School Accountability*

Introduction

Background

Dutchess County (County) has approximately 297,000 residents, 20 towns, eight villages and two cities, and covers approximately 802 square miles. County government is divided into two branches: legislative and executive. The executive branch is headed by the County Executive (Executive), who is the County's chief executive and chief budgetary officer. The County has three financial officers: the Comptroller, the Commissioner of Finance and the Budget Director. The Budget Director is responsible for the preparation and implementation of the County's annual budget.

As of November 2013, the County had approximately 1,800 employees. Budgeted appropriations for the 2013 and 2014 fiscal years were approximately \$409 and \$411 million,¹ funded primarily with real property taxes, sales and use taxes and State and Federal aid. The County provides services for its residents including general government support, road maintenance and snow removal, economic assistance and public safety services through the Sheriff's Department and County Jail. The County has two enterprise funds to account for airport and bus transportation operations.

Objective

The objective of our audit was to review the County's budgeting practices. Our audit addressed the following related question:

- Does the County Legislature (Legislature) properly manage County finances by ensuring budgets are realistic and structurally balanced?

Scope and Methodology

We examined the County's financial condition and budgeting practices for the period of January 1, 2012 through November 30, 2013. We extended our scope period back to January 1, 2010 to analyze budgetary trends.

We conducted our audit in accordance with generally accepted government auditing standards (GAGAS). More information on such standards and the methodology used in performing this audit is included in Appendix B of this report.

Comments of Local Officials and Corrective Action

The results of our audit and recommendations have been discussed with County officials and their comments, which appear in Appendix A, have been considered in preparing this report. County officials generally agreed with our recommendations and indicated that they were in the process of taking corrective action.

¹ \$411 million represents the 2014 proposed budget amount. The budget was adopted on December 5, 2013 with an amount totaling \$439 million.

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

Financial Condition

The County's financial condition determines its ability to finance services on a continuing basis, maintain adequate levels of service and survive economic disruptions. A county in sound financial health adopts structurally balanced budgets for all of its operating funds and can consistently generate sufficient, recurring revenues to finance anticipated expenditures and maintain sufficient cash flow to pay bills and other obligations when due. To assist in managing financial operations and ensuring the continued orderly operation of government, the County should maintain a reasonable level of unexpended surplus funds (fund balance), which allows it to hedge against unanticipated expenditures and/or revenue shortfalls. A proactive approach to fiscal management is especially important for municipalities that have sizable operations and/or a declining financial position.

The County's general fund balance at December 31, 2011 was restated from \$64.6 million to \$45.5 million (a decrease of \$19.1 million) due to a change by County officials in revenue recognition and a net outstanding receivable balance that was recorded in error. At December 31, 2012, fund balance was 12 percent of the \$409 million budgeted for 2013.

Although the Legislature adopts realistic budgets based on historical or known trends, it appropriates general fund balance every year to subsidize the airport and bus transportation enterprise funds.² As a result, \$3.5 million in operating surplus in 2012 resulted in fund balance increasing by \$2 million because \$1.5 million was needed to subsidize the enterprise funds. While the County's budgeting practices have improved financial condition, the continued subsidizing of the enterprise funds will impact these efforts. An additional \$5.7 million was budgeted in 2013 and in the 2014 proposed budget to subsidize both funds.

Budgeting and Fund Balance – We reviewed the County's 2014 general fund proposed budget to determine whether budget estimates were reasonable, based on historical data and the actual results of operations. We found that the budgeted revenues and expenditures for the 2014 proposed budget totaling \$411 million were reasonable and the budget was structurally balanced. However, the general fund balance was used to cover shortages in the enterprise funds. The general fund balance decreased by approximately \$9.4 million from 2010 to 2012³ as depicted in Table 1.

² The general fund's total subsidy to both enterprise funds was approximately \$5.6 million from 2010 to 2012.

³ Fiscal year 2013 numbers were not available at the time of our audit.

Table 1: Change in Fund Balance

	2010	2011	2012
Beginning Fund Balance	\$56,835,570	\$56,563,017	\$45,464,389 ^a
Operating Surplus	\$2,097,623	\$9,823,775	\$3,471,383
Total	\$58,933,193	\$66,386,792	\$48,935,772
Less: Subsidy to Enterprise funds	\$2,370,176	\$1,820,834	\$1,451,938
Ending Fund Balance	\$56,563,017	\$64,565,958	\$47,483,834

^a Fund balance at December 31, 2011 was restated by (\$19,101,569). The adjustment consists of \$12,380,001 to remove revenues recognized in the prior year beyond the 90 day availability period due to a change by the County Legislature in revenue recognition period for governmental funds to 90 days and a \$6,721,568 net outstanding receivable balance, which was determined to be recorded in error in the 2010 fiscal year.

The total fund balance in the County's general fund has decreased by 16.45 percent. This decrease was partially due to subsidies to the two enterprise funds. Of the \$9.4 million fund balance decrease, \$5.6 million resulted from subsidies to the two enterprise funds and the remainder was caused by a change in accounting in 2012.

Enterprise Funds—Enterprise funds are used to account for government operations which are financed and operated in a manner similar to private business. The County's intent is that the cost of providing airport and bus transportation services to the general public on a continuing basis will be financed and recovered primarily through user charges in each fund. If the airport and bus transportation funds are not self-sufficient, they must rely on the general fund to subsidize operations.

The enterprise funds users' charges have not been sufficient to cover their respective expenses. The County Legislature has appropriated general fund balance to offset operating deficits from the two enterprise funds as illustrated in Table 2.

Table 2: Enterprise Funds

	2010		2011		2012		Totals
	Airport	Mass Transportation	Airport	Mass Transportation	Airport	Mass Transportation	
Revenues	\$1,655,394	\$5,380,476	\$1,678,777	\$4,794,994	\$1,845,942	\$5,298,525	\$20,654,108
Expenditures	\$3,527,455	\$7,193,128	\$3,761,912	\$7,616,965	\$4,127,838	\$8,067,586	\$34,294,884
Operating Income (Loss)	(\$1,872,061)	(\$1,812,652)	(\$2,083,135)	(\$2,821,971)	(\$2,281,896)	(\$2,769,061)	(\$13,640,776)
Appropriation from General Fund	\$575,047	\$1,795,129	\$793,403	\$1,027,431	\$730,786	\$721,152	\$5,642,948

The County's general fund has had to subsidize a significant portion of both enterprise funds' operations over the last three completed fiscal years through appropriations totaling \$5,642,948. Furthermore,

the Legislature has appropriated \$2,818,125 to subsidize the two enterprise funds in the 2014 proposed budget.

The continued reliance on the general fund to subsidize both enterprise funds will in the long run impede County officials from maintaining a reasonable general fund balance. The County's Budget Officer informed us that the Legislature is currently looking into alternative means through studies that will help make the enterprise funds self-sufficient.

Recommendations

1. The Legislature should continue efforts to maintain the general fund balance at a reasonable level.
2. The Legislature should review the enterprise funds' operations and consider actions which will help make the funds more self-sufficient and less reliant on general fund subsidies.

APPENDIX A

RESPONSE FROM LOCAL OFFICIALS

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

MARCUS J. MOLINARO
COUNTY EXECUTIVE



PAMELA BARRACK
COMMISSIONER

March 6, 2014

COUNTY OF DUTCHESS
DEPARTMENT OF FINANCE

Tenneh Blamah
Chief Examiner of Local Government and School Accountability
Office of the State Comptroller
110 State Street
Albany, NY 12236

Re: Response to Dutchess County Fiscal Stress Report of Examination regarding the County's Budgeting practices.

Dear Ms. Blamah:

I am submitting this response on behalf of County Executive Marcus Molinaro. We appreciate the opportunity to respond to your audit. It will be a valuable tool in our preparation for the 2015 budget. We would like to thank the team of auditors sent to Dutchess County for their courteous and professional manner.

Outlined below is the Corrective Action Plan in response to the Office of the State Comptroller's audit of Dutchess County's financial condition for the period January 1, 2012 to November 30, 2013.

Recommendations:

1. *The Legislature should continue efforts to maintain the general fund balance at a reasonable level.*

Corrective Action Plan to Maintain Reasonable Levels of General Fund Balance.

Dutchess County will continue as a stable and efficient organization through controlled spending and fiscal responsibility. Effort is being made to reduce the County's reliance on use of fund balance to balance the annual budget. There is no use of General Fund balance in the 2014 budget. With continued cooperation of all the County Departments, it is the County Executive's intent to present to the Legislature a balanced budget with the intent to appropriate as little fund balance as possible if at all allowing for the possible replenishment of the general fund balance. Legislators will continue to be provided data and summaries to better understand the tough decisions being made to provide the citizens of Dutchess County the best services possible.

We continue to lobby the State Legislature urging them to provide needed mandate relief to counties. The state mandated Preschool Special Education Program will cost Dutchess County taxpayers an estimated \$7 million this year. The State is considering a proposal to provide state funding for Universal Pre-K including coverage for pre-kindergarten special education programs. Adoption of this proposal is crucial to provide the mandate relief needed to preserve important optional county programs and services and replenish and maintain reasonable levels of fund balance.

2. *The Legislature should review the enterprise funds' operations and consider actions which will help make the funds more self-sufficient and less reliant on general fund subsidies.*

Corrective Action Plan to Reduce Enterprise Fund Subsidies

Outlined below is the Corrective Action Plan in response to the Office of the State Comptroller's audit of Dutchess County's financial condition for the period January 1, 2012 to November 30, 2013. County government continues to evaluate and implement measures to make our enterprise funds more self-sufficient and less reliant on general fund subsidies:

DPW-Airport (EA Fund)

- An operational and financial assessment of the Dutchess County Airport was recently completed to analyze various operational models at other Airports and review potential options available to the county. This study was initiated to meet the county's goal of finding the most effective ways for the Airport to become financially self-sustaining positioning the Airport as both a transportation resource for the region, as well as a source for increased opportunities for economic development. A draft report is currently under review by the County Executive's Office and Commissioner of Public Works. The final report is expected by the end of the month with the goal to begin implementation of recommendations identified within the study in 2014.
- The Administration is also working with the Dutchess County Water & Wastewater Authority and the Dutchess County Planning & Development Department to develop plans to provide municipal water service to the Airport in order to promote future development and associated revenues. The County has secured a \$750,000 NYS economic development grant for a water infrastructure project at the Dutchess County Airport and continues to look for additional funding opportunities.
- The Airport is managing tenant leases to retain and promote maximum occupancy of lease spaces in the terminal building, outbuildings, hangars and tie-downs.
- An Open House will be held again this year to promote Airport awareness and foster a positive public image of the Airport.
- The Airport continues to focus on grant opportunities, setting competitive aviation fuel pricing and periodically adjusting user fees to maximize revenues while remaining competitive with other similar size airports in the region.

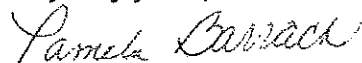
- Debt service previously budgeted in the EA fund for the county bale fill project has been transferred to the general fund, resulting in a decrease in the airport subsidy of \$154,800. Although the bale fill is located on Airport property, this project was not related to the operations of the Airport. Therefore, it's more appropriately budgeted in the general fund.
- Over the last three years, the adopted general fund contribution to the Airport has decreased by \$314,949, going from \$793,403 in 2011 down to \$478,454 for 2014.

Public Transportation (ET Fund)

- The largest growing expenditure for the Public Transportation Division is the payment to our transportation management contractor for their employee salaries and fringe benefits. In 2014, the County plans to evaluate other models for the provision of public transportation, including the option to hire in-house staff, instead of using a contractor. If it is determined that a contractor is more cost effective, an RFP may be issued and the 90 day termination clause activated if proposals are received for a more efficient and cost effective service provider. If an in-house operation is determined to be more cost effective, a plan will be developed to begin implementation in the 2015 budget.
- Units installed in the fare boxes in 2013 will be activated in 2014, facilitating change in the form of a debit card for passengers who do not have exact change. This will also reduce the opportunity for potential fraud and cash handling errors insuring that all revenues collected are accounted for.
- The Public Transportation Division will continue to pursue all grant opportunities. Bus fares, routes and schedules will continue to be evaluated and adjusted periodically as needed to maximize ridership and revenue.
- A contractor has been selected to manage the transit system advertising programs. External advertising frames will be installed on all existing and new buses in 2014 with the goal to generate advertising revenue and reduce the general fund contribution.

Our goal is to deliver quality transportation services at a reasonable cost to the public who rely on these services, while minimizing the impact to our taxpayers and fund balance.

Very truly yours,



Pamela Barrack
Commissioner of Finance

cc: Marcus Molinaro, County Executive
Robert Rolison, Chairman of the Legislature
Carolyn Morris, Clerk of the Legislature
Valerie Sommerville, Budget Director

APPENDIX B

AUDIT METHODOLOGY AND STANDARDS

Our overall goal was to assess the County's financial condition and identify areas where the County could realize efficiencies and protect assets from loss or misuse. To accomplish this, our initial assessment included a comprehensive review of the County's financial condition.

To achieve our financial condition objective and obtain valid audit evidence, we performed the following audit procedures:

- We reviewed the County's policies and procedures for developing and reporting information relevant to financial and budgeting activities. This included gaining information on the fiscal responsibilities of County officials.
- We interviewed County officials to determine what processes were in place and gain an understanding of the County's financial situation and budget.
- We reviewed and analyzed the County's financial records and reports for all funds, including balance sheets, budget reports and statements of revenues and expenditures.
- We analyzed the County's financial records and independent audit reports for the general fund for fiscal years 2010 through 2012 to determine if the financial condition of the general fund had declined. We also evaluated any factors contributing to the decline.
- We compared the adopted budgets for the general fund for fiscal years 2010 through 2012 with the actual results of operations to determine if the budgets were realistic and structurally balanced.
- We reviewed the adopted budget for fiscal year 2014 to determine whether revenues and appropriations budgeted were reasonable, based on historical data and the actual results of operations for 2012 and the previous two years and whether the budget was structurally balanced.
- We analyzed the County's financial records and independent audit reports for the bus transportation and airport funds for fiscal years 2010 through 2012 to determine if the fund was self-sufficient. We also evaluated any factors contributing to the funds not being self-sufficient.

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

APPENDIX C

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DIVISION OF LOCAL GOVERNMENT
AND SCHOOL ACCOUNTABILITY

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Gabriel F. Deyo, Deputy Comptroller
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State of New York
Office of the State Comptroller
NOTICE

NOTICE IS HEREBY GIVEN THAT THE FINANCIAL CONDITION OF THE COUNTY OF DUTCHESS FOR THE PERIOD BEGINNING ON JANUARY 1, 2012 AND ENDING ON NOVEMBER 30, 2013 HAVE BEEN EXAMINED BY THE OFFICE OF THE STATE COMPTROLLER AND THAT THE REPORT OF EXAMINATION PREPARED BY THE OFFICE OF THE STATE COMPTROLLER HAS BEEN FILED IN MY OFFICE WHERE IT IS AVAILABLE AS A PUBLIC RECORD FOR INSPECTION BY ALL INTERESTED PERSONS. PURSUANT TO SECTION THIRTY-FIVE OF THE GENERAL MUNICIPAL LAW, THE GOVERNING BOARD OF THE COUNTY OF DUTCHESS MAY, IN ITS DISCRETION, PREPARE A WRITTEN RESPONSE TO THE REPORT OF EXAMINATION PREPARED BY THE OFFICE OF THE STATE COMPTROLLER AND FILE ANY SUCH RESPONSE IN MY OFFICE AS A PUBLIC RECORD FOR INSPECTION BY ALL INTERESTED PERSONS NOT LATER THAN JANUARY 16, 2015.

DATE: October 20, 2014
Poughkeepsie, New York

Carolyn Morris
Clerk, Dutchess County Legislature

BOARD OF SUPERVISORS SENECA COUNTY

Waterloo, New York 13165

**SENECA COUNTY BOARD OF SUPERVISORS CALLS UPON FEDERAL
REPRESENTATIVES TO PROPOSE AND SUPPORT LEGISLATION TO PERMIT
COLLECTION OF LAWFULLY DUE TAXES ON INDIAN TRIBAL PROPERTIES**

RESOLUTION NO. 221-14 moved by Mr. Shipley, second by Mr. Kubasik and adopted.

WHEREAS, the United State Supreme Court affirmed in its decision in City of Sherrill v. Oneida Indian Nation, 544 U.S. 197 that real property taxes imposed on property owned by Indian tribes but over which the tribe may not exercise sovereign control are justly and lawfully due and owing; and

WHEREAS, this ruling has been held to be applicable in New York to both the Oneida Indian Tribe in the City of Sherrill decision and to the Cayuga tribe in Cayuga Indian Nation v. Village of Union Springs, 390 F.Supp2d 203; and

WHEREAS, despite these rulings, the Second Circuit Court of Appeals has determined that although these taxes are justly and lawfully due by the tribe, municipalities are prohibited from collecting such taxes by tribal sovereign immunity; and

WHEREAS, these rulings have been held to be applicable to properties in Madison County owned by the Oneida Indian tribe in Oneida Indian Nation v. Madison County, 605 F3d 149 and to properties owned by the Cayuga Indian tribe in Seneca County in Cayuga Indian Nation v. Seneca County, (decided July 31, 2014, Docket No. 12-3723); and

WHEREAS, the injustice and incongruity of these decisions prompted Hon. José Cabrenas to comment in his concurring opinion in Oneida v. Madison Co.: “The holding in this case comes down to this: an Indian tribe can purchase land (including land that was never part of a reservation); refuse to pay lawfully-owed taxes; and suffer no consequences because the taxing authority cannot sue to collect the taxes owed. This rule of decision defies common sense. *But absent action by our highest Court, or by Congress, it is the law.*” (Id, at 163) (emphasis added); and

WHEREAS, the decisions in City of Sherrill and the Madison County and Seneca County cases result in a right on the part of New York State municipalities to impose real property taxes on non-sovereign Indian tribal holdings while denying any remedy upon the refusal of those tribes to pay the lawfully due tax; and

WHEREAS, as stated by eminent jurist Hon. John Marshall, Chief Justice of the United State Supreme Court, “The Government of the United State has been emphatically termed a government of laws and not of men. It will certainly cease to deserve this high appellation if the laws furnish no remedy for the violation of a vested legal right” Marbury v. Madison, 5 U.S. 137 at 163; and

BOARD OF SUPERVISORS SENECA COUNTY

Waterloo, New York 13165

-2-

WHEREAS, this resolution has been approved by the Indian Affairs Committee of the Seneca County Board of Supervisors; now, therefore, be it

RESOLVED, the people of Seneca County, through their duly elected representatives on the Board of Supervisors, call upon Senators Kirsten Gillibrand and Charles Schumer and Rep. Tom Reed to introduce and/or support Federal legislation designed to permit collection of lawfully due municipal taxes on Indian owned real property; and be it further

RESOLVED, that the Clerk of the Board is directed to forward copies of this Resolution to the legislatures and Boards of Supervisors of each of New York State's Counties and to the New York State Association of Counties; and be it further

RESOLVED, that the Clerk of the Board is directed to forward a copy of this Resolution to Senators Gillibrand and Schumer and to Congressman Tom Reed.

I do hereby certify that I have compared the preceding with the original thereof, on file in the Office of the Clerk of the Board of Supervisors at Waterloo, New York, and that the same is a correct transcript therefrom and of the whole of said original; and that said original was duly adopted at a meeting of the Board of Supervisors of Seneca County held at Waterloo, New York on the 14 day of October 2014.

State of New York}
County of Seneca}



Margaret E. Li
I attest to the accuracy and integrity of this document.
2014.10.17 15:03:06 -04'00'

Margaret E. Li, Clerk, Board of Supervisors
Seneca County, Waterloo, New York 13165

Given under my hand and official seal _____

RESOLUTION NO. 2014293

RE: AUTHORIZING CONDEMNATION PROCEEDING FOR ACQUISITION IN FEE AND TWO TEMPORARY EASEMENTS OF REAL PROPERTY OWNED BY STANLEY M. ZABAWSKI AND JOHN M. ZABAWSKI FOR THE REHABILITATION OF CR 21 (NOXON ROAD) AND CR 49 (TITUSVILLE ROAD) INTERSECTION, TOWN OF LAGRANGE (PIN 8758.69)

Legislators HUTCHINGS, MICCIO, SAGLIANO, and FARLEY offer the following and move its adoption:

WHEREAS, the Department of Public Works has proposed the improvement of CR 21 (Noxon Road) and CR 49 (Titusville Road) intersection, in the Town of LaGrange, which project (PIN#8758.69) includes the acquisition of portions of certain properties, and

WHEREAS, a Negative Declaration was approved and adopted by this Legislature on December 8, 2008 under Resolution No. 208403 with the Department of Public Works having determined that the improvement and project constitutes an Unlisted Action under SEQRA, and

WHEREAS, it has been determined that a portion of property owned by Stanley M. Zabawski and John M. Zabawski is necessary to advance the rehabilitation of County Route 21 and County Route 49 intersection under a Federal Aid Project, and

WHEREAS, due to outstanding mortgages and a judgment against the property, it is not possible to obtain clear title, therefore, condemnation is necessary to advance the project, and

WHEREAS, the property to acquire in fee is described as 123.59± square meters (1,330.30± square feet) parcel; a temporary easement described as 154.79± square meters (1,666.09± square feet) parcel; and a temporary easement described as 34.18± square meters (367.95± square feet) parcel located at on the west side of CR 21 (Noxon Road) in the Town of La Grange as shown on Dutchess County Acquisition Map No. 55, Parcel No. 114 (fee acquisition) and Map No. 55, Parcel No. 115 (temporary easement), and Map No. 55, Parcel No. 116 (temporary easement), portions of Tax Grid No. 133400-6360-01-196539-0000, a copy of the acquisition map is annexed hereto, and

WHEREAS, authorization is requested to begin Eminent Domain Proceedings to acquire fee interest and temporary easements in a portion of property owned by Stanley M. Zabawski and John M. Zabawski for a total consideration of \$5,190.00 (\$4,180.00 for the fee acquisition and \$827.00 and \$183.00 respectively for the temporary easements) plus \$3,000.00 in related expenses, and

WHEREAS, it is now necessary for this Legislature to authorize the commencement of proceedings pursuant to the Eminent Domain Procedure Law for the acquisition of said property as follows:

<u>Name</u>	<u>Map No.</u>	<u>Parcel Nos.</u>	<u>Square Meter</u>	<u>Proffered Amount</u>
Stanley M. Zabawski	55 (FEE)	114	123.59±	\$4,180.00
& John M. Zabawski	55 (TE)	115	154.79±	\$ 827.00
	55 (TE)	116	34.18±	\$ 183.00

now, therefore, be it

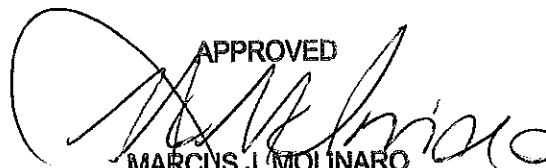
RESOLVED, that the Commissioner of Public Works on behalf of Dutchess County be and he hereby is authorized and empowered to commence proceedings pursuant to the Eminent Domain Procedure Law for the fee acquisition and temporary easements of the above property in furtherance of the rehabilitation of the intersection of Noxon Road, CR 21, and Titusville Road, CR 49, in the Town of LaGrange, Dutchess County, New York.

CA-152-14

CAB/ca/R-0907-VV

8/13/14; 10/8/14

Fiscal Impact: See attached statement

APPROVED

 MARCUS J. MOLINARO
 COUNTY EXECUTIVE
 Date 11/18/2014

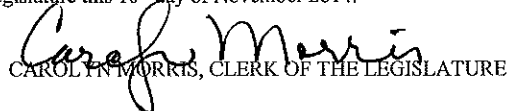
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of November 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of November 2014.


 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 \$ 8,190

Total Current Year Revenue \$ 7,781
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 \$ 3,000

Nature/Reason:

Anticipated Administrative Costs and Fees.

Anticipated Savings to County: \$ 7,781

Net County Cost (this year): \$ 409
Over Five Years: _____

Additional Comments/Explanation:

This Fiscal Impact Statement pertains to the accompanying resolution request form seeking authorization to acquire additional right of way under the Eminent Domain Procedure Law, for property owned by Stanley M. Zabawski and John M. Zabawaski, identified on Map 55, Parcels 114-116 for the project identified as PIN 8758.69 Rehabilitation of CR 21 (Noxon Road) and CR 49 (Titusville Road) Intersection, Town of Lagrange, for the purchase price of \$5,190.00.

The total current year cost includes \$3000 in related expenses.

Prepared by: Matthew W. Davis EX. 2929

**ADVANCE PAYMENT AGREEMENT TO PURCHASE REAL PROPERTY
(FEE ACQUISITION)**

Project: REHABILITATION OF NOXON ROAD/TITUSVILLE ROAD INTERSECTION
PIN: 8758.69 Map: 55 Parcel: 114

This Advance Payment Agreement by and between STANLEY M. ZABAWSKI and JOHN M. ZABAWSKI (JULIA ZABAWSKI died a resident of Dutchess County on July 27, 2013), hereinafter referred to as the "Seller", and the COUNTY OF DUTCHESS, hereinafter referred to as the "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

1. **PROPERTY DESCRIPTION.** The Seller agrees to sell, grant, convey all right, title and interest to a 123.59± Square Meter (1330.30± Square Foot) parcel located on the West Side of CR 21, Noxon Road, in the Town of LaGrange, Dutchess County, New York, further described as:

Being a portion of those same lands described in a deed dated June 10, 2004, and recorded on September 8, 2004 in Liber 22004 at Page 9281 (as Document #0220049281) in the Office of the County Clerk for Dutchess County, New York with the address 322 Noxon Road (Re. Tax map No. 133400-6360-01-196539-0000), and being the same lands designated as Map 55, Parcel 114 on exhibit "A" attached here to.

2. **IMPROVEMENTS INCLUDED IN THE ACQUISITION.** The following improvements, if any, now in or on the property are included in this Advance Payment Agreement: 818.06 sq. ft. of lawn, 409.03 sq. ft. of driveway material, (1) 11' diameter tree and (1) 13" diameter tree to be removed.
3. **PURCHASE PRICE.** Whereas, the Seller and the Buyer cannot agree upon the value of the real property interest and the legal damages, the Buyer is willing to pay an amount equal to the amount determined by the Buyer to be the value of the real property interest to be acquired and the legal damages. This amount is Four Thousand One Hundred Eight dollars (\$4,180.00). This price includes the real property interest described in Paragraph one (1) and the improvements described in Paragraph two (2). The Seller agrees, as a prerequisite to such advance payment, to execute and to deliver or cause the execution and delivery to the Buyer of all formal papers which the Buyer deems necessary to authorize payment and to secure to the Buyer a full release of all claims (other than the claim of the Seller) by reason of the acquisition of the aforementioned real property interest with improvements.
4. **PAYMENT.** Payment is to be made upon approval of this agreement by the Buyer after authorization by appropriate administrative and legal entities, as may be required by statute, and after Buyer has provided all papers necessary to convey clear title and release all third party claims to the advance payment proceeds.
5. **CLAIM.** Pursuant to New York State Eminent Domain Procedure Law, the Seller hereby reserves the right to file a claim with the Supreme Court, held in the judicial district where the real property is situated, or if a claim has been filed, reserves the right to prosecute said claim, if being understood, however, that any such claim shall be filed within one (1) year after title to the aforementioned real property interest is conveyed. It is agreed that, if the Supreme Court finds the value of the real property interest acquired is equal to or exceeds the advance payment amount, the amount of such advance payment shall be deducted from the amount so found by the court or, in the alternative, the award of said court shall be in the amount of the excess, if any, over and above the advance payment amount. In the event the amount so found by the court is less than the amount of said advance payment, the Buyer, upon application made to the court on at least eight days notice to the Seller, may request the difference between the award as found by the court and the amount of said advance payment. This Paragraph 5 of this Advance Payment Agreement shall not merge into the deed and shall survive the conveyance of the aforementioned real property interest.
6. **FILING.** It is understood and agreed by and between the parties hereto, that pursuant to statute, if no claim is filed by the Seller in the Supreme Court within one (1) year after title to the aforementioned real property interest is conveyed, then, upon the expiration of that time, this Advance Payment Agreement shall automatically become a Purchase Agreement in full and complete settlement of all claims without further

ratification, approval or consent by Seller and Seller shall be deemed to have released Seller's claim against the Buyer.

7. **TITLE DOCUMENTS.** Buyer will pay for and furnish to the Seller an acquisition map.
8. **MARKETABILITY OF TITLE.** Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in fee simple and/or permanent easement to the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph three (3), and paid to the appropriate party by the Buyer.
9. **RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS.** Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between Seller and Buyer as of the date of conveyance: current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.
10. **RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY.** The aforesaid terms, agreements and understandings shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.
11. **ENTIRE AGREEMENT.** This Advance Payment Agreement when signed by both the Buyer and the Seller will be the record of the complete Advance Payment Agreement between the Buyer and Seller concerning the condemnation of the property. No verbal agreements or promises will be binding.
12. **NOTICES.** All notices under this Advance Payment Agreement shall be deemed delivered upon receipt. Any notices relating to this Advance Payment Agreement may be given by the attorneys for the parties.
13. **PROJECT RELATED IMPROVEMENTS.** The following improvements will occur within this fee acquisition as a result of the Rehabilitation of the Noxon Road/Titusville Road Intersection Project, PIN 8758.69; Including, but not limited to the following: Noxon Road and its shoulder will be widened and the adjacent side slope will be graded to meet with the existing ground and seeded to re-establish a grass surface.
14. **ADDENDA.** The following Addenda are incorporated into this Advance Payment Agreement:
☐ Temporary Easement ☐ Cost to Cure ☐ Other _____

IN WITNESS WHEREOF, on this 30th day of October, 2013, the parties have entered into this Advance Payment Agreement.

Seller:

Jolte M. Zabawski

Seller:

Stanley M. Zabawski

STATE OF NEW YORK

)
) SS:

COUNTY OF DUTCHESS

On this 31st day of October, 2013, before me, the undersigned, a Notary Public in and for said state, personally appeared Stanley M. Zabawski, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on this instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Susanne J. Hicks
Notary Public

SUSANNE J. HICKS
Notary Public, State of New York
No. 4821987
Qualified in Dutchess County
Commission Expires July 31, 2014

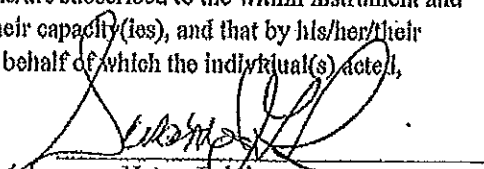
STATE OF NEW YORK

) SS:

COUNTY OF DUTCHESS

On this 31st day of October, 2013, before me, the undersigned, a Notary Public in and for said state, personally appeared John M. Ziabowski, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on this instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

SUSANNE J. HICKS
Notary Public, State of New York
No. 4821387
Qualified in Dutchess County
Commission Expires July 31, 2014


Notary Public

County of Dutchess

Witness: _____

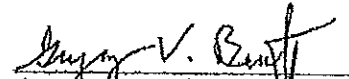
Buyer: _____

Marcus J. Molinaro
County Executive

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Carol A. Bogle
Sr. Asst. County Attorney


Gregory V. Bentley, P.E.
Director of Engineering

**ADVANCE PAYMENT AGREEMENT TO PURCHASE REAL PROPERTY
(TEMPORARY EASEMENT)**

Project: REHABILITATION OF NOXON ROAD/TITUSVILLE ROAD INTERSECTION
PIN: 8758.69 Map: 55 Parcel: 115

This Advance Payment Agreement by and between STANLEY M. ZABAWSKI and JOHN M. ZABAWSKI (JULIA ZABAWSKI died a resident of Dutchess County on July 27, 2013), hereinafter referred to as the "Seller", and the COUNTY OF DUTCHESS, hereinafter referred to as the "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

1. **PROPERTY DESCRIPTION.** The Seller agrees to sell, grant, convey a temporary easement to a 154.79± Square Meter (1666.09± Square Foot) parcel located on the West Side of CR 21, Noxon Road, in the Town of LaGrange, Dutchess County, New York, further described as:

Being a portion of those same lands described in a deed dated June 10, 2004, and recorded on September 8, 2004 in Liber 22004 at Page 9281 (as Document #0220049281) in the Office of the County Clerk for Dutchess County, New York with the address 322 Noxon Road (Re. Tax map No. 133400-6360-01-196539-0000), and being the same lands designated as Map 55, Parcel 115 on exhibit "A" attached here to.

2. **IMPROVEMENTS INCLUDED IN THE ACQUISITION.** The following improvements, if any, now in or on the property are included in this Advance Payment Agreement: None
3. **PURCHASE PRICE.** Whereas, the Seller and the Buyer cannot agree upon the value of the real property interest and the legal damages, the Buyer is willing to pay an amount equal to the amount determined by the Buyer to be the value of the real property interest to be acquired and the legal damages. This amount is Eight Hundred Twenty Seven dollars (\$827.00). This price includes the real property interest described in Paragraph one (1) and the improvements described in Paragraph two (2). The Seller agrees, as a prerequisite to such advance payment, to execute and to deliver or cause the execution and delivery to the Buyer of all formal papers which the Buyer deems necessary to authorize payment and to secure to the Buyer a full release of all claims (other than the claim of the Seller) by reason of the acquisition of the aforementioned real property interest with improvements.
4. **PAYMENT.** Payment is to be made upon approval of this agreement by the Buyer after authorization by appropriate administrative and legal entities, as may be required by statute, and after Buyer has provided all papers necessary to convey clear title and release all third party claims to the advance payment proceeds.
5. **CLAIM.** Pursuant to New York State Eminent Domain Procedure Law, the Seller hereby reserves the right to file a claim with the Supreme Court, held in the judicial district where the real property is situated, or if a claim has been filed, reserves the right to prosecute said claim, it being understood, however, that any such claim shall be filed within one (1) year after title to the aforementioned real property interest is conveyed. It is agreed that, if the Supreme Court finds the value of the real property interest acquired is equal to or exceeds the advance payment amount, the amount of such advance payment shall be deducted from the amount so found by the court or, in the alternative, the award of said court shall be in the amount of the excess, if any, over and above the advance payment amount. In the event the amount so found by the court is less than the amount of said advance payment, the Buyer, upon application made to the court on at least eight days notice to the Seller, may request the difference between the award as found by the court and the amount of said advance payment. This Paragraph 5 of this Advance Payment Agreement shall not merge into the deed and shall survive the conveyance of the aforementioned real property interest.
6. **FILING.** It is understood and agreed by and between the parties hereto, that pursuant to statute, if no claim is filed by the Seller in the Supreme Court within one (1) year after title to the aforementioned real property interest is conveyed, then, upon the expiration of that time, this Advance Payment Agreement shall automatically become a Purchase Agreement in full and complete settlement of all claims without further ratification, approval or consent by Seller and Seller shall be deemed to have released Seller's claim against the Buyer.

7. TITLE DOCUMENTS. Buyer will pay for and furnish to the Seller an acquisition map.
8. MARKETABILITY OF TITLE. Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in temporary easement to the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph three (3), and paid to the appropriate party by the Buyer.
9. RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS. Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between Seller and Buyer as of the date of conveyance: current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.
10. RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY. The aforesaid terms, agreements and understandings shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.
11. ENTIRE AGREEMENT. This Advance Payment Agreement when signed by both the Buyer and the Seller will be the record of the complete Advance Payment Agreement between the Buyer and Seller concerning the condemnation of the property. No verbal agreements or promises will be binding.
12. NOTICES. All notices under this Advance Payment Agreement shall be deemed delivered upon receipt. Any notices relating to this Advance Payment Agreement may be given by the attorneys for the parties.
13. PROJECT RELATED IMPROVEMENTS. The following improvements will occur within this temporary easement as a result of the Rehabilitation of the Noxon Road/Titusville Road Intersection Project, PIN 8758.69: Work area in connection with the clearing/grubbing and grading of side slopes to meet the existing ground, seeding to re-establish a grass surface, the rehabilitation of a driveway to meet the proposed roadway edge and placement of temporary erosion and sediment control measures for the duration of this project.
14. ADDENDA. The following Addenda are incorporated into this Advance Payment Agreement:

☐ Temporary Easement ☐ Cost to Cure ☐ Other _____

IN WITNESS WHEREOF, on this 31st day of October, 2013, the parties have entered into this Advance Payment Agreement.

Seller:

John M. Zabawski

Seller:

Stanley M. Zabawski

STATE OF NEW YORK

) SS:

COUNTY OF DUTCHESS

On this 31st day of October, 2013, before me, the undersigned, a Notary Public in and for said state, personally appeared Stanley M. Zabawski, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on this instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Susanne J. Hicks
Notary Public

SUSANNE J. HICKS
Notary Public, State of New York
No. 4821387
Qualified in Dutchess County
Commission Expires July 31, 2014

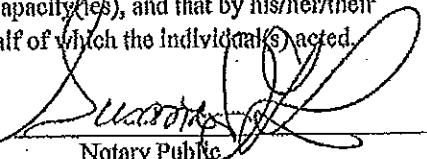
STATE OF NEW YORK

) SS:

COUNTY OF DUTCHESS

On this 31st day of October, 2013, before me, the undersigned, a Notary Public in and for said state, personally appeared John M. Zabowski, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on this instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

SUSANNE J. HICKS
Notary Public, State of New York
No. 4821387
Qualified in Dutchess County
Commission Expires July 31, 2014


Notary Public

County of Dutchess

Witness: _____

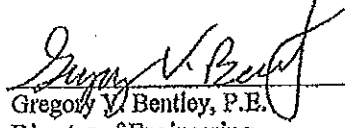
Buyer: _____

Marcus J. Molinaro
County Executive

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Carol A. Bogle
Sr. Asst. County Attorney


Gregory V. Bentley, P.E.
Director of Engineering

**ADVANCE PAYMENT AGREEMENT TO PURCHASE REAL PROPERTY
(TEMPORARY EASEMENT)**

Project: REHABILITATION OF NOXON ROAD/TITUSVILLE ROAD INTERSECTION
PIN: 8758.69 Map: 55 Parcel: 116

This Advance Payment Agreement by and between STANLEY M. ZABAWSKI and JOHN M. ZABAWSKI (JULIA ZABAWSKI died a resident of Dutchess County on July 27, 2013), hereinafter referred to as the "Seller", and the COUNTY OF DUTCHESS, hereinafter referred to as the "Buyer", pertains to that portion of real property interest required for public right of way purposes only.

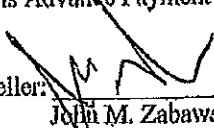
1. **PROPERTY DESCRIPTION.** The Seller agrees to sell, grant, convey a temporary easement to a 34.18± Square Meter (367.95± Square Foot) parcel located on the West Side of CR 21, Noxon Road, in the Town of LaGrange, Dutchess County, New York, further described as:

Being a portion of those same lands described in a deed dated June 10, 2004, and recorded on September 8, 2004 in Liber 22004 at Page 9281 (as Document #0220049281) in the Office of the County Clerk for Dutchess County, New York with the address 322 Noxon Road (Re. Tax map No. 133400-6360-01-196339-0000), and being the same lands designated as Map 55, Parcel 116 on exhibit "A" attached here to.
2. **IMPROVEMENTS INCLUDED IN THE ACQUISITION.** The following improvements, if any, now in or on the property are included in this Advance Payment Agreement: None
3. **PURCHASE PRICE.** Whereas, the Seller and the Buyer cannot agree upon the value of the real property interest and the legal damages, the Buyer is willing to pay an amount equal to the amount determined by the Buyer to be the value of the real property interest to be acquired and the legal damages. This amount is One Hundred Eighty Three dollars (\$183.00). This price includes the real property interest described in Paragraph one (1) and the improvements described in Paragraph two (2). The Seller agrees, as a prerequisite to such advance payment, to execute and to deliver or cause the execution and delivery to the Buyer of all formal papers which the Buyer deems necessary to authorize payment and to secure to the Buyer a full release of all claims (other than the claim of the Seller) by reason of the acquisition of the aforementioned real property interest with improvements.
4. **PAYMENT.** Payment is to be made upon approval of this agreement by the Buyer after authorization by appropriate administrative and legal entities, as may be required by statute, and after Buyer has provided all papers necessary to convey clear title and release all third party claims to the advance payment proceeds.
5. **CLAIM.** Pursuant to New York State Eminent Domain Procedure Law, the Seller hereby reserves the right to file a claim with the Supreme Court, held in the judicial district where the real property is situated, or if a claim has been filed, reserves the right to prosecute said claim, it being understood, however, that any such claim shall be filed within one (1) year after title to the aforementioned real property interest is conveyed. It is agreed that, if the Supreme Court finds the value of the real property interest acquired is equal to or exceeds the advance payment amount, the amount of such advance payment shall be deducted from the amount so found by the court or, in the alternative, the award of said court shall be in the amount of the excess, if any, over and above the advance payment amount. In the event the amount so found by the court is less than the amount of said advance payment, the Buyer, upon application made to the court on at least eight days notice to the Seller, may request the difference between the award as found by the court and the amount of said advance payment. This Paragraph 5 of this Advance Payment Agreement shall not merge into the deed and shall survive the conveyance of the aforementioned real property interest.
6. **FILING.** It is understood and agreed by and between the parties hereto, that pursuant to statute, if no claim is filed by the Seller in the Supreme Court within one (1) year after title to the aforementioned real property interest is conveyed, then, upon the expiration of that time, this Advance Payment Agreement shall automatically become a Purchase Agreement in full and complete settlement of all claims without further ratification, approval or consent by Seller and Seller shall be deemed to have released Seller's claim against the Buyer.


7. **TITLE DOCUMENTS.** Buyer will pay for and furnish to the Seller an acquisition map.
8. **MARKETABILITY OF TITLE.** Buyer shall pay for curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in temporary easement to the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph three (3), and paid to the appropriate party by the Buyer.
9. **RECORDING COSTS, TRANSFER TAX & CLOSING ADJUSTMENTS.** Buyer will pay all recording fees and the real property transfer tax. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between Seller and Buyer as of the date of conveyance: current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.
10. **RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY.** The aforesaid terms, agreements and understandings shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.
11. **ENTIRE AGREEMENT.** This Advance Payment Agreement when signed by both the Buyer and the Seller will be the record of the complete Advance Payment Agreement between the Buyer and Seller concerning the condemnation of the property. No verbal agreements or promises will be binding.
12. **NOTICES.** All notices under this Advance Payment Agreement shall be deemed delivered upon receipt. Any notices relating to this Advance Payment Agreement may be given by the attorneys for the parties.
13. **PROJECT RELATED IMPROVEMENTS.** The following improvements will occur within this temporary easement as a result of the Rehabilitation of the Noxon Road/Titusville Road Intersection Project, PIN 8758.69: Work area in connection with the clearing/grubbing and grading of slopes to meet the existing ground, seeding to re-establish a grass surface and placement of temporary erosion and sediment control measures for the duration of this project.
14. **ADDENDA.** The following Addenda are incorporated into this Advance Payment Agreement:
[] Temporary Easement [] Cost to Cure [] Other _____

IN WITNESS WHEREOF, on this _____ day of _____, 2013, the parties have entered into this Advance Payment Agreement.

Seller:


John M. Zabawski

Seller:


Stanley M. Zabawski

STATE OF NEW YORK)

) SS:

COUNTY OF DUTCHESS

On this 31st day of October, 2013, before me, the undersigned, a Notary Public in and for said state, personally appeared Stanley M. Zabawski, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on this instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


Notary Public

SUSANNE J. HICKS
Notary Public, State of New York
No. 4821387
Qualified in Dutchess County
Commission Expires July 31, 2014

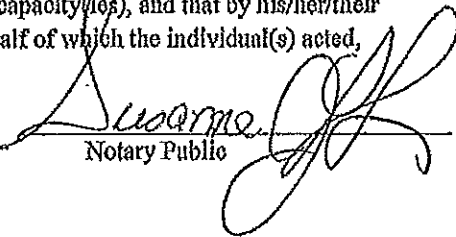
STATE OF NEW YORK)

) SS:

COUNTY OF DUTCHESS)

On this 31ST day of October, 2013, before me, the undersigned, a Notary Public in and for said state, personally appeared John M. Zabawski, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on this instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

SUSANNE J. HICKS
Notary Public, State of New York
No. 4821387
Qualified in Dutchess County
Commission Expires July 31, 2014


Notary Public

County of Dutchess

Witness: _____

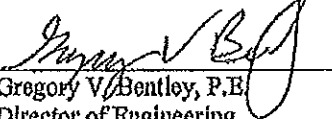
Buyer: _____

Marcus J. Molinaro
County Executive

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Carol A. Bogle
Sr. Asst. County Attorney


Gregory V. Bentley, P.E.
Director of Engineering



'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REHABILITATION OF NOXON ROAD (CR 21)
AND TITUSVILLE ROAD (CR 49) INTERSECTION

PIN 8758.69

MAP NO. 55
PARCEL NO. 114,115,116
SHEET 2 OF 3

Map of property which the Commissioner of Public Works deems necessary to be acquired in the name of the People of the County of Dutchess in fee acquisition and temporary easement for purposes connected with the highway system of the County of Dutchess, pursuant to Section 118 of the Highway Law and the Eminent Domain Procedure Law.

PARCEL 114, A FEE ACQUISITION TO BE EXERCISED FOR THE PURPOSE OF THE WIDENING OF COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD/TITUSVILLE ROAD INTERSECTION IMPROVEMENTS PROJECT WITH IMPROVEMENTS INCLUDING, BUT NOT LIMITED TO THE FOLLOWING: NOXON ROAD AND ITS SHOULDER WILL BE WIDENED AND THE ADJACENT SIDE SLOPE WILL BE GRADED TO MEET WITH THE EXISTING GROUND AND SEEDED TO RE-ESTABLISH A GRASS SURFACE; DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF COUNTY ROUTE 21 (NOXON ROAD), SAID POINT ALSO BEING AT THE DIVISION LINE OF LANDS OF BRYAN ZITTEL (REPUTED OWNER) TO THE NORTH AND LANDS OF STANLEY M ZABAWSKI, JOHN M ZABAWSKI AND JULIA ZABAWSKI (REPUTED OWNERS) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 2.29±m MEASURED AT RIGHT ANGLES FROM STATION 3+556.474± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE ALONG SAID BOUNDARY SOUTH 37°40'24.59" EAST A DISTANCE OF 37.74±m (123.8±FT) TO A POINT, SAID POINT BEING ON THE DIVISION LINE OF LANDS OF STANLEY M ZABAWSKI, JOHN M ZABAWSKI AND JULIA ZABAWSKI (REPUTED OWNERS) TO THE NORTH AND LANDS OF WAYNE ERIC LINDELL AND LORI LOMBARDO (REPUTED OWNERS) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 1.62±m MEASURED AT RIGHT ANGLES FROM STATION 3+594.205± OF SAID BASELINE; THENCE ALONG SAID DIVISION LINE SOUTH 50°39'39.44" WEST A DISTANCE OF 4.17±m (13.7±FT) TO A POINT, SAID POINT BEING DISTANT 5.79±m MEASURED AT RIGHT ANGLES FROM STATION 3+594.400± OF SAID BASELINE; THENCE THROUGH LANDS OF STANLEY M ZABAWSKI, JOHN M ZABAWSKI AND JULIA ZABAWSKI (REPUTED OWNERS) NORTH 36°39'9.72" WEST A DISTANCE OF 4.05±m (13.3±FT) TO A POINT, SAID POINT BEING DISTANT 5.79±m MEASURED AT RIGHT ANGLES FROM STATION 3+590.349± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 34°28'4.72" WEST A DISTANCE OF 34.26±m (112.4±FT) TO A POINT, SAID POINT BEING AT THE DIVISION LINE OF LANDS OF BRYAN ZITTEL (REPUTED OWNER) TO THE NORTH AND LANDS OF STANLEY M ZABAWSKI, JOHN M ZABAWSKI AND JULIA ZABAWSKI (REPUTED OWNERS) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 4.48±m MEASURED AT RIGHT ANGLES FROM STATION 3+556.110± OF SAID BASELINE; THENCE CONTINUING ALONG SAID DIVISION LINE NORTH 62°45'23.93" EAST A DISTANCE OF 2.22±m (7.3±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 123.59± SQUARE METERS (1330.30± SQUARE FEET) MORE OR LESS.

PARCEL 115, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH THE CLEARING/GRUBBING AND GRADING OF SIDE SLOPES TO MEET THE EXISTING GROUND, SEEDING TO RE-ESTABLISH A GRASS SURFACE, THE REHABILITATION OF A DRIVEWAY TO MEET THE PROPOSED ROADWAY EDGE AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT; ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD/TITUSVILLE ROAD INTERSECTION IMPROVEMENTS PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE DIVISION LINE OF LANDS OF BRYAN ZITTEL (REPUTED OWNER) TO THE NORTH AND LANDS OF STANLEY M ZABAWSKI, JOHN M ZABAWSKI AND JULIA ZABAWSKI (REPUTED OWNERS) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 4.48±m MEASURED AT RIGHT ANGLES FROM STATION 3+556.110± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE THROUGH LANDS OF STANLEY M ZABAWSKI, JOHN M ZABAWSKI AND JULIA ZABAWSKI (REPUTED OWNERS) SOUTH 34°28'4.72" EAST A DISTANCE OF 23.90±m (78.4±FT) TO A POINT, SAID POINT BEING DISTANT 5.39±m MEASURED AT RIGHT ANGLES FROM STATION 3+579.992± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 58°1'10.79" WEST A DISTANCE OF 13.47±m (44.2±FT) TO A POINT, SAID POINT BEING DISTANT 18.81±m MEASURED AT RIGHT ANGLES FROM STATION 3+578.894± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 11°7'21.56" WEST A DISTANCE OF 12.01±m (39.4±FT) TO A POINT, SAID POINT BEING DISTANT 13.63±m MEASURED AT RIGHT ANGLES FROM STATION 3+568.055± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 34°8'41.46" EAST A DISTANCE OF 7.65±m (25.1±FT) TO A POINT, SAID POINT BEING DISTANT 6.40±m MEASURED AT RIGHT ANGLES FROM STATION 3+565.538± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 33°47'38.44" WEST A DISTANCE OF 9.68±m (31.8±FT) TO A POINT, SAID POINT BEING ON THE DIVISION LINE OF LANDS OF BRYAN ZITTEL (REPUTED OWNER) TO THE NORTH AND LANDS OF STANLEY M ZABAWSKI, JOHN M ZABAWSKI AND JULIA ZABAWSKI (REPUTED OWNERS) TO THE SOUTH, SAID POINT ALSO BEING DISTANT 5.92±m MEASURED AT RIGHT ANGLES FROM STATION 3+555.871± OF SAID BASELINE; THENCE CONTINUING ALONG SAID DIVISION LINE NORTH 62°45'23.93" EAST A DISTANCE OF 1.46±m (4.8±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 154.79± SQUARE METERS (1666.09± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 115, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

3/18/13
MAP NUMBER 55 ~~2/13/13~~
REVISED DATE 4/2/12 ~~11/13/12~~
DATE PREPARED 4/2/12



'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

REHABILITATION OF NOXON ROAD (CR 21)
 AND TITUSVILLE ROAD (CR 49) INTERSECTION

PIN 8758.69

MAP NO. 55
 PARCEL NO. 114.115.116
 SHEET 3 OF 3

PARCEL 116, A TEMPORARY EASEMENT TO BE EXERCISED FOR THE PURPOSE OF WORK AREA IN CONNECTION WITH THE CLEARING/GRUBBING AND GRADING OF SIDE SLOPES TO MEET THE EXISTING GROUND, SEEDING TO RE-ESTABLISH A GRASS SURFACE AND PLACEMENT OF TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES FOR THE DURATION OF THIS PROJECT; ALONG COUNTY ROUTE 21 (NOXON ROAD) FOR THE NOXON ROAD/TITUSVILLE ROAD INTERSECTION IMPROVEMENTS PROJECT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE DIVISION LINE OF LANDS OF WAYNE ERIC LINDELL AND LORI LOMBARDI (REPUTED OWNERS) TO THE SOUTH AND LANDS OF STANLEY M ZABAWSKI, JOHN M ZABAWSKI AND JULIA ZABAWSKI (REPUTED OWNERS) TO THE NORTH, SAID POINT ALSO BEING DISTANT 5.79±m MEASURED AT RIGHT ANGLES FROM STATION 3+594.400± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD); THENCE ALONG SAID DIVISION LINE SOUTH 50°39'39.44" WEST A DISTANCE OF 8.67±m (28.4±FT) TO A POINT, SAID POINT BEING DISTANT 14.45±m MEASURED AT RIGHT ANGLES FROM STATION 3+594.806± OF SAID BASELINE; THENCE THROUGH LANDS OF STANLEY M ZABAWSKI, JOHN M ZABAWSKI AND JULIA ZABAWSKI (REPUTED OWNERS) NORTH 40°4'40.93" WEST A DISTANCE OF 3.73±m (12.2±FT) TO A POINT, SAID POINT BEING DISTANT 14.67±m MEASURED AT RIGHT ANGLES FROM STATION 3+591.080± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS NORTH 48°38'4.03" EAST A DISTANCE OF 8.92±m (29.2±FT) TO A POINT, SAID POINT BEING DISTANT 5.79±m MEASURED AT RIGHT ANGLES FROM STATION 3+590.349± OF SAID BASELINE; THENCE CONTINUING THROUGH SAID LANDS SOUTH 36°39'9.72" EAST A DISTANCE OF 4.05±m (13.3±FT) TO THE POINT OF BEGINNING, SAID PARCEL BEING 34.18± SQUARE METERS (367.95± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE OR INTEREST IN AND TO THE PROPERTY DESCRIBED ABOVE AS PARCEL NO. 116, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHTS OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND AS ESTABLISHED BY, THE CONSTRUCTION AND AS SO CONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

THE SURVEY BASELINE IS A PORTION OF THE 2006 SURVEY BASELINE FOR THE RE-CONSTRUCTION OF COUNTY ROUTE 21 (NOXON ROAD), AS SHOWN ON THE MAP AND DESCRIBED AS FOLLOWS:
 BEGINNING AT STATION 3+536.804; THENCE SOUTH 36°39'32.84" EAST TO STATION 3+601.521; THENCE SOUTH 43°11'24.81" EAST TO STATION 3+744.283.

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

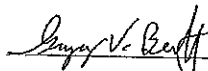
Date April 9 2013



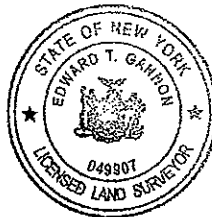
Robert H. Balkind, P.E.
 Acting Commissioner of Public Works

Recommended by:

Date APRIL 8 2013




Gregory V. Bentley, P.E.
 Director of Engineering



"Unauthorized alteration of a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law."

I hereby certify that this map is an accurate description and map made from an accurate survey, prepared under my direction.

Date 3/27 2013


 EDWARD T. GANNON Land Surveyor
 P.L.S. License No. 49907

WSP- SELLS
 555 PLEASANTVILLE ROAD
 BRIARCLIFF MANOR, NY 10510

MAP NUMBER 55 3/18/13
 REVISED DATE 4/2/12 11/13/12
 DATE PREPARED 4/2/12

DUTCHESS COUNTY DEPARTMENT OF LAW

JAMES M. FEDORCHAK, COUNTY ATTORNEY

County Office Building


22 Market Street

Poughkeepsie, New York 12601

Tel. (845) 486-2110 • Fax (845) 486-2002

MEMORANDUM :

TO: Members of the Legislature

FROM: Carol A. Bogle, Chief Assistant County Attorney 

DATE: November 3, 2014

SUBJECT: Noxon Road Realignment Project - Stanley M. and John M. Zabawski
Our File No. R-0907-VV
Resolution # 2014293 (Condemnation Resolution)

Stanley Zabawski owns 322 Noxon Rd., in the Town of LaGrange with his son, John Zabawski. The Department of Public Works-Engineering Division (DPW) needs to acquire a fee acquisition of 1,330 square feet and 2 Temporary Easements of 1,666 square feet and 367 square feet.

Stanley and John executed Purchase Agreements in October 2013. However, DPW was unable to finalize the acquisition due to Stanley Zabawski's Bankruptcy proceeding. The Bankruptcy proceeding was recently finalized. However, there are several open mortgages against the property that were not discharged in the Bankruptcy proceeding. I have been unable to obtain Partial Satisfactions of Mortgage from the lending institutions due to the lack of cooperation from Stanley and John Zabawski.

c: Robert H. Balkind, P.E., Deputy Commissioner of Public Works

Public Works and Capital Projects Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsle	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsle	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins	absent	
District 15 - Town of Wappinger	Incoronato (VC)		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 22 - Towns of Beekman and Union Vale	Hutchings (C)		

Present: 11
 Absent: 1
 Vacant: 0

Resolution: ✓
 Motion:

Total : 11 0
 Yes No
 Abstentions: 0

2014293 AUTHORIZING CONDEMNATION PROCEEDING FOR ACQUISITION IN FEE AND TWO TEMPORARY EASEMENTS OF REAL PROPERTY OWNED BY STANLEY M. ZABAWSKI AND JOHN M. ZABAWSKI FOR THE REHABILITATION OF CR 21 (NOXON ROAD) AND CR 49 (TITUSVILLE ROAD) INTERSECTION, TOWN OF LAGRANGE (PIN 8758.69)

Date: November 6, 2014

Roll Call Sheets

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

Present: 25

Absent: 0

Vacant: 0

Resolution: ☒

Motion: ☐

Total: 25 0

Yes No

Abstentions: 0

2014293 AUTHORIZING CONDEMNATION PROCEEDING FOR ACQUISITION IN FEE AND TWO TEMPORARY EASEMENTS OF REAL PROPERTY OWNED BY STANLEY M. ZABAWSKI AND JOHN M. ZABAWSKI FOR THE REHABILITATION OF CR 21 (NOXON ROAD) AND CR 49 (TITUSVILLE ROAD) INTERSECTION, TOWN OF LAGRANGE (PIN 8758.69)

Date: November 10, 2014

RESOLUTION NO. 2014294

RE: AMENDING THE 2014 ADOPTED COUNTY BUDGET AS
IT PERTAINS TO THE AIRPORT (EA.5610)

Legislators HUTCHINGS, FLESLAND, SAGLIANO, HORTON, and FARLEY
offer the following and move its adoption:

WHEREAS, the Commissioner of Public Works has advised that fuel sales at the
Airport have exceeded budget expectations and appropriations need to be increased to cover the
projected cost of fuel for resale and increased utility costs, and

WHEREAS, the Commissioner of Public Works requests that additional funds be
appropriated to meet these needs, and

WHEREAS, it is necessary to amend the 2014 Adopted County Budget to meet
these needs, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized, empowered and
directed to amend the 2014 Adopted County Budget as follows:

APPROPRIATIONSIncrease

EA.5610.5901	AvGas for Resale - 100	\$ 86,476
EA.5610.5903	Jet Fuel for Resale	79,524
EA.5610.5904	Aviation Oil for Resale	1,500
EA.5610.4210	Gas – Public Utilities	6,790
EA.5610.4220	Electric-Light & Power	<u>40,000</u>
		<u>\$214,290</u>

REVENUESIncrease

EA.5610.17760.01	Airport Sale AVGas 100	\$ 94,690
EA.5610.17760.03	Airport Sale Jet Fuel	117,600
EA.5610.17760.04	Airport Sale Aviation Oil for Resale	<u>2,000</u>
		<u>\$214,290</u>

CA-197-14

ca/G-103

10/15/14

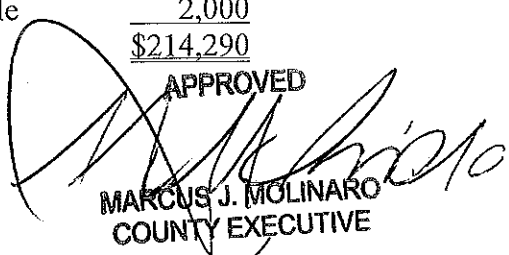
Fiscal Impact: See attached statement

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

APPROVED


 MARCUS J. MOLINARO
 COUNTY EXECUTIVE

Date

11/15/2014

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 November 2014,
and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of November 2014.


 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 \$ 214,290

Total Current Year Revenue \$ 214,290

and Source

Revenue from sale of jet fuel and AVGas in excess of budgeted amount.

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:

Increased Airport use has resulted in increased demand for Aircraft & Jet fuel. Cold winter conditions in 2014 and price increases resulted in increased utility costs.

Anticipated Savings to County: _____

Net County Cost (this year): _____

Over Five Years: _____

Additional Comments/Explanation:

Appropriations for fuel and related costs as well as increased utility lines will be offset by revenue from increased fuel sales.

Prepared by: Rachel Kashimer, Budget Office 10/15/14

Aiport Fuel Sales

APPROPRIATIONS

Increase

EA.5160.5901	AVGAS for Resale - 100	\$86,476
EA.5610.5902	JET Fuel for Resale	\$79,524
EA.5610.5904	Aviation Oil for Resale	\$1,500
EA.5610.4210	Gas - Public Utilities	\$6,790
EA.5610.4220	Electric-Light & Power	\$40,000
		<u>\$214,290</u>

REVNEUES

Increase

EA.5610.17760.01	Airport Sale AVGas 100	\$94,690
EA.5610.17760.03	Airport Sale Jet Fuel	\$117,600
EA.5610.17760.04	Airport Sale Aviation Oil for Resale	\$2,000
		<u>\$214,290</u>

MARCUS J. MOLINARO
COUNTY EXECUTIVE



NOEL H.S. KNILLE, AIA, ASLA
COMMISSIONER

ROBERT H. BALKIND, P.E.
DEPUTY COMMISSIONER

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

To: William F.X. O'Neil, Assistant to the County Executive

From: Noel H.S. Knille, Commissioner of Public Works

RE: Airport Budget Increase Resolution Request

Date: October 15, 2014

The Airport has seen an increase in plane fueling due in part to the continued warm weather, resulting in the need to request additional funds.

Appropriations for fuel and related costs, as well as increased utility lines, will be offset by revenue from increased fuel sales. Please refer to the attached for further details.

/lh

RESOLUTION REQUEST FORM

Date of Legislative Meeting: 11/10/14

Department:

DPW - Airport

Contact (Name & Phone No.):

Noel Knille 486-2085

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:

Increase revenue and appropriation lines to accomodate increased fuel sales beyond budget projects and increased utility costs.

Fiscal Impact (current year) of resolution: \$

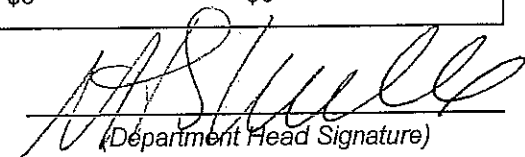
(Attach completed Fiscal Impact Statement)

Budget Amendment(s) & Capital Projects:

<u>Line No.</u>	<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
See Attached		\$0	\$0
Appropriations:		\$0	\$0
Revenues:		\$0	\$0
		\$0	\$0

10/15/14

(Date)


(Department Head Signature)

Public Works and Capital Projects Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins	absent	
District 15 - Town of Wappinger	Incoronato (VC)		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 22 - Towns of Beekman and Union Vale	Hutchings (C)		

Present: 11

Absent: 1

Vacant: 0

Resolution: ✓

Motion:

Total : 11

Yes 11

No 0

0

No

2014294 AMENDING THE 2014 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE AIRPORT (EA.5610)

Date: November 6, 2014

Roll Call Sheets

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

Present: 25

Absent: 0

Vacant: 0

Resolution: ☒

Motion: ☐

Total : 25

Yes

0

No

Abstentions: 0

2014294 AMENDING THE 2014 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE AIRPORT (EA.5610)

Date: November 10, 2014

Public Works & Capital Projects
DEFEATED IN PUBLIC WORKS & CAPITAL PROJECTS 11/6/14

RESOLUTION NO. 2014295

RE: FOR DUTCHESS COUNTY DEPARTMENT OF PUBLIC WORKS TO
EVALUATE COST/FEASIBILITY OF FUEL CENTER WITH GASOLINE
FOR PUBLIC

Legislators TYNER, JETER-JACKSON, STRAWINSKI, and FARLEY offer
the following and move its adoption:

WHEREAS, this September the small city of Somerset, Kentucky, drew national attention when it opened a municipally owned and operated fuel center in an effort to drive down gas prices for local residents; as a result of its proximity to Lake Cumberland, a popular tourist destination, the city of 11,000 residents has long struggled with high fuel prices, especially during the summer months between Memorial Day and Labor Day, and

WHEREAS, under the leadership of Republican Mayor Eddie Girdler, the conservative-leaning city purchased a fuel storage facility for \$200,000 and spent \$75,000 building the infrastructure to distribute gasoline to the public—including the installation of 10 pumps; the city now purchases gas from a local supplier (Continental Refining Company) and uses city employees who rotate in from other departments to operate the station, and

WHEREAS, in a city where gas prices can spike 20 to 30 cents a gallon on weekends, the public station will not aim to turn a profit; rather, the mayor's office intends to set prices in a way that the city breaks even on the cost of fuel plus operating expenses; however, an additional goal is to provide an incentive for motorists on their way to Lake Cumberland to stop in Somerset to refuel, thus generating additional business for—and greater tax revenues from—the city's restaurants, shops, and other small businesses, and

WHEREAS, as Mayor Eddie Girdler has pointed out, government needs to step in to protect the public with affordable gas prices when the market fails to do this; it is the role of government to protect ordinary taxpayers from big business and corporate power, and

WHEREAS, while Somerset's publicly owned gas station is the first of its kind in a good many years, it draws upon a rich tradition in the United States of municipal enterprises that reduce costs for local residents, provides services for those underserved or exploited by private operators, and allows for community participation in economic decision-making, and

WHEREAS, historically, municipal ownership and operation of strategically important industries and services was commonplace in America's cities; often these included subways, trolleys, buses, power plants, power lines, telephone networks, water and sanitation systems, railroads, ice plants, bus and train stations, freight shipping facilities, grocery stores, coal distribution companies, and lodging houses, and

WHEREAS, as both history and the recent events in Somerset attest, support for public ownership and enterprise at the municipal level often cuts across political ideologies and affiliations; public ownership and operation of a gas station in order to reduce the cost of carbon-intensive, high-polluting fossil fuel raises important environmental and climate change-related questions, but what is important is not the type of enterprise being owned and operated but rather the template that municipal ownership offers communities to regain direct control over the vital economic decisions that affect their daily lives, and

WHEREAS, Dutchess County government already includes a County Airport that sells fuel to the public, and an Auto Center that fuels and services our county fleet, now, therefore be it

RESOLVED, that the Dutchess County Legislature requests that our county's department of Public Works evaluate the cost and feasibility of a county-owned and operated fuel center to sell gasoline at reduced prices to local taxpayers, and report back to the Dutchess County Legislature on this in 90 days, and, be it further

RESOLVED, that a copy of this resolution be sent to the Dutchess County Executive and Dutchess County Department of Public Works.

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 November 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of November 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FOR DCDPW TO EVALUATE COST/FEASIBILITY OF FUEL CENTER

☒ No Fiscal Impact

WITH
GASOLINE
FOR
PUBLIC

FISCAL IMPACT STATEMENT

APPROPRIATION RESOLUTIONS

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 Item (s):
Related Expenses:

Nature of Expenses:

Anticipated Savings to County:

Net county Cost (this year): \$

(over five years): \$

Additional Comments:

Background
2014295

Baright Enterprises, Inc.
Foam & Wash Mobil
7509 North Broadway - Suite 4
Red Hook, NY 12571
(845) 758-9121 (845) 758-6336 fax
mainoffice@foamnwash.com

November 5, 2014

Dutchess County Legislature

Dear Legislators,

This letter is in reference to the proposed county owned gas station sponsored by Joel Tyner. I am representing my family, who owns the Foam & Wash Mobil gas station, carwash and oil lube at 1942 Route 9 in Poughkeepsie. I'm writing in hopes of clarifying some of the misunderstandings in the proposal.

There is a minimal margin or markup from the sale of gas. Therefore to think an alternative or public type of station ownership could substantially lower the retail price is a fallacy. Running a gas station with a mission to drive retail prices down is an unsustainable business model even if a breakeven is desired.

OPEC, major petroleum suppliers, the financial markets, and the taxes imposed control the price of gasoline, not the local station owner. Supply and demand and competition also act to moderate gas prices. Local gas station business owners struggle every day to pay their staff, taxes and overhead. Please note that our gas station alone collected and paid more than \$200,000.00 in county sales tax for the last twelve month period.

If one gas station dropped their price more than 5¢ (only a 1.5% retail reduction on a gallon) they would very well be losing money. If a publicly owned business did manipulate retail prices down a few pennies, that shift would devastate many local small businesses. Local station owners would begin to lose money which would in turn lead to layoffs and they may be forced to close their doors.

Regards,



Todd Baright

Public Works and Capital Projects Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*	2	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*	3	
District 10 - City of Poughkeepsie	Jeter-Jackson*		1
District 16 - Town of Fishkill and City of Beacon	MacAvery*		2
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	4	
District 5 - Town of Poughkeepsie	Roman	5	
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		3
District 15 - Town of Wappinger	Incoronato (VC)	6	
District 18 - City of Beacon and Town of Fishkill	Farley		4
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	7	
District 22 - Towns of Beekman and Union Vale	Hutchings (C)	8	

Present: 11
 Absent: 1
 Vacant: 0

Resolution: ✓
 Motion: ✓

Total: 8 4
 Yes No
 Abstentions: _____

KR / JI

"Call the Question"

2014295
 11.6.14

Public Works and Capital Projects Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		1
District 6 - Town of Poughkeepsie	Flesland*		2
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		3
District 10 - City of Poughkeepsie	Jeter-Jackson*	1	
District 16 - Town of Fishkill and City of Beacon	MacAvery*		4
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		5
District 5 - Town of Poughkeepsie	Roman		6
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins	<i>2 abstentions</i>	
District 15 - Town of Wappinger	Incoronato (VC)		7
District 18 - City of Beacon and Town of Fishkill	Farley		8
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		9
District 22 - Towns of Beekman and Union Vale	Hutchings (C)		10

Present: 11
 Absent: 00
 Vacant: 0

Resolution: ✓
 Motion:

Total : 2 10
 Yes No
 Abstentions: 0

**2014295 FOR DUTCHESS COUNTY DEPARTMENT OF PUBLIC WORKS TO
 EVALUATE COST FEASIBILITY OF FUEL CENTER WITH GASOLINE FOR PUBLIC**

Date: November 6, 2014

RESOLUTION NO. 2014296

RE: REAPPOINTMENTS TO THE VETERANS AFFAIRS COMMITTEE

Legislators KELSEY, INCORONATO, THOMES, MACAVERY, SAGLIANO, HORTON, FARLEY, and AMPARO offer the following and move its adoption:

WHEREAS, by Resolutions No. 314 of 1995, the Dutchess County Legislature did create a Veterans Affairs Committee to advise the County Legislature with respect to those matters relating to veteran affairs to consist of eight member veterans from the private sector and four County Legislators to be appointed by and serve at the pleasure of the Chairman of the County Legislature subject to confirmation by the County Legislature; and

WHEREAS, by Resolutions No. 376 of 2007 the Dutchess County Legislature did reactivate the Veterans Affairs Committee, and amend Resolution No. 314 of 1995 to assign staggered terms of two years to appointments with expiration dates of November 30th; and

WHEREAS, Legislator Joseph Incoronato and Legislator John Thomes have expressed interest in being reappointed to said Committee; and

WHEREAS, the Chairman has reappointed Legislator Joseph Incoronato and Legislator John Thomes to the Veterans Affairs Committee Subject to confirmation by the Dutchess County Legislature; and

WHEREAS, Thomas W. Adams, Michael Burke and John C. Wirth, Jr. have expressed interest in in being reappointed to said Committee; and

WHEREAS, the Chairman has reappointed Thomas W. Adams, Michael Burke and John C. Wirth, Jr. to the Veterans Affairs Committee subject to confirmation by the Dutchess County Legislature, now therefore, be it

RESOLVED, that Thomas W. Adams, Michael Burke and John C. Wirth, Jr. are hereby reappointed to the Veterans Affairs Committee for terms commencing December 1, 2014 and ending November 30, 2016; and be it further

RESOLVED, that Legislator Joseph Incoronato and Legislator John Thomes are hereby reappointed to the Veterans Affairs Committee for terms commencing December 1, 2014 and ending November 30, 2016; and be it further

RESOLVED, that the reappointments of the following individuals to the Veterans Affairs Committee are hereby confirmed:

REAPPOINTMENTS

Thomas W. Adams
76 Jackson Street
Fishkill, NY 12524

Michael Burke
2 Valkill Drive
Poughkeepsie, NY 12601

John C. Wirth, Jr.
36 Trinity Place
Rhinebeck, NY 12572

Legislator Joseph Incoronato
14 Ronsue Drive
Wappingers Falls, NY 12590

Legislator John Thomes
P.O. Box 628
Pawling, NY 12564

TERM EXPIRATION

November 30, 2016

November 30, 2016


November 30, 2016

November 30, 2016

November 30, 2016

; and be it

RESOLVED, that Legislative members are hereby reappointed to the Veterans Affairs Committee for the term ending November 30, 2016, or until such time as they cease to serve as Legislators.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 11/10/2014

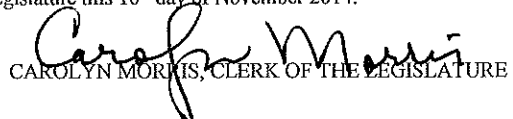
STATE OF NEW YORK

SS:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of November 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of November 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Family and Human Services Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner *		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 1 - Town of Poughkeepsie	Nesbitt		
District 4 - Town of Hyde Park	Serino	absent	
District 9 - City of Poughkeepsie	Johnson		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton (VC)		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey (C)		
Present: <u>11</u>	Resolution: <u>✓</u>	Total : <u>11</u>	<u>0</u>
Absent: <u>1</u>	Motion: <u> </u>	Yes <u>0</u>	No <u>0</u>
Vacant: <u>0</u>		Abstentions: <u>0</u>	

2014296 REAPPOINTMENTS TO THE VETERANS AFFAIRS COMMITTEE

Date: November 6, 2014

Roll Call Sheets

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

Present: 25

Absent: 0

Vacant: 0

Resolution: ☒

Motion: ☐

Total: 25 0

Yes No

Abstentions: 0

2014296 REAPPOINTMENTS TO THE VETERANS AFFAIRS COMMITTEE

Date: November 10, 2014

RESOLUTION NO. 2014297

RE: REAPPOINTMENT TO THE DUTCHESS COUNTY BOARD OF HEALTH

Legislators KELSEY, HUTCHINGS, FARLEY, SAGLIANO, and HORTON offer the following and move its adoption:

WHEREAS, Joseph Calabro, M.D. was appointed in July of 2013 to fill a vacancy on the Board of Health due to the resignation of William N. Smookler, M.D. for the remainder of the unexpired term until December 31, 2014; and

WHEREAS, Joseph Calabro, M.D. has expressed an interest in being reappointed as a member of the Board of Health; now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby reappoint Joseph Calabro, M.D., said term commencing January 1, 2015 and expiring as set forth below, as a member of the Dutchess County Board of Health.

Reappointment

Joseph Calabro, M.D.
11 Kristi Lane
Poughkeepsie, NY 12601
(physician appointment)

Term Expires

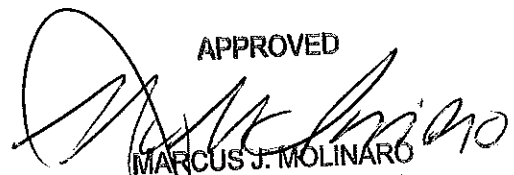
12/31/2020

STATE OF NEW YORK
COUNTY OF DUTCHESS


SS:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of November 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of November 2014.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 11/10/2014


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

MARCUS J. MOLINARO
COUNTY EXECUTIVE



KARI REIBER, MD
COMMISSIONER

COUNTY OF DUTCHESS
DEPARTMENT OF HEALTH
OFFICE OF THE COMMISSIONER

October 28, 2014

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

Dear Chairman Rolison,

When Dr. Joseph Calabro, MD was appointed to the Dutchess County Board of Health in August 2013 he was filling Dr. William Smookler's unexpired term. I would like to request an extension of Dr. Calabro's term which will expire on December 31, 2014.

Dr. Calabro has been in the practice of general pediatrics for 29 years. He received his bachelor's degree at the University of Tulsa and his medical degree at the University of Oklahoma. He also did his pediatric residency at the University of Oklahoma. He has been practicing in Poughkeepsie since 1988 and was a founding Doctor at TLC Pediatrics in the year 2000, where he has practiced since then.

He currently serves as the Vice President of the Dutchess County Board of Health. He is a member of the Dutchess County Medical Society, the New York State Medical Society, and the American Academy of Pediatrics.

Dr. Calabro has been a tremendous asset to the Board, especially in regard to health matters relating to children and adolescents.

I have no doubt that Dr. Calabro will continue to serve the Board with the same dedication he has shown and I recommend that you approve the extension of his appointment without reservations.

Please contact me should you have any other questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Kari Reiber", with a long horizontal line extending to the right.

Kari Reiber, MD
Commissioner

Family and Human Services Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner *		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 1 - Town of Poughkeepsie	Nesbitt		
District 4 - Town of Hyde Park	Serino	<i>absent</i>	
District 9 - City of Poughkeepsie	Johnson		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton (VC)		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey (C)		

Present: 11

Absent: 1

Vacant: 0

Resolution: ✓

Motion: —

Total : 11

Yes

Abstentions: 0

0

No

2014297 REAPPOINTMENT TO THE DUTCHESS COUNTY BOARD OF HEALTH

Date: November 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		✓
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
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	Kelsey		

Present: 24
 Absent: 1
 Vacant: 0

Resolution: ✓
 Motion:

Total : 24 1
 Yes No
 Abstentions: 0

2014297 REAPPOINTMENT TO THE DUTCHESS COUNTY BOARD OF HEALTH

Date: November 10, 2014

RESOLUTION NO. 2014298

RE: AUTHORIZING GRANT AGREEMENT WITH NEW YORK STATE
DEPARTMENT OF ECONOMIC DEVELOPMENT AND AMENDING THE
2014 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE
DEPARTMENT OF PLANNING AND DEVELOPMENT (A.8020)

Legislators MICCIO, ROLISON, FLESLAND, BOLNER, BORCHERT, PULVER,
FARLEY, HUTCHINGS, and SAGLIANO offer the following and move its adoption:

WHEREAS, the Acting Commissioner of Planning and Development has advised that New York State and Empire State Development Corporation has awarded the County a grant in the sum of \$25,000 to complete a strategic planning study analyzing farmland, open space and infrastructure to protect and enhance all three within a new economic development strategy for Dutchess County which will guide economic development, and

WHEREAS, it is necessary for this Legislature to amend the 2014 Adopted County Budget to accept such funds and provide for the receipt and expenditure of said funds, and

WHEREAS, some of the funds awarded are being used to offset personnel costs already budgeted, now therefore, be it

RESOLVED, that this Legislature hereby authorizes the County Executive to accept the grant award from New York State Department of Economic Development in connection with the above project, and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized, empowered and directed to amend the 2014 Adopted County Budget as follows:

APPROPRIATIONSIncrease

A.8020.4401.105	Professional Services-Consultant	<u>\$10,200</u>
-----------------	----------------------------------	-----------------

REVENUESIncrease

A.8020.30890.19	Other State Aid-Economic Assessment Grant	<u>\$10,200</u>
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CA-191-14

CAB/ca/G-0179

10/7/14

Fiscal Impact: See attached statement

STATE OF NEW YORK

ss:

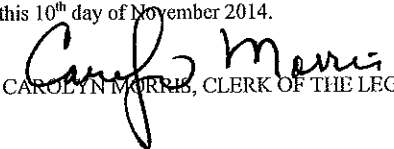
COUNTY OF DUTCHESS

APPROVED


 MARCUS J. MOLINARO
 COUNTY EXECUTIVE
Date 11/10/14

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 November 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of November 2014.


 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 \$ 10,200

Total Current Year Revenue \$ 10,200

and Source
Empire State Development Corporation

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

Identify Line Items(s):

A.8020.4401.105

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: \$ 0

Net County Cost (this year): \$ 0
Over Five Years: \$ 0

Additional Comments/Explanation:

It is necessary to increase appropriations by \$10,200 to meet the grant deliverables, the balance of \$14,800 will be used to offset personnel costs already included in the 2014 adopted budget.

Prepared by: Eoin Wrafter

Empire State Development

Mid-Hudson Regional Office

September 12, 2014

Ron Hicks
Deputy Commissioner for Strategic Planning & Economic Development
Dutchess County
22 Market Street
Poughkeepsie, NY 12601

Dear Mr. Hicks:

On behalf of New York State and Empire State Development, please let me express my enthusiasm for working with you and Dutchess County to conduct an economic assessment of Dutchess County in New York State.

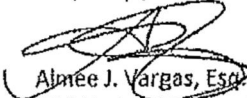
As we understand the project, Dutchess County will conduct a strategic planning study analyzing open space, farm land and infrastructure in order to protect and enhance all three within a new Economic Development Strategy for Dutchess County in Poughkeepsie, Dutchess County, which will guide economic development within Dutchess County.

To encourage you to proceed with this project, we are offering Dutchess County incentives valued at \$25,000.

Please review the attached Incentive Proposal to see how New York State and Empire State Development are prepared to assist Dutchess County in the development of its Economic Development Strategy in the Mid-Hudson Region of New York State. If you choose to accept our offer, please acknowledge your decision by endorsing the last page of the attached proposal and returning one copy to me and one copy to Susan Shaffer, Senior Vice President of Empire State Development's Loans and Grants Department, along with a \$250 application fee, by October 12, 2014.

We look forward to working with you on this exciting project. The project manager assigned to this project is Ryan McLeod, and he can be reached at (845) 567-4882 at your convenience.

Very truly yours,


Almee J. Vargas, Esq.
Mid-Hudson Regional Director

cc: Susan Shaffer
Ryan McLeod

Attachment: ESD Incentive Proposal

New York State Department of Economic Development
33 Airport Center Drive Suite 201 New Windsor New York 12553
Tel 845 567 4882 Fax 845 567 6085
Website www.empire.state.ny.us

MARCUS J. MOLINARO
COUNTY EXECUTIVE



EOIN WRAFTER, AICP
ACTING COMMISSIONER

COUNTY OF DUTCHESS
DEPARTMENT OF PLANNING AND DEVELOPMENT

To: Marcus Molinaro, Dutchess County Executive

From: Eoin Wrafter, Acting Commissioner, Planning & Development 

Re: Resolution Request – Budget Amendment

Date: September 26, 2014

The attached resolution request is to amend the Planning Department's budget to accept grant funding in the amount of \$25,000 from Empire State Development Corporation to complete a strategic planning study analyzing farmland, open space and infrastructure, to develop a new economic strategy.

Also attached are the Fiscal Impact Statement and the award letter to Ron Hicks from the New York State Department of Economic Development.

If you have any questions or require further documentation, please let Ron or me know. Thank you for your consideration of this request.

/mm
Attachs.

C: County Attorney's Office
Ron Hicks, Deputy Commissioner

Environment Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Serino	absent	
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 14 - Town of Wappinger	Amparo		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver (VC)		
District 24 - Towns of Dover and Union Vale	Surman		

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

2014298 AUTHORIZING GRANT AGREEMENT WITH NEW YORK STATE DEPARTMENT OF ECONOMIC DEVELOPMENT AND AMENDING THE 2014 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PLANNING AND DEVELOPMENT (A.8020)

Date: November 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison	✓	
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
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	Kelsey		

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

2014298 AUTHORIZING GRANT AGREEMENT WITH NEW YORK STATE DEPARTMENT OF ECONOMIC DEVELOPMENT AND AMENDING THE 2014 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PLANNING AND DEVELOPMENT (A.8020)

Date: November 10, 2014

RESOLUTION NO. 2014299

RE: APPOINTMENT TO THE DUTCHESS COUNTY RESOURCE RECOVERY AGENCY

Legislators MICCIO, SURMAN, ROLISON, HORTON, SAGLIANO, and FARLEY offer the following and move its adoption:

WHEREAS, a vacancy exists on the Dutchess County Resource Recovery Agency due to the resignation of Robert Ledrich, and

WHEREAS, Rachel D. Flanagan, Esq. has indicated a desire to be appointed to such board, and

WHEREAS, the Chairman of the Legislature has appointed Rachel D. Flanagan, Esq. to fill the unexpired term to the Board of the Dutchess County Resource Recovery Agency subject to confirmation by the Dutchess County Legislature, now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby confirm the appointment of Rachel D. Flanagan, Esq. effectively immediately.

Appointment

Rachel D. Flanagan, Esq.
1509 Lyndhurst Way
Wappingers Falls, NY 12590

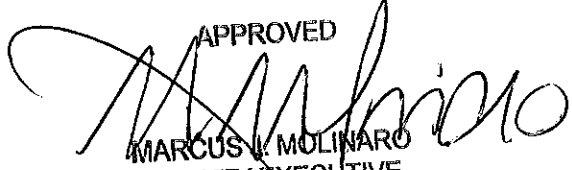
Term Expires

12/31/15

STATE OF NEW YORK

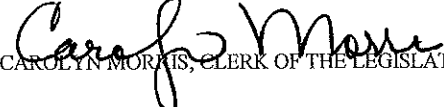
ss:

COUNTY OF DUTCHESS

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 11/18/2014

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 November 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of November 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

RACHEL D. FLANAGAN, ESQ.

21 Old Main Street, Suite 200B, Fishkill, NY 12524

RachelDFlanagan@yahoo.com

www.RachelFlanaganLaw.com

(845) 896-0835

Fax: (845) 896-0838

BAR ADMISSION: New York

LEGAL EXPERIENCE

Rachel Flanagan, Attorney at Law, Fishkill, NY

March 2010- Present

Private Practice, General practice focusing on Estate Planning & Elder Law, Probate; also including Family & Matrimonial law, Criminal Defense, vehicle and traffic, real estate, etc., and guest speaker at various financial planning seminars

Special Prosecutor, Town of Beekman Justice Court

18b Assigned Counsel to local criminal courts, family court

Assigned Counsel, Dutchess County Attorneys for Children Panel

Guardian Ad Litem, Surrogate's Court Part 36 List

Martin Law Group, P.C., Wappingers Falls, NY

August 2010-June 2012

Of Counsel attorney to a general practice firm, responsible for drafting documents, covering court appearances and handling cases from inception to conclusion including family & matrimonial law, estate planning, probate, criminal law, real estate, litigation, appellate work (including brief writing and oral argument), etc.

Legal Services of the Hudson Valley, Poughkeepsie, NY

May 2010- August 2010

Volunteer Attorney

Assist with staff attorney's case loads. Research issues relating to housing, elder law and family law. Observe court proceedings.

Lentz, Stepanovich, Bergethon PLC, Virginia Beach, VA

September 2008 – May 2009

Legal Intern

Assisted with the development of a new streamlined system for estate planning documentation preparation.

Researched issues relating to trust administration and trustee fiduciary duties under the Uniform Trust Code.

Drafted estate planning documents. Researched and wrote memos on various legal topics.

Westchester County District Attorney's Office, White Plains, NY

Summer 2007

Legal Intern

Researched various legal topics including environmental law violations and drug related crime. Wrote memos and briefs pertinent to current cases. Typed and filed SCI's. Observed trials, pre-trial hearings, and guilty pleadings.

PROFESSIONAL EXPERIENCE

Regent University School of Law Admissions Office, Virginia Beach, VA

August 2009- November 2009

Alumna Recruiter

Recruited prospective law students at various Graduate/Professional and Law Fairs throughout the East Coast, including LSAC forums. Prepared all travel arrangements and expense reports. Counseled prospective students on admissions procedures and financial aid options.

United States Secret Service, White Plains, NY

Student Assistant, GS-0303-04/01

Summer 2006

Student Intern

January 2006- May 2006

Responded to phone inquiries regarding identity theft, counterfeit money, and possible threats. Maintained and organized top secret files and file system. Arranged money received from banks and distinguished counterfeit from genuine bills. Assisted agents with paperwork.

Federal Postal Inspectors, White Plains, NY

Fall-Winter 2005

Student Intern

Maintained and organized files. Observed criminal court case in which agents were involved. Shadowed agents During investigative detail.

EDUCATION

Regent University School of Law, Virginia Beach, VA

May 2009

Juris Doctor

Honors: Dean's Scholarship

Activities: Alternative Dispute Resolution Associate Board Member, Student Ambassador, Bailiff for Moot Court Competition, Intramural Negotiation Competitor, International Law Society Member, ABA member, Business Transaction Legal Society member

Marist College, Poughkeepsie, NY

May 2006

Bachelor of Science in Criminal Justice

Honors: Dean's list (six times); Criminal Justice Honor Society; Merit Scholarship

G.P.A. 3.468, *cum laude*

PROFESSIONAL MEMBERSHIPS

Hudson Valley Home Matters, Advisory Council

May 2013- Present

Mediation Center of Dutchess County, Board of Directors, Vice President

January 2014- Present

Mediation Center of Dutchess County, Board of Directors, Secretary

September 2012- Dec 2013

Mid-Hudson Women's Bar Association, President

June 2014- Present

Mid-Hudson Women's Bar Association, Vice-President

June 2013-Present

Mid-Hudson Women's Bar Association, Treasurer

2011-2012, 2012-2013

East Fishkill Republican Committee, Member

January 2012-Present

East Fishkill Republican Club, Secretary

January 2011- January 2013

Poughkeepsie Women's Republican Club of Dutchess County, Member

January 2011- Present

Dutchess County Bar Association, Member

January 2010-Present

COMMUNITY

Coalition on Elder Abuse, Committee Member

March 2012- Present

Center for Lifetime Studies, Volunteer Instructor of Estate Planning and Elder Law

Spring semesters 2011, 2012

World Financial Group, Guest lecturer on estate planning

Fall 2010- Spring 2011

Legal Services of the Hudson Valley, Pro Bono Attorney

August 2010- Present

The Neighborhood Law Center, Inc., Guest speaker on local cable television show

Winter 2010

Volunteer Income Tax Assistance, Virginia Beach, VA

January 2009- April 2009

Prepared Federal Income tax returns for local residents.

Hopewell Reformed Church, Sunday school teacher, youth group leader,

Fall 2002-Summer 2007

Guest speaker at evening youth services

RACHEL D. FLANAGAN, ESQ.

21 Old Main Street, Suite 200B, Fishkill, NY 12524

RachelDFlanagan@yahoo.com

www.RachelFlanaganLaw.com

(845) 896-0835

Fax: (845) 896-0838

LEGAL REFERENCES FOR RACHEL D. FLANAGAN

Hon. Christine A. Sproat

Dutchess County Supreme Court

10 Market Street

Poughkeepsie, NY 12601

Tel: 845.431.1700

Hon. Mark C. Dillon

Appellate Division of the Supreme Court

Second Judicial Department

Courthouse Square

140 Grand Street, Suite 503

White Plains, NY 10601

Tel: 914.824.5409

Hon. Denise M. Watson

Dutchess County Family Court Judge

50 Market Street

Poughkeepsie, NY 12601

Tel: 845.431.1850

Hon. Peter M. Forman

Dutchess County Court Judge

10 Market Street

Poughkeepsie, NY 12601

Tel: 845.431.1710

PROFESSIONAL REFERENCES FOR RACHEL D. FLANAGAN

Assistant to the Special Agent in Charge Milton Johnson

United States Secret Service

335 Adams Street

Brooklyn, NY 11201

718.840.1087

January 16, 2014

Dutchess County
Resource Recovery Agency
96 Sand Dock Rd.
Poughkeepsie, NY 12601-5444

Dear Members of the Resource Recovery Agency Board,

It is with regret, I must resign from the DCRR Board of Directors because of personal reasons. I have enjoyed serving with all of you during my brief time on the board and wish you all the best. Please accept my resignation effective immediately.

Sincerely,

Robert Ledrich
205 Shadblow Lane
Clinton Corners, NY 12514

Environment Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Serino	<i>absent</i>	
District 11 - Towns of Rhinebeck and Clinton	Tyner		✓
District 14 - Town of Wappinger	Amparo		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver (VC)		
District 24 - Towns of Dover and Union Vale	Surman		

Present: 11

Absent: 1

Vacant: 0

Resolution: ✓

Motion:

Total : 10 1

Yes No

Abstentions: 0

2014299 APPOINTMENT TO DUTCHESS COUNTY RESOURCE RECOVERY AGENCY

Date: November 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		✓
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
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	Kelsey		

Present: 25

Absent: 0

Vacant: 0

Resolution: ✓

Motion:

Total : 24 1

Yes No

Abstentions: 0

2014299 APPOINTMENT TO DUTCHESS COUNTY RESOURCE RECOVERY AGENCY

Date: November 10, 2014

RESOLUTION NO. 2014300

RE: AUTHORIZING SETTLEMENT FROM INSURANCE RESERVE FUND
AND AMENDING THE 2014 ADOPTED COUNTY BUDGET (A.1920.12)

Legislators BORCHERT, MICCIO, SAGLIANO, and FARLEY offer the following and move its adoption:

WHEREAS, the County of Dutchess maintains a self insured reserve fund pursuant to Section 6-n of the General Municipal Law in connection with the defense of tort cases, and

WHEREAS, the County, as part of its self insured plan, has a contract for excess insurance coverage over and above its self insured retention, and

WHEREAS, the excess carrier has requested that the County release its self insured retention to facilitate possible settlement of the case of *James Healy against the County of Dutchess*, and

WHEREAS, there is \$30,000.00 remaining in the County's self insured retention, and

WHEREAS, it is in the best interests of the County to cooperate fully with its excess insurance carrier in the management of its tort claims, now, therefore, be it

RESOLVED, that the sum of \$30,000.00 from the insurance reserve fund created pursuant to Section 6-n of the General Municipal Law in the case of *James Healy against the County of Dutchess* is released for the settlement of said case, and be it further

RESOLVED, that the Commissioner of Finance is authorized and directed to amend the 2014 Adopted Count Budget as follows:

APPROPRIATIONS

Increase

A.1910.12.4463.320	Judgments & Claims - Contracted Services	
	6N Lawsuits not covered by Ins	\$30,000

REVENUES

Increase

A.9998.95110.07	Approp. Fund Balance – Appropriated Reserve	
	Insurance Reserve	\$30,000

CA-187-14

KPB:kh/L-5081

9/29/14

Fiscal Impact: Any settlement to the extent of all or part of the insurance retention will be paid from the 6-n Reserve Fund

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date

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 November 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of November 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Budget, Finance, and Personnel Committee Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano(VC)		
District 3 - Town of LaGrange	Borchert (C)		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 22 - Towns of Beekman and Union Vale	Hutchings		

Present: 12
Absent: 0
Vacant: 0

Resolution: ✓
Motion:

Total : 12 0
Yes No
Abstentions: 0

2014300 AUTHORIZING SETTLEMENT FROM INSURANCE RESERVE FUND
AND AMENDING THE 2014 ADOPTED COUNTY BUDGET (A.1920.12)

Date: November 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison	<input checked="" type="checkbox"/>	
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
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District 9 - City of Poughkeepsie	Johnson		
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District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
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District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
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	Kelsey		

Present: 25
 Absent: 0
 Vacant: 0

Resolution: ☒
 Motion: ☐

Total : 25 0
 Yes No
 Abstentions: 0

**2014300 AUTHORIZING SETTLEMENT FROM INSURANCE RESERVE FUND
 AND AMENDING THE 2014 ADOPTED COUNTY BUDGET (A.1920.12)**

Date: November 10, 2014

RESOLUTION NO. 2014301

RE: MORTGAGE TAX APPORTIONMENT
PERIOD APRIL 1, 2014 THROUGH SEPTEMBER 30, 2014

Legislators BORCHERT, FLESLAND, SAGLIANO, and FARLEY offer the following and move its adoption:

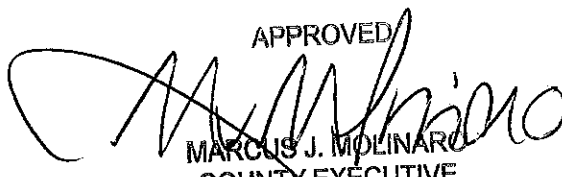
RESOLVED, that the report of the County Clerk and the Commissioner of Finance of mortgage tax receipts and disbursements, for the period April 1, 2014 through September 30, 2014, and the distribution thereof among the several tax districts, be accepted and placed on file, and be it further

RESOLVED, that the warrant in conformity with Section 261 of the Tax Law, be issued to the Commissioner of Finance to pay the respective cities and towns, and to the village treasurers the amounts due the respective villages of the County of Dutchess as set forth on the annexed sheet.

HS/JF/gp
10/7/14

CA-190-14

Fiscal Impact: NONE

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 11/18/2014

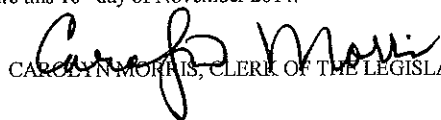
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of November 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of November 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

OFFICE OF
COMMISSIONER OF FINANCE

MORTGAGE TAX DISTRIBUTION

December 5, 2014

CITIES:	<u>AMOUNT</u>
BEACON	\$118,639.62
POUGHKEEPSIE	106,275.22

TOWNS:	
AMENIA	\$27,310.81
BEEKMAN	138,311.91
CLINTON	46,766.86
DOVER	54,142.47
EAST FISHKILL	392,752.45
FISHKILL	195,763.65
HYDE PARK	116,080.32
LAGRANGE	180,376.91
MILAN	26,610.93
NORTH EAST	42,030.40
PAWLING	88,917.24
PINE PLAINS	12,686.99
PLEASANT VLY	147,421.63
POUGHKEEPSIE	337,432.74
RED HOOK	96,981.26
RHINEBECK	81,524.05
STANFORD	44,205.75
UNIONVALE	49,337.66
WAPPINGER	194,482.52
WASHINGTON	97,221.06

VILLAGES:	
FISHKILL	13,790.08
MILLBROOK	9,432.10
MILLERTON	3,641.51
PAWLING	7,490.29
RED HOOK	9,203.86
RHINEBECK	14,436.20
TIVOLI	5,806.74
WAPPINGER FALLS	15,964.51

TOTAL	<u><u>\$2,675,037.74</u></u>
--------------	-------------------------------------



COMMISSIONER OF FINANCE

0 →

Bradford H. Kendall
Dutchess County Clerk
22 Market St.
Poughkeepsie, NY 12601

Honorable Carolyn Morris
Clerk, Dutchess County Legislature
22 Market Street
Poughkeepsie, NY 12601

October 29, 2014

Dear Carolyn:

Please find attached the Semi-Annual Mortgage Tax report for the period April 1, 2014 to September 30, 2014. This report is submitted to you pursuant to Section 261 of the New York State Tax law.

It is important to note that while this report is the basis for the resolution adopted by the legislature for the distribution of mortgage tax receipts to the municipalities, the actual distribution may vary based on proceeds to the villages contained within various taxing districts.

The Commissioner of Finance will be providing you with the appropriate resolution for the Legislature's consideration.

If you have any further questions, please call.


Bradford Kendall

NEW YORK STATE MORTGAGE TAX SEMI-ANNUAL REPORT
COUNTY OF DUTCHESS FOR THE PERIOD 04/01/2014 THROUGH 09/30/2014
CASH STATEMENT FOR TAXES COLLECTED PURSUANT TO ARTICLE 11

PART 1

Basic Tax Distributed					Treasurer			All Other Taxes Distributed			
1	2	3	4	5	6	7	8	9	10	11	12
Basic Tax Collected	Interest Received by Recording Officer	Recording Officer's Expense	Refunds or Adjustments	Amount Paid to Treasurer (1+2)-(3-4)	Interest Received by Treasurer	Treasurer's Expense	Tax District's Share (5+6)-7	Local Tax	Additional Tax	Special Assistance Fund	Special Additional Tax
A10-A1	A1	A14	A3 + A12					B15	C15	D15	E15
\$535,094.79	\$0.00	\$12,567.98	\$0.00	\$522,526.81	\$203.58	\$0.00	\$522,730.39		\$293,884.74	\$190,866.12	\$32,580.86
\$371,439.48	\$0.00	\$12,700.12	\$0.00	\$358,739.36	\$252.90	\$0.00	\$358,992.26		\$203,158.46	\$113,970.33	\$31,515.52
\$406,792.00	\$0.00	\$12,591.65	\$0.00	\$394,200.35	\$122.50	\$1,000.00	\$393,322.85		\$224,115.74	\$129,383.69	\$35,306.72
\$387,456.13	\$0.00	\$12,586.73	\$0.00	\$374,869.40	\$84.47	\$0.00	\$374,953.87		\$212,884.78	\$128,433.19	\$28,712.74
14 \$470,270.50	\$0.00	\$12,693.53	\$0.00	\$457,576.97	\$113.49	\$0.00	\$457,690.46		\$259,810.95	\$146,316.81	\$37,892.82
2014 \$580,913.50	\$0.00	\$12,712.82	\$0.00	\$568,200.68	\$147.23	\$1,000.00	\$567,347.91		\$321,934.01	\$199,850.09	\$27,884.12
\$2,751,966.40	\$0.00	\$75,852.83	\$0.00	\$2,676,113.57	\$924.17	\$2,000.00	\$2,675,037.74	\$0.00	\$1,515,788.68	\$907,920.23	\$193,892.78

County Clerk

[Signature]
Commissioner of Finance

[Signature] Recording Officer

[Signature] Treasurer

"taxes collected" shown in column 2 were produced by mortgages covering real property in the respective tax districts. Additions and deductions to make adjustments and correct errors are recorded in column 3 and 4, respectively. Authority for these additions and deductions is given by the orders of the Tax Department noted on the bottom of this part.

This column is the net amount due each tax district for which the Board of Supervisors shall issue its warrant or warrants.

1 Tax districts	2 Taxes collected	3 *Additions	4 *Deductions	5 Amount of "Taxes Collected" as adjusted and corrected	6 Net Amount due each tax district
Amenia	\$28,096.21			\$28,096.21	\$27,310.81
Beekman	\$142,289.48			\$142,289.48	\$138,311.91
Clinton	\$48,111.78			\$48,111.78	\$46,766.86
Dover	\$55,699.50			\$55,699.50	\$54,142.47
East Fishkill	\$404,047.21			\$404,047.21	\$392,752.45
Fishkill	\$214,780.07	\$800.00		\$215,580.07	\$209,553.73
Hyde Park	\$119,418.55			\$119,418.55	\$116,080.32
Lagrange	\$185,564.18			\$185,564.18	\$180,376.91
Milan	\$27,376.21			\$27,376.21	\$26,610.93
North East	\$46,985.34			\$46,985.34	\$45,671.91
Pawling	\$99,180.01			\$99,180.01	\$96,407.53
Pine Plains	\$13,051.84			\$13,051.84	\$12,686.99
Pleasant Valley	\$151,661.18			\$151,661.18	\$147,421.63
T/Poughkeepsie	\$350,256.19			\$350,256.19	\$340,465.10
Red Hook	\$115,212.52			\$115,212.52	\$111,991.86
Rhinebeck	\$99,519.87		\$800.00	\$98,719.87	\$95,960.25
Stanford	\$45,477.02			\$45,477.02	\$44,205.75
Union Vale	\$50,756.51			\$50,756.51	\$49,337.66
Wappinger	\$213,379.51			\$213,379.51	\$207,414.68
Washington	\$109,720.29			\$109,720.29	\$106,653.16
City of Beacon	\$122,051.45			\$122,051.45	\$118,639.62
City of Poughkeepsie	\$109,331.48			\$109,331.48	\$106,275.22
TOTAL TAX DISTRICTS 22					
TOTALS	\$2,751,966.40	\$800.00	\$800.00	\$2,751,966.40	\$2,675,037.74

Order #305380- Chargeback Town of Rhinebeck \$800 and apply to the Town of Fishkill

Budget, Finance, and Personnel Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano(VC)		
District 3 - Town of LaGrange	Borchert (C)		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 22 - Towns of Beekman and Union Vale	Hutchings		

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

2014301 MORTGAGE TAX APPORTIONMENT PERIOD APRIL 1, 2014 THROUGH SEPTEMBER 30, 2014

Date: November 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison	✓	
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
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	Kelsey		

Present: 25

Absent: 0

Vacant: 0

Resolution: ✓

Motion:

Total : 25 0

Yes No

Abstentions: 0

2014301 MORTGAGE TAX APPORTIONMENT PERIOD APRIL 1, 2014 THROUGH SEPTEMBER 30, 2014

Date: November 10, 2014

RESOLUTION NO. 2014302

RE: QUIT CLAIM DEED, PROPERTY IN THE TOWN OF EAST FISHKILL
ASSESSED UNDER THE NAME OF MCSHEA MARY M
MCSHEA THOMAS F
GRID: 132800-6458-07-715990-0000

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

WHEREAS, unpaid tax on property in the Town of East Fishkill assessed to
McShea Mary M McShea Thomas F for the levy year 2011 and described as Grid No 132800-
6458-07-715990-0000 amounting to \$71.76 was placed on a List of Delinquent Taxes filed in
the Dutchess County Clerk's Office on November 1, 2012 for the tax lien year of 2012, and

WHEREAS, Dutchess County instituted an in rem foreclosure proceeding, Index
No. 2012/6396 to enforce the collection of delinquent tax liens for the levy year 2011 and the
above property was not redeemed within the time prescribed by law, resulting in a judgment of
foreclosure and a deed conveying title of the property to Dutchess County, which deed was
recorded in the Office of the Dutchess County Clerk, July 15, 2014, Document # 02 2014 4088,
and

WHEREAS, the sum of \$400.32 was tendered to the Dutchess County
Commissioner of Finance in payment of all right, title and interest which the County may have
acquired in and to the above property by reason of the above deed, and in payment of all unpaid
taxes and all other charges due and owing, now, therefore, be it

RESOLVED, that the County Executive and Clerk of the Legislature be and they
are hereby authorized, empowered and directed to make, execute and deliver in the name of the
County of Dutchess and of the Legislature of said County, a quitclaim deed to Town of East
Fishkill, 330 Route 376, Hopewell Junction, NY 12533 of any and all interest which the County
of Dutchess may have acquired in and to the said parcel by reason of the above deed.

CA-193-14
HS:CM:deb/ca
10/15/2014
Fiscal Impact: None


STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution
with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of November 2014,
and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of November 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 11/19/2014

Budget, Finance, and Personnel Committee Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano(VC)		
District 3 - Town of LaGrange	Borchert (C)		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 22 - Towns of Beekman and Union Vale	Hutchings		

Present: 12
Absent: 0
Vacant: 0

Resolution: ✓
Motion:

Total : 12 0
Yes No
Abstentions: 0

2014302 QUIT CLAIM DEED, PROPERTY IN THE TOWN OF EAST FISHKILL
ASSESSED UNDER THE NAME OF MCSHEA MARY M MCSHEA THOMAS F
GRID: 132800-6458-07-715990-0000

Date: November 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison	✓	
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
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	Kelsey		

Present: 25

Absent: 0

Vacant: 0

Resolution: ✓

Motion: —

Total : 25 0

Yes No

Abstentions: 0

2014302 QUITCLAIM DEED, PROPERTY IN THE TOWN OF EAST FISHKILL ASSESSED UNDER THE NAME OF MCSHEA MARY M

Date: November 10, 2014

RESOLUTION NO. 2014303

RE: QUIT CLAIM DEED, PROPERTY IN THE TOWN OF LAGRANGE
ASSESSED UNDER THE NAME OF BAGNALL ROBERT
GRID: 133400-6260-02-658517-0000

Legislators BORCHERT and BOLNER offer the following and move its adoption,

WHEREAS, unpaid tax on property in the Town of LaGrange assessed to Bagnall Robert for the levy year 2011 and described as Grid No 133400-6260-02-658517-0000 amounting to \$17,613.40 was placed on a List of Delinquent Taxes filed in the Dutchess County Clerk's Office on November 1, 2012 for the tax lien year of 2012, and

WHEREAS, Dutchess County instituted an in rem foreclosure proceeding, Index No. 2012/6396 to enforce the collection of delinquent tax liens for the levy year 2011 and the above property was not redeemed within the time prescribed by law, resulting in a judgment of foreclosure and a deed conveying title of the property to Dutchess County, which deed was recorded in the Office of the Dutchess County Clerk, July 15, 2014, Document # 02 2014 4088, and

WHEREAS, the sum of \$61,777.20 was tendered to the Dutchess County Commissioner of Finance in payment of all right, title and interest which the County may have acquired in and to the above property by reason of the above deed, and in payment of all unpaid taxes and all other charges due and owing, now, therefore, be it

RESOLVED, that the County Executive and Clerk of the Legislature be and they are hereby authorized, empowered and directed to make, execute and deliver in the name of the County of Dutchess and of the Legislature of said County, a quitclaim deed to Town of LaGrange, 120 Stringham Road, Lagrangeville, NY 12540 of any and all interest which the County of Dutchess may have acquired in and to the said parcel by reason of the above deed.

CA-194-14
HS:CM:deb/ca
10/15/2014
Fiscal Impact: None

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of November 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of November 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

RESOLUTION NO. 2014304

RE: RECEIPT OF TENTATIVE BUDGET FOR 2015 AND SETTING PUBLIC HEARING

Legislators ROLISON, FLESLAND, BORCHERT, SAGLIANO, and FARLEY offer the following and move its adoption:

WHEREAS, the County Executive as Chief Budgetary Officer of the County of Dutchess has submitted the Tentative Budget for the County for 2015, and

WHEREAS, copies of said Tentative Budget have been prepared as required by law and furnished to members of the Legislature, now, therefore, be it

RESOLVED, that a Public Hearing thereon, as provided by statute, be held before this Legislature at 7:00 pm on the 2nd of December 2014 in the Legislative Chambers, 22 Market Street, 6th Floor, Poughkeepsie, New York, and, be it further

RESOLVED, that the Clerk of the Legislature shall cause notice of said Public Hearing in substantially the following form to be published in the two official newspapers at least five days prior to the date specified for said Public Hearing.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the County Legislature of Dutchess County will meet on the 2nd day of December at 7:00 pm, in the Legislative Chambers, 22 Market Street, 6th Floor, Poughkeepsie, New York for the purpose of holding a Public Hearing on the Tentative Budget of said county for the fiscal year beginning January 1, 2015, and on the Capital Improvement Program of said county for the years 2015 through 2019.

FURTHER NOTICE is hereby given that copies of said Tentative Budget and Capital Improvement Program are available at the Office of the Budget Director, Sixth Floor, County Office Building, Poughkeepsie, where they may be inspected or procured by interested persons during regular business hours. Pursuant to Section 359 of the County Law, the maximum salaries that may be fixed and payable during said fiscal year to the members of the Legislature and to the Chairman thereof respectively are hereby specified:

MEMBER, COUNTY LEGISLATURE, 20 MEMBERS
MAJORITY/MINORITY ASSISTANT LEADER, COUNTY LEGISLATURE
MAJORITY/MINORITY LEADER, COUNTY LEGISLATURE
CHAIRMAN, COUNTY LEGISLATURE

\$15,450

\$19,570

APPROVED \$28,691

\$32,961

CAROLYN MORRIS
CLERK
DUTCHESS COUNTY LEGISLATURE

MARCUS J. MOLINARO
COUNTY EXECUTIVE

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

Date 11/12/2014

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 November 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of November 2014.

Carolyn Morris
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Budget, Finance, and Personnel Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano(VC)		
District 3 - Town of LaGrange	Borchert (C)		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 22 - Towns of Beekman and Union Vale	Hutchings		

Present: 12
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion:

Total : 12 0
 Yes No
 Abstentions: 0

2014304 RECEIPT OF TENTATIVE BUDGET FOR 2015 AND SETTING PUBLIC HEARING

Date: November 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison	✓	
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
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	Kelsey		

Present: 25
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion:

Total : 25 0
 Yes No
 Abstentions: 0

2014304 RECEIPT OF TENTATIVE BUDGET FOR 2015 AND SETTING PUBLIC HEARING

Date: November 10, 2014

RESOLUTION NO. 2014305

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

Legislators ROLISON, BORCHERT, SAGLIANO, HORTON, FARLEY, and PERKINS offer the following and move its adoption:

WHEREAS, there exists a vacancy on the Board of Trustees of Dutchess Community College by reason of the expiration of the term of Judith "Kip" Bleakley O'Neill on June 30, 2014, now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby appoint Denise Doring VanBuren as a member of the Board of Trustees of Dutchess Community College effective immediately.

Appointment

Denise Doring VanBuren
86 Chelsea Road
Wappingers Falls, NY 12590

Mailing: P.O. Box 8
Chelsea, NY 12512

Term Expires

6/30/21

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 4/18/2014

STATE OF NEW YORK

SS:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of November 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of November 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE



Curriculum Vitae

Denise Doring VanBuren
Chelsea, New York

Professional:

Vice President of Public Relations
Central Hudson Gas & Electric Corp.,
(1993 – present)

Responsible for all facets of utility public relations; serve as corporate spokesperson and administer community relations program. Lead professional staff responsible for advertising, employee communication, media relations, video production, speakers' bureau, website and intranet. Prepare news releases, speeches, policy papers, outreach programs, editorial submissions, white papers, etc.

Ward One City Councilwoman
Beacon City Council (1992-1993)

News Director and Anchor
NewsCenter 6, U.S. Cablevision, Wappingers Falls, NY (1985-90)

News Anchor and Reporter
WGNY AM & FM, Newburgh, NY (1984)

Honors:

Junior League of Dutchess County Woman of the Year, 2012
Dutchess ARC Bessie Payne Humanitarian Award, 2012
Meritorious Service Award, Exchange Club of Southern Dutchess, 2011
Dutchess Community Foundation Garden Party Honoree, 2007
Central Hudson Executive of the Year, 2005
Dutchess Award, Dutchess County Historical Society, 2005
City of Beacon Volunteer of the Year, 1999
YWCA Salute to Women and Industry Honoree: 1990, 1997
NYS Daughters of the American Revolution (DAR)

Outstanding Chapter Regent, 1999-2000

Community Service:

Current: Board of Directors: MidHudson Regional Hospital Board of Visitors, Elant Healthcare System, Fishkill Rural Cemetery, Locust Grove Samuel F.B. Morse Historic Site, Hudson River Valley Institute at Marist College, Dutchess County Unit of the American Cancer Society, Dutchess County Historical Society; Board Member, Monthly Breakfast Chairman and Emcee, Dutchess County Regional Chamber of Commerce; Editor-in-Chief of the National Society of the Daughters of the American Revolution's *American Spirit* Magazine (2004–present); and Organizing Secretary General of the National Society of the DAR (will serve July 2013-2016).

Prior: New York State Regent, DAR (2010-2013) and New York State Historian (2010-2013); Capital Campaign Co-Chair, Our Lady of Lourdes High School; Past Board Chair of the Greater Southern Dutchess Chamber of Commerce; Past Board Member and 2005 Dutchess County Campaign Chair for United Way of Dutchess County; Chairman of the Board, Craig House Center; Board Member, Putnam Hospital Inc.; Dutchess County Economic Development Corporation and chair of its Tourism Committee; National Chairman of Public Relations, National Society Daughters of the American Revolution (1999-2004); Regent, Melzingah Chapter, DAR (1998–2001); Chair, City of Beacon's 85th Anniversary Celebration, 1998; Past President (5 terms), Beacon Historical Society; V.P., Dutchess County Genealogical Society; Board Member: Howland Circulating Library, Stony Kill Environmental Center and Beacon Corps, Salvation Army.

Affiliations: DAR; Southern Dutchess Exchange Club (past President); Chelsea Yacht Club; Daughters of Union Veterans of the Civil War; and Dutchess County, Beacon and Fishkill historical societies.

Author: *Historic Beacon* (1998), *Beacon Revisited* (2003) and *Doorways to History: The Stories Behind the New York DAR Chapter Houses and the Women Who Saved Them* (2006)

Education: Masters Degree in Business Administration, 1997
Mount Saint Mary College; Newburgh, New York

B.A. Magna Cum Laude in Journalism/Mass Communication, 1983
Saint Bonaventure University; Olean, New York

Personal: Chelsea resident; married to Christopher Barclay;
Three sons, Schuyler (24), Troy (22) and Brett (18).

Budget, Finance, and Personnel Committee Roll Call

District	Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison*	✓	
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*		
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano(VC)		
District 3 - Town of LaGrange	Borchert (C)		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 11 - Towns of Rhinebeck and Clinton	Tyner		✓
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 22 - Towns of Beekman and Union Vale	Hutchings		
Present: <u>12</u>	Resolution: <u>✓</u>	Total : <u>11</u>	<u>1</u>
Absent: <u>0</u>	Motion: <u> </u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

2014305 APPOINTMENT TO THE BOARD OF TRUSTEES OF DUTCHESS COMMUNITY COLLEGE

Date: November 6, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison	✓	
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
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	Kelsey		

Present: 25

Resolution: ✓

Total : 25

0

Absent: 0

Motion:

Yes

No

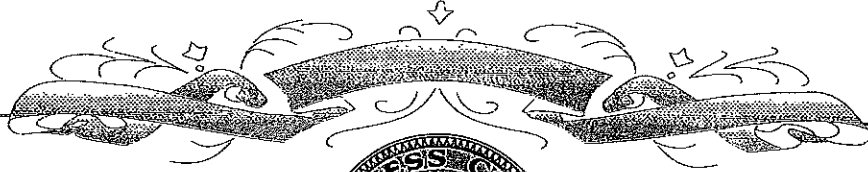
Vacant: 0

Abstentions: 0

2014305 APPOINTMENT TO THE BOARD OF TRUSTEES OF DUTCHESS COMMUNITY COLLEGE

Date: November 10, 2014

Dutchess County Legislature



PROCLAMATION: NOVEMBER IS NATIONAL MARROW AWARENESS MONTH

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

WHEREAS, November is National Marrow Awareness Month, and

WHEREAS, patients with life-threatening diseases such as leukemia, lymphoma, certain types of anemia, and other conditions are sometimes in need of a "bone marrow transplant" if they are not responding to their standard treatment, and

WHEREAS, the purpose of National Marrow Awareness Month is to encourage people who are in good health to volunteer to be placed in a special registry coordinated by the National Marrow Donor Program, and

WHEREAS, by volunteering to become a donor you offer patients hope for longer and healthier lives, for you are giving a gift of life, and the more volunteers in the registry, the more patients who can be helped, and

WHEREAS, the National Donor Program's registry currently has more than 5 million potential donors awaiting a match to help someone in need, and because a patient's tissue type is inherited, it is important to have donors of all ethnic and racial groups, and

WHEREAS, anyone age 18 to 60 is encouraged to join as long as they meet the health guidelines of the National Marrow Program, and

WHEREAS, November has been proclaimed as National Marrow Awareness Month to bring awareness to the need to increase the number of marrow donors in the registry and to educate them about bone marrow donation and transplants, now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby recognize and proclaim November as National Marrow Awareness Month.

STATE OF NEW YORK

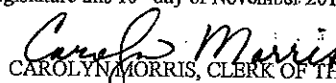
Resolution No. 2014306

ss:

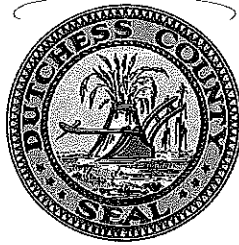
COUNTY OF DUTCHESS

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 November 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of November 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Dutchess County Legislature



Commendation: Joe Panik

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

WHEREAS, Joe Panik is from Hopewell Junction, New York, and is a 2008 graduate of John Jay High School where he earned four letters for playing baseball, was the two-time captain, was two-time all-state selection, two-time all-section honoree, section, league, and county player of the year as a senior, and helped the Patriots win a league championship as a senior, and

WHEREAS, Joe went on to attend St. John's University where he entered the 2011 season as arguably the top ranked short stop in the nation, and the San Francisco Giants selected him 29th overall in the first round of the 2011 draft, and

WHEREAS, in 2014 Joe Panik and the San Francisco Giants won the 2014 World Series, four games to three over the Kansas City Royals, and

WHEREAS, Joe came out of spring training in Arizona and was assigned to Fresno, California, to play with the Giants' Triple-A team, the Grizzlies, and

WHEREAS, after batting .321 with 14 doubles and five home runs in 74 games at Fresno, Joe received a promotion to the Major League on June 21, making his first appearance that night against the Arizona Diamondbacks in Phoenix, and made his first major league start the following night, and

WHEREAS, Joe finished the regular season hitting .305 and earned consideration for the National League Rookie of the Year award, and

WHEREAS, the National League Division Series against the Nationals was highlighted with a triple, he scored three runs and drove in three in the National League Championship Series, punctuating the NLCS with a two-run homer in Game 5 to lead San Francisco past the St. Louis Cardinals in that decisive game, and

WHEREAS, the Giants split the first six World Series games with the Royals, where Joe had six hits and 3 RBI's and made history in the Fall Classic opener, becoming the first Giants rookie since 1924 to triple in a World Series game, and just the second rookie all-time to boast a pair of triples in a single postseason, and initiated a game changing double play in Game 7, now, therefore, be it

RESOLVED, that Joe Panik is hereby recognized for his outstanding accomplishments, and, be it further

RESOLVED, that the Dutchess County Legislature, on behalf of the all the people of Dutchess County, hereby commends and congratulates, with pride, our own Joe Panik, and, be it further.

RESOLVED, that the Dutchess County Legislature does hereby extend to Joe Panik continued success and its best wishes in all his future endeavors.

STATE OF NEW YORK
COUNTY OF DUTCHESS

Resolution No. 2014307

ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of November 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of November 2014.

Carolyn Morris
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LAI D ON DESKS 11/10/14

RESOLUTION NO. 2014308


RE: LOCAL LAW NO. 1 OF 2015, A LOCAL LAW AMENDING THE
DUTCHESS COUNTY CHARTER AND ADMINISTRATIVE CODE BY
DELETING ARTICLE XVIII (DEPARTMENT OF EMERGENCY RESPONSE)
AND ADDING A REVISED ARTICLE XVIII TO THE CHARTER

Legislators FLESLAND, ROMAN, PULVER, INCORONATO, HORTON,
WEISS, JOHNSON, FARLEY, SAGLIANO, and BOLNER offer the following and move its
adoption:

RESOLVED, that the Legislature of the County of Dutchess adopt Local Law No.
1 of 2015 which has been submitted this day for consideration by said Legislature.

CA-189-14
CAB/ca/G-0148/G-1617
10/21/14

Fiscal Impact: None

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 12/23/2014

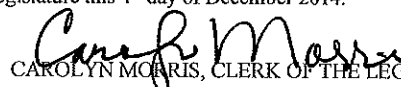
STATE OF NEW YORK

SS:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution
with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 4th day of December 2014,
and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 4th day of December 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LOCAL LAW NO. 1 of 2015

RE: A LOCAL LAW AMENDING THE DUTCHESS COUNTY CHARTER AND ADMINISTRATIVE CODE BY DELETING ARTICLE XVIII (DEPARTMENT OF EMERGENCY RESPONSE) AND ADDING A REVISED ARTICLE XVIII TO THE CHARTER.

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

SECTION 1. LEGISLATIVE INTENT. The Legislature hereby determines that Article XVIII of the Dutchess County Charter and Administrative Code should be repealed in its entirety and replaced with a new Article XVIII that more accurately reflects the current responsibilities and terminology of the Department of Emergency Response and makes this article more consistent with the other articles contained in the Charter pertaining to County Departments.

SECTION 2. Article XVIII of the Dutchess County Charter is deleted in its entirety and shall be replaced by a new Article XVIII as set forth in Section 4 hereof.

SECTION 3. Article XVIII of the Dutchess County Administrative Code is deleted in its entirety and not replaced.

SECTION 4. Article XVIII of the Dutchess County Charter is hereby amended to provide as follows:

Section 18.01. Department of Emergency Response; Commissioner; Appointment; Qualifications; Term. There shall be a Department of Emergency Response under the direction of a Commissioner of Emergency Response, who shall be appointed by the County Executive, subject to confirmation by the County Legislature. He/she shall be appointed on the basis of his/her professional experience and other qualifications for the responsibilities of his/her office. He/she shall be directly responsible to, and serve at the pleasure, of the County Executive. The Department of Emergency Response shall be the Office of Civil Defense for the County of Dutchess in accordance with the applicable sections of Title 26, State Defense, Article 3, Civil Defense of the New York State Unconsolidated Laws.

Section 18.02. Powers and Duties.

(a) The Emergency Response Commissioner shall also have the title of Local Director of Civil Defense and have power and duties associated with this title as set forth in New York State Unconsolidated Laws Section 9122 et seq. Notwithstanding the previous sentence, the Emergency Response Commissioner is authorized to delegate the powers and duties of the Local Director of Civil Defense to a qualified County employee.

(b) The Emergency Response Commissioner shall also have the title of County Fire Coordinator and have the powers and duties associated with this title as set forth in New York State County Law Section 225-a. Notwithstanding the previous sentence, the Emergency Response Commissioner is authorized to delegate the powers and duties of the County Fire Coordinator to a qualified County employee.

(c) The Emergency Response Commissioner shall also have the title EMS (Emergency Medical Services) Coordinator and have the powers and duties associated with this title as set forth in New York State County Law Section 223-b. Notwithstanding the previous sentence, the Emergency Response Commissioner is authorized to delegate the powers and duties of the EMS Coordinator to a qualified County Employee.

(d) The Emergency Response Commissioner shall be responsible for the operation of the Dutchess County Public Service Answering Point (E-9-1-1 Communications Center).

Section 18.03. Deputy Commissioners and Staff. The Commissioner of Emergency Response shall have the power to appoint such Deputy Commissioners, assistants and employees of his/her department as shall be authorized by the County Legislature. All such appointees shall be directly responsible to, and serve at the pleasure of, the Commissioner, except as otherwise provided by this Charter, the Administrative Code or applicable law.

Section 18.04. Acting Commissioner. The Commissioner of Emergency Response, subject to approval by the County Executive, shall designate in writing, and in order of succession, the Deputy Commissioners and assistants who shall be Acting Commissioner of Emergency Response in the event of his/her absence from the County or inability to perform and exercise the duties of his/her office. Such designation shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Commissioner of Emergency Response by filing a new written designation and order of succession. The Acting Commissioner of Emergency Response shall have all the powers and perform all the duties of the Commissioner.

SECTION 5. EFFECTIVE DATE. This local law shall take effect immediately upon full compliance with all the requisite statutes and laws applicable to its adoption and promulgation.

Government Services and Administration Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*	<i>absent</i>	
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 12 - Town of East Fishkill	Weiss (VC)		
District 14 - Town of Wappinger	Amparo		
District 17 - Town and Village of Fishkill	Miccio	<i>absent</i>	
District 20 - Town of Red Hook	Strawinski		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman (C)		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		
Present: <u>10</u>	Resolution: <u>✓</u>	Total : <u>10</u>	<u>0</u>
Absent: <u>2</u>	Motion: <u> </u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

2014308 A LOCAL LAW AMENDING THE DUTCHESS COUNTY CHARTER AND ADMINISTRATIVE CODE BY DELETING ARTICLE XVIII (DEPARTMENT OF EMERGENCY RESPONSE) AND ADDING A REVISED ARTICLE XVIII TO THE CHARTER

Date: December 2, 2014

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison		
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
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	Kelsey		

Present: 25
 Absent: 0
 Vacant: 0

Resolution: ✓
 Motion: ✓

Total : _____
 Yes _____ No _____
 Abstentions: _____

Chairman
Ruled not
germaine
to resolution

JT/A mac

Section 18.01 Remove " and serve at the pleasure of "

2014 308
12/4/14

Roll Call Sheets

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

Present: 25

Resolution:

Total: 23

1

Absent: 0

Motion: ✓

Yes

No

Vacant: 0

Abstentions: 0

Chairman Ruled amendment not
germaine - Leg. Tyner appealed

Rule of Chair.

Chair upheld

2014308
12/4/14

Roll Call Sheets

District	Last Name	Yes	No
District 8 - City and Town of Poughkeepsie	Rolison	✓	
District 6 - Town of Poughkeepsie	Flesland		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 16 - Town of Fishkill and City of Beacon	MacAvery		
District 1 - Town of Poughkeepsie	Nesbitt		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 3 - Town of LaGrange	Borchert		
District 4 - Town of Hyde Park	Serino		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Perkins		
District 9 - City of Poughkeepsie	Johnson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Weiss		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Farley		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 20 - Town of Red Hook	Strawinski		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Hutchings		
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	Kelsey		

Present: 25

Absent: 0

Vacant: 0

Resolution: ✓

Motion:

Total : 25 0

Yes No

Abstentions: 0

2014308 A LOCAL LAW AMENDING THE DUTCHESS COUNTY CHARTER AND ADMINISTRATIVE CODE BY DELETING ARTICLE XVIII (DEPARTMENT OF EMERGENCY RESPONSE) AND ADDING A REVISED ARTICLE XVIII TO THE CHARTER

Date: December 4, 2014

The foregoing local law Resolution No. 2014308 was laid on desks on November 10, 2014, and considered on December 4, 2014.

Discussion at that time proceeded as follows:

Legislator Tyner made a motion, duly seconded by Legislator MacAvery, to amend Section 18.01 by deleting the words "and serve at the pleasure of".

Legislator Flesland stated that this amendment was hypocritical because the staff of the Legislature was let go after decades of service.

Chairman Rolison questions the Legislative Counsel if the Legislature had the ability to change the County Executive's power.

Scott L. Volkman, Legislative Counsel, stated that if the local law was amended it would have to be re-laid on the desk and added that to diminish the power of an elected official might be subject to a referendum requirement.

Chairman Rolison ruled that the amendment was not germane to the resolution based on statements of counsel.

Legislator Tyner appealed the rule of the chair.

Roll call vote on affirming the rule of the Chair resulted as follows:

AYES: 23

NAYS: 1 Legislator Tyner

ABSENT: 0

Motion adopted.

The foregoing ruling of the Chair was upheld.

Roll call on resolution resulted as follows:

AYES: 25

NAYS: 0

ABSENT: 0

Resolution adopted.

The County Executive held a public hearing on the foregoing Local Law on December 22, 2014 and signed it into Law on December 23, 2014. The effective date of the Local Law was January 8, 2015.

LAI'D ON DESKS 11/10/14

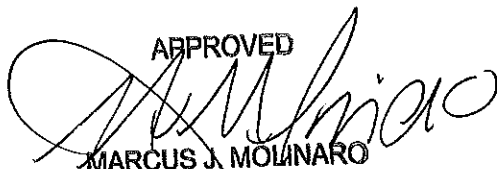
RESOLUTION NO. 2014309

RE: LOCAL LAW NO. 2 OF 2015, A LOCAL LAW
AMENDING AND CORRECTING THE DUTCHESS COUNTY
ADMINISTRATIVE CODE AS IT PERTAINS TO THE YOUTH BOARD &
COORDINATING COUNCIL TO DELETE SUPERSEDED SUBDIVISIONS
(6), (7), AND (8) OF SECTION 16.04A

Legislators ROMAN, PULVER SAGLIANO, HORTON, INCORONATO,
JOHNSON, and BOLNER offer the following and move its adoption:

RESOLVED, that the Legislature of the County of Dutchess adopt Local Law No.
2 of 2015 which has been submitted this day for consideration by said Legislature.

CA-192-14
CRC/ca/G-0207
10/7/14
Fiscal Impact: None

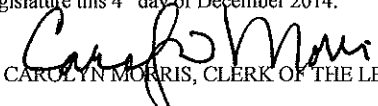
APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 12/23/2014

STATE OF NEW YORK
COUNTY OF DUTCHESS

SS:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 4th day of December 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 4th day of December 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LOCAL LAW NO. 2 of 2015

RE: A LOCAL LAW PROVIDING FOR
AMENDING AND CORRECTING THE DUTCHESS COUNTY
ADMINISTRATIVE CODE AS IT PERTAINS TO THE YOUTH BOARD &
COORDINATING COUNCIL TO DELETE SUPERSEDED SUBDIVISIONS
(6), (7), AND (8) OF SECTION 16.04A

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

SECTION 1. LEGISLATIVE INTENT.

Local Law No. 2 of 2014 amended the Dutchess County Administrative Code to re-name, reorganize, and repurpose the Dutchess County Youth Board. Superseded subdivisions (6), (7), and (8) of Section 16.04A should have been deleted but were not. The purpose of this amendment is to delete Dutchess County Administrative Code subdivisions (6), (7), and (8) of Section 16.04A.

SECTION 2. Subdivisions (6), (7), and (8) of Dutchess County Administrative Code Section 16.04A are hereby deleted in their entirety.

SECTION 3. 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 cause, 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 5. EFFECTIVE DATE. This local law shall take effect immediately upon filing in the Office of the Secretary of State.

Government Services and Administration Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 8 - City and Town of Poughkeepsie	Rolison*		
District 6 - Town of Poughkeepsie	Flesland*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 10 - City of Poughkeepsie	Jeter-Jackson*	<i>absent</i>	
District 16 - Town of Fishkill and City of Beacon	MacAvery*		
District 12 - Town of East Fishkill	Weiss (VC)		
District 14 - Town of Wappinger	Amparo		
District 17 - Town and Village of Fishkill	Miccio	<i>absent</i>	
District 20 - Town of Red Hook	Strawinski		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman (C)		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Kelsey		
Present: <u>10</u>	Resolution: <u>✓</u>	Total : <u>10</u>	<u>0</u>
Absent: <u>2</u>	Motion: <u> </u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

2014309 A LOCAL LAW AMENDING AND CORRECTING THE DUTCHESS COUNTY ADMINISTRATIVE CODE AS IT PERTAINS TO THE YOUTH BOARD & COORDINATING COUNCIL TO DELETE SUPERSEDED SUBDIVISIONS (6), (7), AND (8) OF SECTION 16.04A

Date: December 2, 2014

Roll Call Sheets

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

Present: 25
 Absent: 0
 Vacant: 0

Resolution: ☒
 Motion: ☐

Total : 25 0
 Yes No
 Abstentions: 0

2014309 A LOCAL LAW AMENDING AND CORRECTING THE DUTCHESS COUNTY ADMINISTRATIVE CODE AS IT PERTAINS TO THE YOUTH BOARD & COORDINATING COUNCIL TO DELETE SUPERSEDED SUBDIVISIONS (6), (7), AND (8) OF SECTION 16.04A

Date: December 4, 2014

The foregoing local law Resolution No. 2014309 was laid on desks on November 10, 2014, and considered on December 4, 2014.

Roll call vote at that time resulted as follows:

AYES: 25

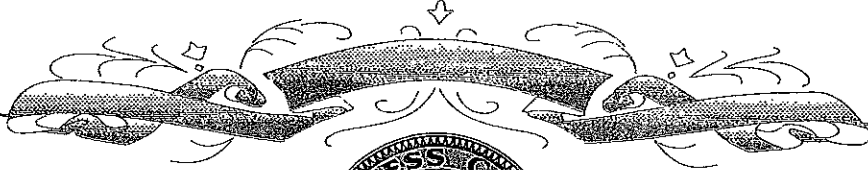
NAYS: 0

ABSENT: 0

Resolution adopted.

The County Executive held a public hearing on the foregoing Local Law on December 22, 2014 and signed it into Law on December 23, 2015. The effective date of the Local Law was January 8, 2015.

Dutchess County Legislature



Condolence: Robert L. Cahill

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 former County Legislator Robert L. Cahill, a lifelong Beacon resident, on November 5, 2014, at the age of 90, and

WHEREAS, Robert was born in Beacon on September 11, 1924, and graduated from Beacon High School in 1943, and

WHEREAS, in 1943 Robert was drafted and proudly served his country during World War II in the Army Air Corps and became a prisoner of war in July 1944 after his B-17 bomber was shot down over Austria until May 1945. He earned the rank of Staff Sergeant and was awarded the Purple Heart, and

WHEREAS, Robert retired from IBM in East Fishkill after 35 years, served as Mayor of the City of Beacon from 1970 to 1978, and was a member of the New York State Bridge Authority from 1986 to 1991, and

WHEREAS, Robert served as a Dutchess County Legislator from 1968-1969 representing District XIX and served on the Anti-Poverty, Community College Liaison, Planning & Capital Projects, Water Agency, Sewer Agency and Youth Board Committees, and

WHEREAS, Robert was a coach for Babe Ruth Baseball in Beacon, a coach for CYO Basketball, was a member of the Knights of Columbus, Trinity Council #445 in Beacon and a member of the Beacon Elks Lodge 1493, and

WHEREAS, on November 11, 1969, Robert married Winifred "Winnie" Scully who predeceased him on October 24, 2012, he is survived by his step-sons, Robert Scully, David Scully and his wife, Julie and his grandchildren, Jennifer, Shannon, and Casie Scully, and

WHEREAS, Robert's passing will be mourned by his family, friends, and colleagues throughout Dutchess County, now, therefore, be it

RESOLVED, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby extend its deep sympathy and sincere condolences to the family and friends of the late Robert L. Cahill, and, be it further

RESOLVED, that the meeting of the Dutchess County Legislature be adjourned in memory of the late Robert L. Cahill.

Resolution No. 2014310

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 November 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of November 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

On motion by Legislator Thomes, duly seconded by Legislator Flesland and carried, the Rules were suspended to allow the public to address the Legislature on agenda and non-agenda items.

Constantine Kazolias, 47 Noxon Street, Poughkeepsie, spoke regarding fuel costs and giving raises to county employees.

Darrett Roberts, City of Poughkeepsie, spoke in favor of bringing the county jail inmates back to stay in Dutchess County and urged for more programs to assist them.

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

There being no further business, the Chairman adjourned the meeting at 7:29 p.m. in memory of Robert L. Cahill.