

# Attendance Sheets

District	Last Name	Present	Absent	Present/Late
District 14 - Town of Wappinger	Amparo	✓	✗	
District 4 - Town of Hyde Park	Black	✓		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	✓		
District 3 - Town of LaGrange	Borchert	✓		
District 8 - City and Town of Poughkeepsie	Brendli	✓		
District 22 - Towns of Beekman and Union Vale	Coviello	✓		
District 6 - Town of Poughkeepsie	Flesland	✓		
District 16 - Town of Fishkill and City of Beacon	Forman	✓		
District 21 - Town of East Fishkill	Horton	✓		
District 15 - Town of Wappinger	Incoronato	✓		
District 10 - City of Poughkeepsie	Jeter-Jackson	✓		
District 1 - Town of Poughkeepsie	Kakish	✓		
District 18 - City of Beacon and Town of Fishkill	Landisi	✓		
District 12 - Town of East Fishkill	Metzger	✓		
District 17 - Town and Village of Fishkill	Miccio	✓		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	✓		
District 9 - City of Poughkeepsie	Rieser	✓		
District 5 - Town of Poughkeepsie	Roman	✓		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	✓		
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 7 - Towns of Hyde Park and Poughkeepsie	Truitt	✓		
District 11 - Towns of Rhinebeck and Clinton	Tyner	✓		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn	✓		
<b>Present:</b>	<u>25</u>	<b>Total:</b>	<u>25</u>	<u>0</u>
<b>Absent:</b>	<u>0</u>			
<b>Vacant:</b>	<u>0</u>			

Date: 11/13/2017

Regular Meeting  
of the  
Dutchess County Legislature

Monday, November 13, 2017

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

Roll Call by the Clerk of the Legislature

PRESENT:           25           Borchert, Bolner, Amparo, Black, Brendli, Coviello,  
Flesland, Forman, Horton, Incoronato, Jeter-  
Jackson, Kakish, Landisi, Metzger, Miccio, Pulver,  
Rieser, Roman, Sagliano, Strawinski, Surman,  
Thomes, Truitt, Tyner, Washburn

ABSENT:            0

PRESENT, LATE: 0

Quorum Present.

Pledge of Allegiance to the Flag; invocation given by Reverend Jesse V. Bottoms, Jr. of Beulah Baptist Church in Poughkeepsie, followed by a moment of silent meditation.

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.

Constantine Kazolias, City of Poughkeepsie, spoke regarding emergency generators at County buildings and county buses.

Joe Lowenbraun, City of Poughkeepsie, spoke in support of putting solar panels on the roofs at Dutchess Community College.

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

Chairman Borchert entertained a motion to approve the October 2017 minutes.

The October 2017 minutes were adopted.

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

None

## COMMUNICATIONS RECEIVED FOR THE NOVEMBER 2017 BOARD MEETING

Received from County Clerk:

October Foreclosure Reports

October Mortgage Reports

Semi-Annual Mortgage Tax Report

Received from Workforce Invest Board, Legal Notice of Dutchess County Workforce Investment Board Entering Into Contract with Smart Staffing Group

Received from Orleans County Legislature, Resolution 395-1017, Honoring 2017 as the 100<sup>th</sup> Anniversary of Women's Suffrage in New York State.

Received from State of New York Office of Real Property Tax Service, 2017 Assessment Rolls for Municipalities in the County of Dutchess

Received from Erie County Legislature:

Resolution 18-1 Supporting Increasing the State Appropriation for Cornell Cooperative Extension

A Resolution opposed to the Removal of the State and Local Property and Sales Tax Deduction

Received from Livingston County Board of Supervisors, Resolution 2017-312, A Resolution to Increase State Support for Cornell Cooperative Extension County Associations in the State of New York

Received from Cattaraugus County Legislature:

Resolution No.447-2017, Supporting Increased State Funding for Cornell Cooperative Extension County Associations in New York State

Resolution No. 448-2017, Resolution Honoring 2017 as the 100<sup>th</sup> Anniversary of Women's Suffrage in New York State

Received from Greene County Legislature, Resolution No. 326-17, Resolution Urging the New York State Congressional Delegation to Preserve the Federal Income Tax Deduction for State and Local Taxes

Received from Town of Kent, Notice of Public Hearing Regarding Amendment of the Zoning Code of the Town of Kent

Received from Town of Beekman, Notice of Public Hearing Town of Beekman Amending Chapter 155-4 "Definitions" Adding Regulations Pertaining to Solar Energy Systems and Wind Energy Systems

Received from County Executive, Order of Succession in Effect- November 8<sup>th</sup>-13<sup>th</sup>

Received from Town of Lagrange, Proposed Local Law. A Local Law of the Town of Lagrange, Dutchess County, New YORK, Conditionally Amending the Zoning Map of Chapter 240, Section 240-22, of the Town Code to Change the Designation of Lagrange Tax Parcel 6261-02-864840, Located from a Residential Flexible Density "RFD" Zoning District to Commercial "C" Zoning District

Family & Human Services

RESOLUTION NO. 2017207

RE: AMENDING THE 2017 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF BEHAVIORAL & COMMUNITY HEALTH (A.4320)

Legislators THOMES, BORCHERT, FLESLAND, STRAWINSKI, JETER-JACKSON, TRUITT, HORTON and RIESER offer the following and move its adoption:

WHEREAS, the Commissioner of Behavioral & Community Health has advised that New York State Office of Mental Health (OMH) has awarded through its State Aid Letter funding for a new Children and Youth Respite beds, and

WHEREAS, this is 100 percent pass through funding and will be distributed to an authorized and acceptable provider, and

WHEREAS, it is necessary to amend the 2017 Adopted County Budget to provide for the receipt and expenditure of these funds, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to amend the 2016 Adopted County Budget as follows:

APPROPRIATIONS

Increase

A.4320.42.4400.4425 Hudson River Housing \$206,250

REVENUES

Increase

A.4320.42.34900.64 MH State Aid Hudson Rvr Housing \$206,250

CA-116-17  
CRC/kvh/G-1652-B  
10/16/17  
Fiscal Impact: See attached statement

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE

Date 11/20/2017

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 13<sup>th</sup> day of November 2017, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13<sup>th</sup> day of November 2017.

  
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 \$ 206,250

Total Current Year Revenue \$ 206,250  
and Source

NYS OMH

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

Identify Line Items(s):

Related Expenses: Amount \$ 0  
Nature/Reason:

Anticipated Savings to County: \$ 0

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

### Additional Comments/Explanation:

NYS OMH has awarded \$206,250 (\$275,000 Annually) to Dutchess County for the creation of Children and Youth respite beds.

Prepared by: Gerald A. Brisley, II, MBA

Prepared On: 09/01/2017

## *Family and Human Services Committee Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert *	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner *		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*	<i>absent</i>	
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson (VC)		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 21 - Town of East Fishkill	Horton		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes (C)		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn		
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>	

**2017207** AMENDING THE 2017 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF BEHAVIORAL & COMMUNITY HEALTH (A.4320)

Date: November 9, 2017

# Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	✓	
District 17 - Town and Village of Fishkill	Miccio		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo		
District 1 - Town of Poughkeepsie	Kakish		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Flesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Coviello		
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	Washburn		

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

2017207 AMENDING THE 2017 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF BEHAVIORAL & COMMUNITY HEALTH (A.4320)

Date: November 13, 2017

RESOLUTION NO. 2017208

RE: AUTHORIZING AMENDMENT OF FUNDING UNDER THE TRADE ADJUSTMENT ACT

Legislators THOMES, BORCHERT, TRUITT, JETER-JACKSON, HORTON and STRAWINSKI offer the following and move its adoption:

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

WHEREAS, the New York State Department of Labor has provided allocations to Dutchess County for the operation of

- \* FY 2015 TAA for the period of October 1, 2014 through September 30, 2017,
- \* FY 2016 TAA for the period of October 1, 2015 through September 30, 2018

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

APPROPRIATIONS

2015		
CD6292.2015.4813	TAA Participant Funding	(\$18,512)
2016		
CD6292.2016.4813	TAA Participant Funding	\$18,512

REVENUE

2015		
CD6292.2015.47910.22	WIA TAA Participant Funding	(\$18,512)
2016		
CD6292.2016.47910.22	WIA TAA Participant Funding	\$18,512
CA-136-17		
G-1263		
10/16/17		
Fiscal Impact: Attached		

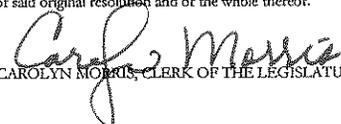
APPROVED  
  
 \$18,512  
 MARCUS J. MOLINARO  
 COUNTY EXECUTIVE  
 Date 11/20/2017

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 13<sup>th</sup> day of November 2017, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13<sup>th</sup> day of November 2017.

  
 CAROLYN MORRIS, CLERK OF THE LEGISLATURE

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

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

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

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

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

Identify Line Items(s):

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

Nature/Reason:

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

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

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

Additional Comments/Explanation:

Prepared by: Louise McLoughlin

Prepared On: 10/3/2017

## *Family and Human Services Committee Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert *	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner *		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*	<i>absent</i>	
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson (VC)		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 21 - Town of East Fishkill	Horton		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes (C)		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn		

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>	

**2017208 AUTHORIZING AMENDMENT OF FUNDING UNDER THE TRADE ADJUSTMENT ACT**

Date: November 9, 2017

# Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	✓	
District 17 - Town and Village of Fishkill	Miccio		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo		
District 1 - Town of Poughkeepsie	Kakish		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Flesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Coviello		
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	Washburn		

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

**2017208 AUTHORIZING AMENDMENT OF FUNDING UNDER THE TRADE ADJUSTMENT ACT**

Date: November 13, 2017

RESOLUTION NO. 2017209

RE: AMENDING THE 2017 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF BEHAVIORAL & COMMUNITY HEALTH (A.4320)

Legislators THOMES, BORCHERT, FLESLAND, TRUITT, STRAWINSKI, HORTON, RIESER and JETER-JACKSON offer the following and move its adoption:

WHEREAS, the Commissioner of Behavioral & Community Health has advised that New York State Office of Mental Health (OMH) has awarded through its State Aid Letter funding for an Outreach Team and eight (8) forensic supported housing beds, and

WHEREAS, the Commissioner of Behavioral & Community Health has also advised that OMH has awarded through its State Aid Letter funding for PEOPLE, Inc. to receive three (3) supported housing beds for Forensic Supported Housing Beds,

WHEREAS, it is necessary to amend the 2017 Adopted County Budget to provide for the receipt and expenditure of these funds, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to amend the 2017 Adopted County Budget as follows:

APPROPRIATIONS

Increase

A.4320.42.4400.4466	Cont. Agency - RSS	\$225,450
A.4320.42.4400.4655	Cont. Agency – people	\$212,734

REVENUES

Increase

A.4320.42.34900.20	State Aid - RSS	\$225,450
A.4320.42.34900.55	State Aid – PEOPLE	\$212,734

CA-138-17  
CRC/kvh/G-1652-B  
10/17/17  
Fiscal Impact: See attached statement

STATE OF NEW YORK  
COUNTY OF DUTCHESS

ss:

APPROVED

*Marcus J. Molinaro*  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE

Date 11/20/2017

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 13<sup>th</sup> day of November 2017, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13<sup>th</sup> day of November 2017

*Carolyn Morris*  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

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

Total Current Year Cost \$ 438,184

Total Current Year Revenue \$ 438,184  
and Source

NYS OMH

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

Identify Line Items(s):

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

Nature/Reason:

Anticipated Savings to County: \$ 0

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

#### Additional Comments/Explanation:

To increase appropriations and revenues for funds awarded to Dutchess County by NYS Office of Mental Health approved on resolutions 2016099 and 2016128 but not included in the 2017 budget due to timing issues related to the awarding of the RFP and the executing of the contracts. This resolution also includes funds awarded to PEOPLE, Inc. for 3 supported housing beds on their response to the RFP related to resolution 2016128, per the attached documents. All funds are 100% pass-through funds and have no net cost to Dutchess County.

Prepared by: Gerald A. Brisley, II, MBA

Prepared On: 10/11/2017



## Office of Mental Health

**ANDREW M. CUOMO**  
Governor

**ANN MARIE T. SULLIVAN, M.D.**  
Commissioner

**MARTHA SCHAEFER**  
Executive Deputy Commissioner

October 19, 2016

Margaret Hirst, LCSWR  
Commissioner  
Dutchess County Department of  
230 North Rd  
Poughkeepsie, NY 12601

Dear Commissioner Hirst, LCSWR:

The NYS Office of Mental Health (OMH) is issuing your January 1, 2016 to December 31, 2016 State Aid Letter (SAL) to reflect your latest allocation. Your total allocation amount at this time is \$12,465,946. The allocations authorized in this letter include full annual funding for initiatives previously authorized.

Please ensure the County Allocation Tracker (CAT) is updated to agree with the State Aid Letter allocations and reflects all county contracts funded with State Aid. As a reminder, the Consolidated Claim Report (CCR)/Consolidated Financial Report (CFR) for local fiscal year 2015 was due May 1, 2016. Guidelines for completion of the CCR/CFR can be accessed through the OMH website. If any of your providers need assistance in completing these forms, they should contact the OMH Help Desk at 1-800-HELPNYS.

The Aid to Localities Spending Plan Guidelines, which explain the reporting and use requirements of your authorized funding, can also be accessed through the OMH website. In addition, please remember if you receive federal funds, to submit your two federal certifications which are also available on the OMH website. Please share this website with all of your subcontract providers so that they may become familiar with the guidelines that apply to them, and refer to the guidelines as necessary. As a reminder, failure to submit the CAT, and/or CCR/CFR schedules in a timely manner may result in the delay of subsequent State Aid payments and/or Medicaid payments.

Inherent in OMH's budget and claiming policy is the expectation that your department will monitor expenditures against budgeted costs throughout the year. Please notify your OMH Field Office of any significant fiscal or programmatic problems as soon as they become known. If you have questions regarding any local mental health fiscal issues, including questions regarding the information or instructions that are included in this letter, please call MaryKaye Messmer at OMH Hudson River Field Office at (845) 454-8229.

Sincerely,

April A. Wojtkiewicz, Director  
Community Budget & Financial Management

Att.

cc: MaryKaye Messmer



Office of Mental Health

Aid to Localities Financial System

Attachment A  
Funding Source Allocation Table  
County Code: 14 County Name: Dutchess  
Year: 2016

Print Date : 10/25/2016 09:40 AM  
Printed By : GERALD B  
Page : 1 of 10

Funding Source	Code	Type	Prior Letter Allocation	Allocation Changes Since Prior Letter	Revised Current Fiscal Year Allocation	Annualized Value from Prior Letter	Annualized Value Changes from Prior Letter	Fiscal Year Revised Annualized Value	Beds
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Local Assistance 001A MHPFA \$249,691 \$0 \$249,691 \$249,816 \$0 \$249,816

Community Support Services 014 MHPFA \$163,364 \$246 \$163,610 \$163,364 \$328 \$163,692

Remarks \$246 represents the April- Dec 2016 value of the 0.2% COLA effective April 1, 2016. The full annual value is \$328. Addition of \$1,304 (FAV) for transfer of 1, 1.15 and 4.1.15 compensation enhancements to permanent funding codes, in accordance with LGU direction. Detail of the increases has been previously provided to OMH Field Offices and LGUs.

Adult Case Management & ACT 034J MHPFA \$501,182 \$0 \$501,182 \$501,432 \$0 \$501,432

Remarks \$750 represents the April- Dec 2016 value of the 0.2% COLA effective April 1, 2016. The full annual value is \$1,000.

C&F Case Management 034K MHPFA \$180,578 \$0 \$180,578 \$186,156 \$0 \$186,156

Remarks \$279 represents the April- Dec 2016 value of the 0.2% COLA effective April 1, 2016. The full annual value is \$372. Additional allocation of \$16,455 (annualized) (\$9,873 COM and \$6,582 SCM) related to State Aid Manager funding increase for Children's Case Management in support of the non-Medicaid clients, effective 4/1/16.

Integrated Supp Emp 037 MHPFA \$328,600 \$0 \$328,600 \$328,764 \$0 \$328,764



**Attachment A**  
**Funding Source Allocation Table**  
 County Code: 14 County Name: Dutchess  
 Year: 2016

Print Date : 10/25/2016 09:40 AM  
 Printed By : GERALDB  
 Page : 3 of 10

Funding Source	Code	Type	Prior Letter Allocation	Allocation Changes Since Prior Letter	Revised Current Fiscal Year Allocation	Annualized Value from Prior Letter	Annualized Value Changes from Prior Letter	Fiscal Year Revised Annualized Value	Beds
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**Remarks**  
 Funding for the 2016-17 Veteran Peer to Peer grant will be closed out after June 30, 2018.  
 2016-17 Legislative Add (001): This funding will be used for the Veteran Peer to Peer Support Pilot Program for veterans suffering from post-traumatic stress syndrome, other related combat stress disorders, or having other counseling needs, using individual and small group peer to peer counseling methods. The provider should use program code 190 (Special Legislative Grant) on all OMH financial reporting documents.  
 This is a Legislative grant (\$185,000) as per the 2015-16 NYS Enacted Budget. This funding will be closed out after June 30, 2017. The funding is to support a pilot program for veterans suffering from PTSD using individual and small group peer-to-peer counseling methods. The program is to be administered by the Dutchess County Division of Veterans Services. County should use Program Code 1190 (Special Legislative Grant) for OMH Financial Reporting.

Adult Family Support	089G	MHPFA	\$62,161	\$0	\$62,161	\$62,192	\$0	\$62,192	
<b>Remarks</b>									
\$93 represents the April- Dec 2016 value of the 0.2% COLA effective April 1, 2016. The full annual value is \$124.									
Addition of \$1,204 (FAV) for transfer of 1, 1.15 and 4, 1.15 compensation enhancements to permanent funding codes. In accordance with LGU direction. Detail of the increases has been previously provided to OMH Field Offices and LGUs.									

Forensics	039J	MHPFA	\$48,072	\$0	\$48,072	\$48,056	\$0	\$48,096	
<b>Remarks</b>									
\$72 represents the April- Dec 2016 value of the 0.2% COLA effective April 1, 2016. The full annual value is \$96.									
Effective 1/1/2016, additional funding of \$48,000 (FAV) to create and/or expand transitional care coordination services focused on the forensic population at \$6,000 per supported housing bed. Program code 1760 (Advocacy/Support Services) should be used on all OMH financial reporting documents.									

Psych Rehab	039L	MHPFA	\$96,020	\$0	\$96,020	\$96,058	\$0	\$96,068	
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**Office of  
Mental Health**

Aid to Localities Financial System

Attachment A  
Funding Source Allocation Table  
County Code: 14 County Name: Dutchess  
Year: 2016

Print Date : 10/25/2016 09:40 AM  
Printed By : GERALDB  
Page : 4 of 10

Funding Source	Code	Type	Prior Letter Allocation	Allocation Changes Since Prior Letter	Revised Current Fiscal Year Allocation	Annualized Value from Prior Letter	Annualized Value Changes from Prior Letter	Fiscal Year Revised Annualized Value	Bids
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**Remarks**  
\$144 represents the April- Dec 2016 value of the 0.2% COLA effective April 1, 2016. The full annual value is \$192.  
Addition of \$1384- (FAV=\$2768) for transfer of 1.1.15 and 4.1.15 compensation enhancements to permanent funding codes, in accordance with LGU direction. Detail of the increases has been previously provided to OMH Field Offices and LGUs.

Clinical Infrastructure-Adult	039P	MHPFA	\$76,558	\$0	\$76,558	\$76,596	\$0	\$76,596	
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**Remarks**  
\$114 represents the April- Dec 2016 value of the 0.2% COLA effective April 1, 2016. The full annual value is \$152.  
The allocation funds an Adult Clinical Infrastructure program.

Innovative Psychiatric Rehabilitation	039Q	MHPFA	\$97,147	\$0	\$97,147	\$97,196	\$0	\$97,196	
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**Remarks**  
\$147 represents the April- Dec 2016 value of the 0.2% COLA effective April 1, 2016. The full annual value is \$196.  
Addition of \$1224 (FAV=\$2248) for transfer of 1.1.15 and 4.1.15 compensation enhancements to permanent funding codes, in accordance with LGU direction. Detail of the increases has been previously provided to OMH Field Offices and LGUs.

Clinical Infrastructure-C&F	046A	MHPFA	\$149,861	\$0	\$149,861	\$191,514	\$(41,578)	\$149,936	
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**Remarks**  
Correction to Annualized Value for CY 2017 due to duplication of SPQA addition and 0.2% COLA  
\$225 represents the April- Dec 2016 value of the 0.2% COLA effective April 1, 2016. The full annual value is \$298.  
The allocation funds a C&F Clinical Infrastructure program.  
Addition of \$1,060 (FAV) for transfer of 1.1.15 and 4.1.15 compensation enhancements to permanent funding codes, in accordance with LGU direction. Detail of the increases has been previously provided to OMH Field Offices and LGUs.

Attachment A  
 Funding Source Allocation Table  
 County Code: 14 County Name: Dutchess  
 Year: 2016

Funding Source	Code	Type	Prior Letter Allocation	Allocation Changes Since Prior Letter	Revised Current Fiscal Year Allocation	Annualized Value from Prior Letter	Annualized Value Changes from Prior Letter	Fiscal Year Revised Annualized Value	Beds.
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Emergency Services C&F 046G MHPFA \$465,592 \$0 \$465,592 \$465,824 \$0 \$465,824

Remarks  
 \$696 represents the April- Dec 2016 value of the 0.2% COLA effective April 1, 2016. The full annual value is \$928.  
 Addition of \$5,916 (FAV) for transfer of 1-1-15 and 4-1-15 compensation enhancements to permanent funding codes, in accordance with LGU direction. Detail of the increases has been previously provided to OMH Field Offices and LGUs.

Community Support Programs-C&F 046L MHPFA \$306,471 \$0 \$306,471 \$306,624 \$0 \$306,624

Remarks  
 \$459 represents the April- Dec 2016 value of the 0.2% COLA effective April 1, 2016. The full annual value is \$612.  
 The allocation funds a C&F Family Support Services program. The allocation also funds Coordinated Children's Services Initiative and Intensive Case Management (over the model) programs.  
 Addition of \$7,228 (FAV) for transfer of 1-1-15 and 4-1-15 compensation enhancements to permanent funding codes, in accordance with LGU direction. Detail of the increases has been previously provided to OMH Field Offices and LGUs.

Supported Housing 078 MHPFA \$3,159,484 \$0 \$3,159,484 \$3,398,124 \$59,268 \$3,457,392 240

Attachment A  
Funding Source Allocation Table  
County Code: 14 County Name: Dutchess  
Year: 2016

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Funding Source	Code	Type	Prior Letter Allocation	Allocation Changes Since Prior Letter	Revised Current Fiscal Year Allocation	Annualized Value from Prior Letter	Annualized Value Changes from Prior Letter	Fiscal Year Revised Annualized Value	Beds
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Remarks

Authority for additional 3 Supported Housing (RIV) beds at \$13,174 per bed, effective 7/1/16, with a FAV, \$39,612. Funding will be allocated in CY 2017.

Effective 7/1/16, 3 additional beds (RIV) at \$13,171/bed with funding allocated in CY2017.

Effective 1/1/17, funding for a minimum of 18 beds at \$13,171 per bed with available funds previously in RIV 200/400. Full annual value of these 18 beds is \$237,078.

Includes \$26 per bed increase for 240 Supported Housing beds related to the .2% COLA effective 4/1/16. Full annual value of the COLA is \$6,240.

Adding 8 new beds as of 1/1/16 for forensic units for those coming out of State PC. Full annual value at \$13,145 per bed is \$105,160.

Effective 7/1/15, adding 14 additional supported housing beds at \$13,145 per bed due to the closure of "Our House" (\$92,015 for two quarters). Full annual value for these 14 beds will be \$184,030.

Effective 10/1/15 adding 10 supported housing beds designated for individuals from OMH PC units, OMH residential units, or discharges from an Article 28 or Article 31 hospital to asset in state hospital diversion. Current year addition is \$22,863. Full annual value of these beds at \$13,145 per bed is \$131,450.

Effective April 1, 2015 adding \$200 per bed to increase rent stipends. The annual value of this stipend increase for 208 beds is \$41,690.

The annual per bed model increases from \$12,945 to \$13,145.  
Includes \$62 increase per bed for supported housing for additional funding increase based on regional CFR data for direct care and direct care support salaries. Increases include \$19 per bed per year on 1/1/15 (6 months approval letter added here) and \$43 per bed per year on 4/1/15 (including clinical staff) result in a new per bed per year model rate of \$12,945.

Expanded Community Support Adult	142A	MHPPA	\$425,307	\$0	\$426,307	\$426,520	\$0	\$426,520	
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Funding Source	Code	Type	Prior Letter	Allocation Changes	Revised Current Fiscal	Annualized Value from	Annualized Value	Fiscal Year Revised	Beds
			Allocation	Since Prior Letter	Year Allocation	Prior Letter	Changes from Prior Letter	Annualized Value	

Remarks  
\$639 represents the April- Dec 2016 value of the 0.2% COLA effective April 1, 2016. The full annual value is \$852.

Allocation supports a Hospital Diversion/Short-term Crisis Respite program, effective 7/1/2014; and a long term stay Outreach Team, effective 1/1/2016. The long term stay Outreach Team will support individuals during the transition process upon long term stay discharge. The program codes to be included on OMH's financial reports are Self Help Programs (2770) for the Hospital Diversion/Short-term Crisis Respite; and Outreach (0690) and Flexible Recipient Service Dollars (1230) for the Outreach Team. These funds are part of the System Transformation Plan Initiative which is intended to reduce the need for and length of costly psychiatric hospitalizations. These funds must be reported separately on all OMH financial reports and must not be commingled with existing programs and OMH funding sources. The LGU is required to provide the OMH with monthly reports concerning the number of individuals and new individuals served by age group and county, month and year. Allocations may be adjusted based upon actual program performance.

Additional allocation of \$228,000 (annualized) supports a long term stay Outreach Team, effective 1/1/2016. This team will support individuals during the transition process upon long term stay discharge and is the expectation that this program will provide for the successful transition into the community of approximately 8-10 long stay individuals during the first year of operation. The program codes to be included on OMH's financial reports are Outreach (0690) and Flexible Recipient Service Dollars (1230). These funds are part of the System Transformation Plan Initiative which is intended to reduce the need for and length of costly psychiatric hospitalizations. The LGU is required to provide the OMH with monthly reports concerning the number of individuals and new individuals served by age group and county, month and year. Allocations may be adjusted based upon actual program performance.

Allocation supports a Hospital Diversion/Short-term Crisis Respite program, effective 7/1/2014. The program code to be included on OMH's financial reports is Self Help Programs (2770). These funds are part of the System Transformation Plan Initiative which is intended to reduce the need for and length of costly psychiatric hospitalizations. These funds must be reported separately on all OMH financial reports and must not be commingled with existing programs and OMH funding sources. The LGU is required to provide the OMH with monthly reports concerning the number of individuals and new individuals served by age group and county, month and year. Allocations may be adjusted based upon actual program performance.

Addition of \$668 (FAV) for transfer of 1.1.15 and 4.1.15 compensation enhancements to permanent funding codes, in accordance with LGU direction. Detail of the increases has been previously provided to OMH Field Offices and LGUs.

Trans. Mgmt. Kendra's	170B	MHPFA	\$39,368	\$60	\$39,428	\$39,368	\$80	\$39,448
Remarks								
\$60 represents the April- Dec 2016 value of the 0.2% COLA effective April 1, 2016. The full annual value is \$80.								
Addition of \$628 (FAV) for transfer of 1.1.15 and 4.1.15 compensation enhancements to permanent funding codes, in accordance with LGU direction. Detail of the increases has been previously provided to OMH Field Offices and LGUs.								

MGP Admin Kendra's	170C	MHPFA	\$13,956	\$21	\$13,977	\$13,956	\$28	\$13,984
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Funding Source	Code	Type	Prior Letter Allocation	Allocation Changes Since Prior Letter	Revised Current Fiscal Year Allocation	Annualized Value from Prior Letter	Annualized Value Changes from Prior Letter	Fiscal Year Revised Annualized Value	Beds
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Remarks  
 \$21 represents the April- Dec 2016 value of the 0.2% COLA effective April 1, 2016. The full annual value is \$28.

Medication Grant Kendra's	170D	MHPFA	\$27,188	\$42	\$27,230	\$27,188	\$56	\$27,244	
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Remarks  
 \$42 represents the April- Dec 2016 value of the 0.2% COLA effective April 1, 2016. The full annual value is \$56.

Article 28831 Closure Reinvest (Adult)	175A	MHPFA	\$85,129	\$0	\$85,129	\$85,172	\$0	\$85,172	
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Remarks  
 \$129 represents the April- Dec 2016 value of the 0.2% COLA effective April 1, 2016. The full annual value is \$172.

The State aid allocation of \$85,000 (annualized) includes \$25,000 annualized for a respite services program and \$60,000 for a Self-Help program, effective January 1, 2015. The program codes to be included on OMH's financial reports are: Respite Services (0650) for the respite services program and Self-Help program (2770) for the self-help program. These funds are pursuant to the approved Article 28 closure reinvestment plans (Stony Lodge/Fye Hospitals). These funds must be reported separately on all OMH financial reports and must not be commingled with existing programs and OMH funding sources. The LGU is required to provide the OMH with monthly reports concerning the number of individuals and new individuals served by age group and county, month and year. Allocations may be adjusted based upon actual program performance.

Adult Home Court Ordered / Nursing Home 178	MHPFA		\$559,078	\$0	\$559,078	\$0	\$0	\$0	70
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Remarks  
 Effective 7/1/16, Adult Home allocations have been adjusted to reflect utilization of Adult Home beds capacity. The funding will be reinstated as needed.

Effective April 1, 2015 adding \$200 per bed to increase rent stipends. The annual value of this stipend increase for 10 beds is \$2,000. The annual per bed model increases from \$12,945 to \$13,145.

Includes \$82 increase per bed for supported housing for additional funding increase based on regional GFR data for direct care and direct care support salaries. Increases include \$19 per bed per year on 1/1/15 (6 months approval letter added here) and \$43 per bed per year on 4/1/15 (including clinical staff) result in a new per bed per year model rate of \$12,945.

Com. Reinvestment	200	MHPFA	\$2,839,142	\$0	\$2,839,142	\$2,652,453	\$0	\$2,652,453	
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Office of Mental Health

Aid to Localities Financial System

Attachment A
Funding Source Allocation Table
County Code: 14 County Name: Dutchess
Year: 2016

Print Date : 10/25/2016 09:40 AM
Printed By : GERALDB
Page : 9 of 10

Table header with columns: Funding Source, Code, Type, Prior Letter Allocation, Allocation Changes Since Prior Letter, Revised Current Fiscal Year Allocation, Annualized Value from Prior Letter, Annualized Value Changes from Prior Letter, Fiscal Year Revised Annualized Value, Beds

Remarks
Effective 1/1/17, moving \$183,934 full annual funding from RIV 200 to funding code 078 for supported housing beds. Comment on that transaction will be posted on the 078 funding code spending plan line.
Effective 1/1/16 additional funding of \$4,716 (for calendar 2016 increases to RIV 200 of \$3,888 and to RIV 400 of \$1,048) full annual associated with additional supported housing beds in this contract which will be transferred from RIV 200/400 funding codes to funding code 078 effective 1/1/17, for a minimum of 18 beds. This includes \$62 per bed increase for Compensation Enhancement effective 1/1/15 and a rent-stipend increase of \$200 effective 4/1/15.
This adjustment reflects implementation of the .2% COLA included in the 2016-17 enacted NYS budget effective 4/1/16. The October quarterly advance includes the increase amount for the period 4/1/16 - 12/31/16. Each quarter thereafter will receive one quarter of the value of the COLA increase.
Addition of \$47,740 (FAV) for transfer of 1.1.15 and 4.1.15 compensation enhancements to permanent funding codes, in accordance with LGU direction. Detail of the increases has been previously provided to OMH Field Offices and LGUs.

Table row for Supported Housing - Workforce RIV 200C MHPFA. Values: \$144,811, \$0, \$144,811, \$144,883, \$0, \$144,883, 11. Includes remarks about \$25 per bed increase and COLA effective 4/1/16.

Table row for Homeless/MICA 300 MHPFA. Values: \$207,652, \$0, \$207,652, \$207,756, \$0, \$207,756. Includes remarks about 2% COLA and NYS budget effective 4/1/16.

Table row for Commissioner's Perf 400 MHPFA. Values: \$139,814, \$0, \$139,814, \$96,567, \$0, \$96,567.



Aid to Localities Financial System

Office of Mental Health

Attachment A  
Funding Source Allocation Table  
County Code: 14 County Name: Dutchess  
Year: 2016

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Page : 10 of 10

Funding Source	Code	Type	Prior Letter Allocation	Allocation Changes Since Prior Letter	Revised Current Fiscal Year Allocation	Annualized Value from Prior Letter	Annualized Value Changes from Prior Letter	Fiscal Year Revised Annualized Value	Beds
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Remarks  
Effective 1/1/17, moving \$42,267 full annual funding from RIV 400 to funding code 078 for supported housing beds. Comment on that transaction will be posted on the 078 funding code spending plan line.

Effective 1/1/16 additional funding of \$4,716 (for calendar 2016 increases to RIV 200 of \$3,688 and to RIV 400 of \$1,048) full annual associated with additional supported housing beds in this contract which will be transferred from RIV 200/400 funding codes to funding code 078 effective 1/1/17, for a minimum of 18 beds. This includes a \$62 per bed increase for Compensation Enhancement effective 1/1/15 and a rent stipend increase of \$200 effective 4/1/15.

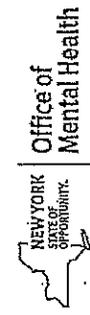
This adjustment reflects implementation of the .2% COLA included in the 2016-17 enacted NYS budget, effective 4/1/16. The October quarterly advance includes the increase amount for the period 4/1/16 - 12/31/16. Each quarter thereafter will receive one quarter of the value of the COLA increase.

Addition of \$1,916 (FAV) for transfer of 1.1.15 and 4.1.15 compensation enhancements to permanent funding codes, in accordance with LGU direction. Detail of the increases has been previously provided to OMH Field Offices and LGUs.

Health Home	570	MHPFA	\$1,199,793	\$0	\$1,199,793	\$1,200,392	\$0	\$1,200,392	
Remarks	\$1,797 represents the April- Dec 2016 value of the 0.2% COLA effective April 1, 2016. The full annual value is \$2,396.								

Funding Reduction/COLA	965	MHPFA	\$0	\$0	\$0	\$0	\$0	\$0	
Remarks	Effective 1/1/16, transfers from FSC 965 to permanent funding codes for 1.1.15 and 4.1.15 Direct Care/Direct Support Staff salary enhancements and 4.1.15 Clinical Staff salary enhancements.								

Grand Total:			\$12,465,577	\$369	\$12,465,946	\$11,779,889	\$18,182	\$11,798,071	
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Aid to Localities Financial System

**Case Management Report**  
**Dutchess-County**  
 (County Code 14)

Year: 2016

DMH

Printed On: 10/25/2016

Prog. Code	Program Name	ACT Teams				Gross Manager Costs	Peer Cost (Adult Home)	Training Cost	Total Gross Cost (Includes DSH)	Medicaid Income (M.I.)	Total DSH	Net State Aid (Total Gross Cost minus M.I., minus DSH)	Annualized Value
		48 Slot		68 Slot									
		Local	State	Local	State								
8810	State Operated ACT Service § (68)												
	Funding Code = 054J												
	Total ACT (68)												
				1.00				\$33,168	\$0	\$0	\$33,168	\$0	\$0
				1.00				\$33,168	\$0	\$0	\$33,168	\$0	\$0

Prog. Code	Program Name	Total Gross Cost (Includes DSH)	Total DSH	Net State Aid	Annualized Value
2720	Non-Medicaid Care Coordination (Adult)	\$487,264		\$487,264	\$487,264
	Total Non-Medicaid Care Coord (Adult)	\$487,264	\$0	\$487,264	\$487,264

Prog. Code	Program Name	Total Gross Cost (Includes DSH)	Total DSH	Net State Aid	Annualized Value
2720	Non-Medicaid Care Coordination (C&Y)	\$44,284		\$44,284	\$44,284
	Total Non-Medicaid Care Coord (C&Y)	\$44,284	\$0	\$44,284	\$44,284

Prog. Code	Program Name	Gross Manager Costs	Peer Cost (Adult Home)	Training Cost	Total Gross Cost (Includes DSH)	Medicaid Income (M.I.)	Total DSH	Net State Aid (Total Gross Cost minus M.I., minus DSH)	Annualized Value
	Grand Total Adult	\$0	\$0	\$0	\$500,432	\$0	\$0	\$500,432	\$487,264
	Grand Total C&Y	\$376,186	\$0	\$2,886	\$479,032	\$283,733	\$0	\$180,299	\$180,299

Case Management Report  
Dutchess County  
(County Code 14)  
Year: 2016

DMH

Printed On: 10/28/2016

Prog Code	Program Name	ECM/ICM/SCM/Adult Homes				Gross Manager Costs	Peer Cost (Adult Home)	Training Cost	Total Gross Cost (includes DSH)	Medicaid Income (M.I.)	Total DSH	Net State Aid (Total Gross Cost minus M.I. minus DSH)	Annualized Value
		# ICM Mgrs	ICM Slots	# SCM Mgrs	SCM Slots								
Funding Code = 034K													
1810	CM Managers (C&Y)	3.00		38		\$225,981		\$1,617	\$227,598	\$197,337		\$30,261	\$30,261
1810	CM Service Dollars (C&Y)					\$225,981	\$0	\$1,617	\$40,404	\$197,337	\$0	\$40,404	\$40,404
	Total C&Y ICM	3.00		38		\$225,981	\$0	\$1,617	\$268,002	\$197,337	\$0	\$70,665	\$70,665
Funding Code = 034K													
6810	ECM Managers (C&Y)			2.00	40	\$149,204	\$0	\$1,078	\$160,282	\$98,398	\$0	\$61,884	\$61,884
6910	ECM Service Dollars (C&Y)			2.00	40	\$149,204	\$0	\$1,078	\$13,464	\$98,398	\$0	\$13,464	\$13,464
	Total C&Y SCM			2.00	40	\$149,204	\$0	\$1,078	\$173,746	\$98,398	\$0	\$65,350	\$65,350

## *Family and Human Services Committee Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert *	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner *		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*	<i>absent</i>	
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson (VC)		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 21 - Town of East Fishkill	Horton		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes (C)		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn		
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>	

**2017209** AMENDING THE 2017 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF BEHAVIORAL & COMMUNITY HEALTH (A.4320)

Date: November 9, 2017

# Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	✓	
District 17 - Town and Village of Fishkill	Miccio		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo		
District 1 - Town of Poughkeepsie	Kakish		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Flesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Coviello		
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	Washburn		

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

**2017209** AMENDING THE 2017 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF BEHAVIORAL & COMMUNITY HEALTH (A.4320)

Date: November 13, 2017

RESOLUTION NO. 2017210

RE: SETTING A PUBLIC HEARING IN CONNECTION WITH THE  
ESTABLISHMENT OF A PART COUNTY SEWER DISTRICT #9 LOCATED  
IN THE TOWN OF WAPPINGER

Legislators FORMAN, BORCHERT, and WASHBURN offer the following and move its adoption:

WHEREAS, the New York State Legislature, by Chapter 592 of the Laws of 1991 (Section 1142, Public Authorities Law), created the Dutchess County Water & Wastewater Authority (WWA), and

WHEREAS, the WWA is entering into an Agreement, with the owners of the Obercreek Development, LLC., regarding the WWA's acquisition of the Obercreek Sewer System upon completion of that system which is located in the Town of Wappinger; and

WHEREAS, the WWA's ability to close on this acquisition and provide sewer service to the customers of Obercreek Sewer System is contingent on the creation of a Part County Sewer District encompassing all properties in the said sewer system which will include a total of fifteen (15) tax parcels, all of which are residential customers in the Town of Wappinger, and

WHEREAS, the WWA has presented to this Legislature a notice of project pursuant to Section 1124 of the Public Authorities Law which outlines the WWA's plan to establish A Part County Sewer District #9 for the Obercreek Sewer System, located in the Town of Wappinger, and

WHEREAS, said notice of project also describes the District that will be created which is more particularly described in Attachment A attached hereto, and

WHEREAS, it is necessary to conduct a public hearing on the establishment of such a District, now therefore, be it

RESOLVED, that this Legislature shall conduct a public hearing on the 7<sup>th</sup> day of December, 2017, at 7:00 PM of said day, at the Chambers of the Dutchess County Legislature, County Office Building, 22 Market Street, Poughkeepsie, New York, on a proposal to establish District #9 for the Obercreek Sewer System located in the Town of Wappinger, Dutchess County, New York, described in Attachment A attached hereto, and be it further

RESOLVED, that the Clerk of the Legislature shall publish notice of said hearing in the official newspapers of the County and shall include therein a description, identifying the areas to be included within the District, the improvements proposed, the maximum amount to be expended for the improvements, the proposed method of assessment of the cost, the estimated cost of hook-up fees, if any, the cost to the typical property or one or two family home, all in accordance with Section 254 of the County Law.

CA-134-17

CRC/kvh

G-1217-P 10/13/17

Fiscal Impact:

Statement will be attached to resolution creating District when submitted to Legislature

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 11/20/2017

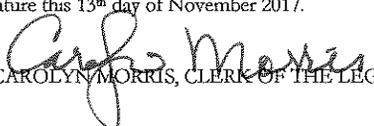
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13<sup>th</sup> day of November 2017, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13<sup>th</sup> day of November 2017.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

### APPROPRIATION RESOLUTIONS

*(To be completed by requesting department)*

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

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

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

Identify Line Items(s):

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

Nature/Reason:

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

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

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

Additional Comments/Explanation:

Prepared by: Bridget Barclay

Prepared On: 10/5/2017

**APPENDIX "A"**

**Part County Sewer District #9**

**Map and Parcel List**

The Dutchess County Part County Sewer District #9 shall include all those tax parcels presently indicated on the following list of tax parcel grid numbers:

<b>PARCEL ID #</b>	<b>LOT #</b>	<b>AREA (AC)</b>
135689-6057-02-927722	1	1.273
135689-6057-02-943717	2	1.066
135689-6057-02-970725	3	1.093
135689-6057-02-978713	4	0.923
135689-6157-01-005710	5	1.522
135689-6057-02-997747	6	13.002
135689-6157-01-029768	7	1.802
135689-6157-01-006779	8	1.482
135689-6157-01-015794	9	1.471
135689-6157-01-018826	10	0.92
135689-6157-01-027817	11	0.922
135689-6157-01-034807	12	0.925
135689-6157-01-054787	13	0.919
135689-6157-01-069776	14	1.476
135689-6057-02-986691	15	1.242
135689-6057-02-999810	A	1.012

# *Environment Committee Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert *	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 9 - City of Poughkeepsie	Rieser		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 16 - Town of Fishkill and City of Beacon	Forman (C)		
District 22 - Towns of Beekman and Union Vale	Coviello		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn (VC)		

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

**2017210** SETTING A PUBLIC HEARING IN CONNECTION WITH THE ESTABLISHMENT OF A PART COUNTY SEWER DISTRICT #9 LOCATED IN THE TOWN OF WAPPINGER

Date: November 9, 2017

# Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	<input checked="" type="checkbox"/>	<input type="checkbox"/>
District 17 - Town and Village of Fishkill	Miccio	<input type="checkbox"/>	<input type="checkbox"/>
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	<input type="checkbox"/>	<input type="checkbox"/>
District 20 - Town of Red Hook	Strawinski	<input type="checkbox"/>	<input type="checkbox"/>
District 14 - Town of Wappinger	Amparo	<input type="checkbox"/>	<input type="checkbox"/>
District 1 - Town of Poughkeepsie	Kakish	<input type="checkbox"/>	<input type="checkbox"/>
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	<input type="checkbox"/>	<input type="checkbox"/>
District 4 - Town of Hyde Park	Black	<input type="checkbox"/>	<input type="checkbox"/>
District 5 - Town of Poughkeepsie	Roman	<input type="checkbox"/>	<input type="checkbox"/>
District 6 - Town of Poughkeepsie	Flesland	<input type="checkbox"/>	<input type="checkbox"/>
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt	<input type="checkbox"/>	<input type="checkbox"/>
District 8 - City and Town of Poughkeepsie	Brendli	<input type="checkbox"/>	<input type="checkbox"/>
District 9 - City of Poughkeepsie	Rieser	<input type="checkbox"/>	<input type="checkbox"/>
District 10 - City of Poughkeepsie	Jeter-Jackson	<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	Metzger	<input type="checkbox"/>	<input type="checkbox"/>
District 15 - Town of Wappinger	Incoronato	<input type="checkbox"/>	<input type="checkbox"/>
District 16 - Town of Fishkill and City of Beacon	Forman	<input type="checkbox"/>	<input type="checkbox"/>
District 18 - City of Beacon and Town of Fishkill	Landisi	<input type="checkbox"/>	<input type="checkbox"/>
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	<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	Coviello	<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	Washburn	<input type="checkbox"/>	<input type="checkbox"/>

Present:	<u>25</u>	Resolution:	<input checked="" type="checkbox"/>	Total :	<u>25</u>	<u>0</u>
Absent:	<u>0</u>	Motion:	<input type="checkbox"/>		Yes	No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

**2017210** SETTING A PUBLIC HEARING IN CONNECTION WITH THE ESTABLISHMENT OF A PART COUNTY SEWER DISTRICT #9 LOCATED IN THE TOWN OF WAPPINGER

Date: November 13, 2017

RESOLUTION NO. 2017211

RE: CONSENTING TO THE ISSUANCE BY THE DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY OF ITS SERVICE AGREEMENT REVENUE NOTES AND BONDS

Legislators FORMAN, WASHBURN, and SAGLIANO offer the following and move its adoption

WHEREAS, the County of Dutchess, New York (the "County"), for and on behalf of the Dutchess County Water District, and the Dutchess County Water and Wastewater Authority (the "Authority"), have entered into a Service Agreement, Amended and Twelfth Restatement of October 1, 2015, relating to an integrated water supply, purification and distribution system (the "Service Agreement"); and

WHEREAS, the Authority proposes to issue notes and bonds not to exceed \$1,250,000 (the "Notes and Bonds") to finance the project costs associated with the acquisition of real property to house the Authority's administrative offices, and associated acquisition, renovation and cost of issuance expenses, and

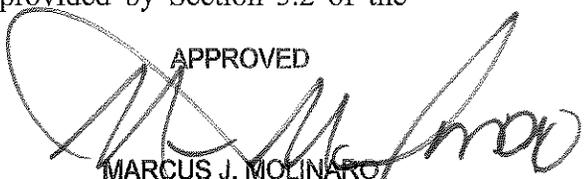
WHEREAS, Section 5.2(a) of the Service Agreement requires the consent of the County to the issuance of such Notes and Bonds, now, therefore, be it

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

Section 1. The County of Dutchess, New York hereby consents to the issuance by the Dutchess County Water and Wastewater Authority of its Notes and Bonds provided that the aggregate principal amount of the Notes and Bonds does not exceed \$1,250,000. The County of Dutchess further consents to the inclusion in the Service Fee provided by Section 5.2 of the Service Agreement of debt service on the Notes and Bonds.

Section 2. This resolution takes effect immediately.

CA-133-17  
BB/CRC/kvh/G-0964  
10/13/17  
Fiscal Impact: See attached statement

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 11/20/2017

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 13<sup>th</sup> day of November 2017, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13<sup>th</sup> day of November 2017.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

**CERTIFICATION FORM**

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

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

1. That a meeting of the County was duly called, held and conducted on the 13<sup>th</sup> day of November 2017.
2. That such meeting was a **regular** meeting.
3. That attached hereto is a proceeding of the County which was duly adopted at such meeting by the Board of the County.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the County had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (*the meeting at which the proceeding was adopted*) was caused to be given **PRIOR THERETO** in the following manner:

**PUBLICATION**

Southern Dutchess News	November 9, 2017
Poughkeepsie Journal	November 9, 2017

**POSTING**

22 Market Street, 6 <sup>th</sup> Floor	November 9, 2017
County Office Building	
Poughkeepsie, NY 12601	

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 13<sup>th</sup> day of November 2017.



*Cary Marris*  
\_\_\_\_\_  
Clerk, County Legislature

**FISCAL IMPACT STATEMENT**

NO FISCAL IMPACT PROJECTED

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

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

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

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

Identify Line Items(s):

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

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

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

Additional Comments/Explanation:

Prepared by: Bridget Barclay

Prepared On: 10/5/2017

## *Environment Committee Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert *	<input checked="" type="checkbox"/>	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 9 - City of Poughkeepsie	Rieser		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 16 - Town of Fishkill and City of Beacon	Forman (C)		
District 22 - Towns of Beekman and Union Vale	Coviello		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn (VC)		

Present: 12

Absent: 0

Vacant: 0

Resolution:         

Motion:   ✓  

Total :                  

Yes      No

Abstentions:         

**2017211** Legislator Tyner motioned to amend the foregoing resolution as follows:

Resolved Section 1 at the end of the first sentence add: as long as the bond Council for Dutchess County has not given the county executive \$4950.

Failed due to lack of a second.

Date: November 9, 2017

## *Environment Committee Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert *	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 9 - City of Poughkeepsie	Rieser		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 16 - Town of Fishkill and City of Beacon	Forman (C)		
District 22 - Towns of Beekman and Union Vale	Coviello		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn (VC)		

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>	

**2017211** CONSENTING TO THE ISSUANCE BY THE DUTCHESS COUNTY WATER AND WASTEWATER AUTHORITY OF ITS SERVICE AGREEMENT REVENUE NOTES AND BONDS

Date: November 9, 2017



RESOLUTION NO. 2017212

BOND RESOLUTION DATED DECEMBER 7, 2017.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,000,000 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY THE COST OF THE ACQUISITION OF PARCELS OF LAND, OR RIGHTS OR INTERESTS IN SUCH LAND, FOR PASSIVE PARK PURPOSES AND THE PRESERVATION OF OPEN SPACE AND FARMLAND IN AND FOR SAID COUNTY

WHEREAS, continuing development within the County of Dutchess, New York (the “County”) has demonstrated a compelling need to continue to acquire, preserve, protect and maintain passive park land and existing open space and farmland to enhance the general quality of life and the environment of the County, including protection of drinking water sources, the quality of rivers and streams, wild life habitat and natural areas, and thereby benefit the residents and taxpayers of the County; and

WHEREAS, General Municipal Law Section 247 recognizes the value of open space areas and the need to preserve such land in such state and, specifically empowers municipalities with the authority to acquire real property or interests therein to preserve land as open space; and

WHEREAS, if existing open space areas are to be preserved, protected and maintained, the County must develop the capacity to purchase land, easements or other real property interests quickly and efficiently as the need arises and opportunities are identified; and

WHEREAS, this County Legislature recognizes the value of passive park land, open spaces and farmlands, and wishes to provide for the acquisition of real property and interests in real property therefor, and hereby finds and determines it to be in the public interest and a proper public purpose of the County to do so in accordance with the provisions of Section 247 of the General Municipal Law; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act (“SEQRA”), have been performed, and site-specific compliance with SEQRA has been or will be performed as such need arises and all documentation relating to SEQRA may be examined at the office of the Clerk of the County Legislature during normal business hours; and

WHEREAS, it is now desired to provide for the financing of the acquisition of such real property and interests therein for said purpose; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Dutchess, New York, as follows:

Section 1. The acquisition of parcels of land, or rights or interests in such land, for passive park purposes and the preservation of open space and farmland, throughout, and in and for the County of Dutchess, New York, to implement the State authorized programs and policies provided in Section 247 of the General Municipal Law, as such acquisitions may be authorized from time to time by the County Legislature of the County of Dutchess, New York, after due notice and a public hearing as provided thereunder, including incidental expenses in connection therewith, is hereby authorized in and for said County of Dutchess at a maximum estimated cost of \$1,000,000.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$1,000,000, and that the plan for the financing thereof shall be by the issuance of \$1,000,000 serial bonds of said County hereby authorized to be issued pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is thirty years, pursuant to subdivision 21(a) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

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

Section 5. The faith and credit of said County of Dutchess, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

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

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

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

and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

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

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

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

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

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

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

\* \* \* \* \*

CA-137-17  
10/1617 G-0145-B

**CERTIFICATION FORM**

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

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

That I have compared the annexed extract of the minutes of the meeting of the County Legislature of said County, including the resolution contained therein, held on December 7, 2017, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that said County Legislature consists of 25 members; that the vote on the foregoing resolution was 25 ayes and 0 noes, with 0 members being absent or abstaining from voting.

I FURTHER CERTIFY that the foregoing resolution as adopted by said County Legislature was duly approved by the County Executive of said County on December 12, 2017, in accordance with the provisions of Section 3.03 of the Dutchess County Charter.

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

Newspaper and/or other news media

Date given

Southern Dutchess News  
Poughkeepsie Journal

December 5, 2017  
December 5, 2017

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

Designated Location(s)  
of posted notice

Date of Posting

County Office Building  
22 Market Street, 6<sup>th</sup> Floor  
Poughkeepsie, New York, 12601

December 5, 2017

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 8th day of December, 2017.



Carol Morris  
Clerk, County Legislature

APPROVED  
M. Molinaro  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 12/12/2017

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

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

Total Current Year Cost \$ 1,000,000

Total Current Year Revenue \$ 0  
and Source

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

Identify Line Items(s):

H0512.8020.3007 Partnership for Managable Growth

Related Expenses: Amount \$ 0

Nature/Reason:

Anticipated Savings to County: \$ 0

Net County Cost (this year): \$1,000,000

Over Five Years: \$0

Additional Comments/Explanation:

Requesting funds for 2018 project solicitations.

Prepared by: Eoin Wrafter

Partnership for Manageable Growth

Year	PRIN O/S	PRIN PAYMENT	INTEREST	TOTAL
1	\$1,000,000	\$33,333	\$33,600	\$66,933
2	966,667	33,333	32,480	65,813
3	933,333	33,333	31,360	64,693
4	900,000	33,333	30,240	63,573
5	866,667	33,333	29,120	62,453
6	833,333	33,333	28,000	61,333
7	800,000	33,333	26,880	60,213
8	766,667	33,333	25,760	59,093
9	733,333	33,333	24,640	57,973
10	700,000	33,333	23,520	56,853
11	666,667	33,333	22,400	55,733
12	633,333	33,333	21,280	54,613
13	600,000	33,333	20,160	53,493
14	566,667	33,333	19,040	52,373
15	533,333	33,333	17,920	51,253
16	500,000	33,333	16,800	50,133
17	466,667	33,333	15,680	49,013
18	433,333	33,333	14,560	47,893
19	400,000	33,333	13,440	46,773
20	366,667	33,333	12,320	45,653
21	333,333	33,333	11,200	44,533
22	300,000	33,333	10,080	43,413
23	266,667	33,333	8,960	42,293
24	233,333	33,333	7,840	41,173
25	200,000	33,333	6,720	40,053
26	166,667	33,333	5,600	38,933
27	133,333	33,333	4,480	37,813
28	100,000	33,333	3,360	36,693
29	66,667	33,333	2,240	35,573
30	33,333	33,333	1,120	34,453

<b>TOTAL</b>	<u>\$1,000,000</u>	<u>\$520,800</u>	<u>\$1,520,800</u>
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<b>AVG. PER YEAR</b>	\$33,333	\$17,360	\$50,693
----------------------	----------	----------	----------

**FISCAL IMPACT STATEMENT**

TOTAL PRINCIPAL	\$1,000,000	
ANTICIPATED INTEREST RATE		3.36%
TERM	30 YEARS	ANTICIPATED FEES:
		\$9,901
ANTICIPATED ANNUAL COST (PRIN + INT):		\$50,693
TOTAL PAYBACK (ANNUAL COST x TERMS):		\$1,520,800

2017 - H0512 Partner/Manageable Growth

**APPROPRIATIONS**

Increase

H0512.8020.3006	Easement - Conservation	\$990,000
H0512.8020.3900	Bond Issuing Costs	\$10,000
		<u>\$1,000,000</u>

**REVENUE**

Increase

H0512.8020.57100	Serial Bonds	\$1,000,000
		<u>\$1,000,000</u>

617.20  
Appendix B  
Short Environmental Assessment Form

**Instructions for Completing**

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: Issuance of \$1,000,000 Serial Bond for Implementation of Partnership for Manageable Growth Program			
Project Location (describe, and attach a location map): Dutchess County, Various Locations TBD			
Brief Description of Proposed Action: A Resolution authorizing the issuance of \$1,000,000 Serial Bonds of the County of Dutchess, New York, to pay for the continued implementation of the Partnership for Manageable Growth Program established by Dutchess County Legislature Resolution No. 201276.			
Name of Applicant or Sponsor: County of Dutchess		Telephone: 845-486-2000 E-Mail: coexec@dutchessny.gov	
Address: 22 Market Street			
City/PO: Poughkeepsie		State: New York	Zip Code: 12601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ n/a acres	
b. Total acreage to be physically disturbed?		_____ n/a acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ n/a acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): <u>n/a</u> <input type="checkbox"/> Parkland			



18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>County of Dutchess</u>		Date: <u>09/01/2016</u>
Signature: _____		

**Part 2 - Impact Assessment.** The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Part 3 - Determination of significance.** The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
County of Dutchess	10/05/2017
Name of Lead Agency	Date
Eoin Wrafter	Commissioner, Planning and Development
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**PRINT**

The foregoing Resolution No. 2017212, A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,000,000 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY THE COST OF THE ACQUISITION OF PARCELS OF LAND, OR RIGHTS OR INTERESTS IN SUCH LAND, FOR PASSIVE PARK PURPOSES AND THE PRESERVATION OF OPEN SPACE AND FARMLAND IN AND FOR SAID COUNTY, was offered for discussion only at the November 13, 2017, Environment Committee Meeting, and considered at the December 7, 2017, Board Meeting.

Discussion at that proceeded as follows:

Roll call on the foregoing resolution resulted as follows:

AYES: 25

NAYS: 0

ABSENT: 0

Resolution adopted.

# Environment Committee Roll Call

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert *		
District 17 - Town and Village of Fishkill	Miccio*	<i>absent</i>	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*	<i>absent</i>	
District 14 - Town of Wappinger	Amparo*	<i>absent</i>	
District 9 - City of Poughkeepsie	Rieser		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 16 - Town of Fishkill and City of Beacon	Forman (C)		
District 22 - Towns of Beekman and Union Vale	Coviello		
District 24 - Towns of Dover and Union Vale	Surman	<i>absent</i>	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Washburn (VC)		

Present: <u>8</u>	Resolution: <input checked="" type="checkbox"/>	Total: <u>8</u>	<u>10</u>
Absent: <u>4</u>	Motion: <input type="checkbox"/>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

**2017212** A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,000,000 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY THE COST OF THE ACQUISITION OF PARCELS OF LAND, OR RIGHTS OR INTERESTS IN SUCH LAND, FOR PASSIVE PARK PURPOSES AND THE PRESERVATION OF OPEN SPACE AND FARMLAND IN AND FOR SAID COUNTY

Date: December 4, 2017

# Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	✓	
District 17 - Town and Village of Fishkill	Miccio		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo		
District 1 - Town of Poughkeepsie	Kakish		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Flesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Coviello		
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	Washburn		

Present:	<u>25</u>	Resolution:	<u>✓</u>	Total :	<u>25</u>	<u>0</u>
Absent:	<u>0</u>	Motion:	<u>    </u>		Yes	No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

**2017212** A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,000,000 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY THE COST OF THE ACQUISITION OF PARCELS OF LAND, OR RIGHTS OR INTERESTS IN SUCH LAND, FOR PASSIVE PARK PURPOSES AND THE PRESERVATION OF OPEN SPACE AND FARMLAND IN AND FOR SAID COUNTY

Date: December 7, 2017

Government Services & Administration

RESOLUTION NO. 2017213

RE: AMENDING THE 2017 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE COUNTY CLERK (A.1410)

Legislators SAGLIANO, BORCHERT, STRAWINSKI, TRUITT, FLESLAND and JETER-JACKSON offer the following and move its adoption:

WHEREAS, the County Clerk, in his capacity as Records Management Officer of Dutchess County, is hereby requesting an amendment to the 2017 budget which is necessary to purchase a digital book scanner, and

WHEREAS, the book scanner shall be used in the digitization of County records including current and ancient document collection, after which the digitized files would be uploaded to the County Enterprise Content Management (ECM) system providing access to selected users and/or the public, and

WHEREAS, by purchasing the book scanner the County shall realize savings in personnel time, storage and transportation costs, and

WHEREAS, digitization of records will increase efficiency, transparency and provide for disaster management, and

WHEREAS, it is necessary to amend the 2017 Adopted County Budget to purchase a digital book scanner, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized and empowered to amend the 2017 Adopted County Budget as follows:

APPROPRIATIONS

Increase

A.1410.20.2500.15 Other Equipment

\$204,483

Decrease

A.1990.4007 General Contingency

(\$204,483)

CA-135-17  
CRC/rlv/G-0130  
10/13/17  
Fiscal Impact: See attached statement

STATE OF NEW YORK

COUNTY OF DUTCHESS

ss:

APPROVED



MARCUS J. MOLINARO

COUNTY EXECUTIVE

Date 11/20/2017

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 13<sup>th</sup> day of November 2017, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13<sup>th</sup> day of November 2017

  
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 \$ 204,483

Total Current Year Revenue \$ 204,483  
and Source

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

Identify Line Items(s):

A.1410.20.2500.15  
A.1990.4007

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

Nature/Reason:

The funds will be allocated for the purchase of a bookscanner to scan and digitize county records.

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

Net County Cost (this year): \$204,483  
Over Five Years: \_\_\_\_\_

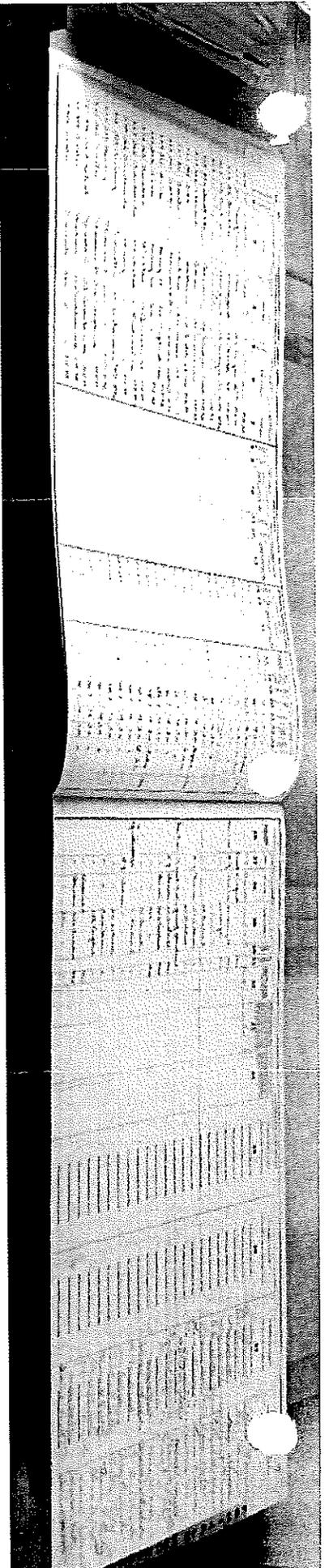
Additional Comments/Explanation:

The equipment will allow for the expansion of the ThinkDIFFERENTLY backscanning project to digitize county records in a wide variety of formats and sizes.

Prepared by: Catherine Durland

Prepared On: 10/5/2017





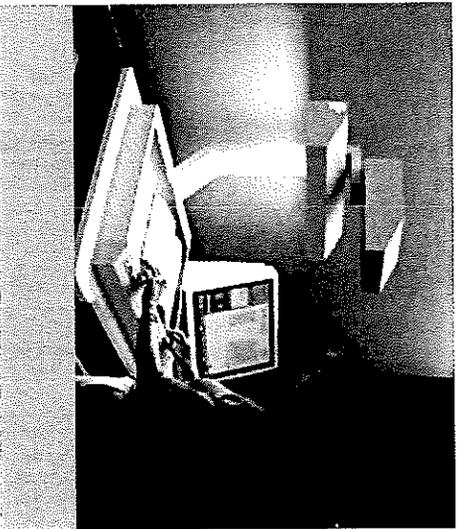
## APPROPRIATION REQUEST

Bookscanner will be used for the purpose of digitizing County records including current and ancient documents in a wide variety of materials, varying in size, composition, condition, and content. These records range in size from single sheets of 2"x6" paper to bound volumes measuring 44"x13" when open, and weighing up to 40 lbs.

In order to meet New York State guidelines for the production of electronic surrogates, the scanner must be able to produce images with the following characteristics:

### SPECIFICATIONS

- Must meet or exceed File Format: PDF/A or TIFF (uncompressed)
- Must meet or exceed Resolution: 600 PPI
- Must meet or exceed Bit Depth: 24-bit (true color), 8-bit grayscale, and 1-bit (bitonal)
- Must meet or exceed Image Ratio: 1:1 (100%)
- Must meet or exceed Scan Size of A0 size materials
- Shall have the ability to handle large format books with fragile bindings via a cradle or other physical support
- Bookscanner includes software with image capture and curvature correction capabilities



## PHASE II : THINK DIFFERENTLY BACKSCANNING PROJECT

### Board of Election Voter Registration Records

Record Series: 1921-1969 consists of approximately 2,900 registration books totaling approximately 498,900 pages in 114 storage boxes with 350 books stored on shelves with no inventory list. Range in size from 13"x17" to 16.5"x20.5" and are bound using saddle-stitch stapling.



Due to their lack of uniformity, large format, and their poor state of preservation, these records cannot be processed using auto document feed scanners. A large-format planetary (overhead) scanner is the most stable platform on which to process these records, and may allow for a two-page image capture. A two-page image capture has the benefit of reducing processing time and creating a more authentic digital surrogate by displaying each record in its entirety (not splitting the record across two images).

## *Government Services and Administration Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert*	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 1 - Town of Poughkeepsie	Kakish		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano (C)		
District 4 - Town of Hyde Park	Black		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman (VC)		

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

**2017213 AMENDING THE 2017 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE COUNTY CLERK (A.1410)**

Date: November 9, 2017

# Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	<input checked="" type="checkbox"/>	<input type="checkbox"/>
District 17 - Town and Village of Fishkill	Miccio	<input type="checkbox"/>	<input type="checkbox"/>
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	<input type="checkbox"/>	<input type="checkbox"/>
District 20 - Town of Red Hook	Strawinski	<input type="checkbox"/>	<input type="checkbox"/>
District 14 - Town of Wappinger	Amparo	<input type="checkbox"/>	<input type="checkbox"/>
District 1 - Town of Poughkeepsie	Kakish	<input type="checkbox"/>	<input type="checkbox"/>
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	<input type="checkbox"/>	<input type="checkbox"/>
District 4 - Town of Hyde Park	Black	<input type="checkbox"/>	<input type="checkbox"/>
District 5 - Town of Poughkeepsie	Roman	<input type="checkbox"/>	<input type="checkbox"/>
District 6 - Town of Poughkeepsie	Flesland	<input type="checkbox"/>	<input type="checkbox"/>
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt	<input type="checkbox"/>	<input type="checkbox"/>
District 8 - City and Town of Poughkeepsie	Brendli	<input type="checkbox"/>	<input type="checkbox"/>
District 9 - City of Poughkeepsie	Rieser	<input type="checkbox"/>	<input type="checkbox"/>
District 10 - City of Poughkeepsie	Jeter-Jackson	<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	Metzger	<input type="checkbox"/>	<input type="checkbox"/>
District 15 - Town of Wappinger	Incoronato	<input type="checkbox"/>	<input type="checkbox"/>
District 16 - Town of Fishkill and City of Beacon	Forman	<input type="checkbox"/>	<input type="checkbox"/>
District 18 - City of Beacon and Town of Fishkill	Landisi	<input type="checkbox"/>	<input type="checkbox"/>
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	<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	Coviello	<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	Washburn	<input type="checkbox"/>	<input type="checkbox"/>

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

2017213 AMENDING THE 2017 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE COUNTY CLERK (A.1410)

Date: November 13, 2017

Public Works & Capital Projects

RESOLUTION NO. 2017214

RE: AUTHORIZATION TO ACQUIRE BY WAY OF DONATION A FEE  
PARCEL FROM KM FARRELL REAL ESTATE, LLC., ON  
JACKSON STREET (CR 34) IN THE VILLAGE OF FISHKILL

Legislators PULVER and BORCHERT offer the following and move its adoption:

WHEREAS, the Department of Public Works has received a proposed donation of a .023 acre or 1,000 square foot +/- parcel located at 71-75 Jackson Street in the Village of Fishkill, and

WHEREAS, said proposed donation by owner KM Farrell Real Estate, LLC is necessary in order to obtain site plan approval from the Village of Fishkill Planning Board for owner's proposed subdivision off of Jackson Road, and

WHEREAS, the Village of Fishkill Planning Board is responsible for completing the SEQR process with regard to owner's proposed subdivision, and

WHEREAS, the property is identified as parcel number 133001-6155-07-685931-0000 and described as .023 acre or 1,000 square foot +/- parcel, located at 71-75 Jackson Street in the Village of Fishkill as shown on a copy of the map annexed hereto, and

WHEREAS, the Commissioner of Public Works has advised that KM Farrell Real Estate, LLC., has agreed to donate the said parcel, and

WHEREAS, a Statement of Donation identifying said parcel has been signed by the owner and is annexed hereto, and

WHEREAS, it is the purpose of this Legislature in adopting this resolution to adopt and confirm the findings of the Department of Public Works, now, therefore, be it

RESOLVED, that this Legislature hereby adopts and confirms the determination of the Dutchess County Department of Public Works to acquire by donation the parcel described herein, and be it further

RESOLVED, that the County Executive or his designee is authorized to execute an agreement to acquire by donation such parcel along with any other necessary documents in connection with this acquisition, and be it further

RESOLVED, that upon receipt from the property owner of the executed deed to the parcel described herein and such other documents as may be necessary to convey free and clear title to the County of Dutchess, the County shall pay the necessary associated fees and/or expenses, if any, in connection with such acquisition and record said deed.

CA-127-17

AMS/kvh/R-0976-B

10/12/17

Fiscal Impact: See attached statement

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 11/20/2017

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13<sup>th</sup> day of November 2017, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13<sup>th</sup> day of November 2017.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

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

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

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

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

Identify Line Items(s):

H0384.5110.3009 Roads ISTEAs

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

Nature/Reason:

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

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

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

#### Additional Comments/Explanation:

This Fiscal Impact Statement Pertains to:

Resolution Request: Authorization to Acquire by Way of Donation, a 0.023 acre FEE Parcel from KM Farrell Real Estate LLC, Town of Fishkill, Dutchess County

Prepared by: Matthew W. Davis

2929

# FARRELL BUILDING CO.

C u s t o m   H o m e   B u i l d e r s

September 13, 2017

Mr. Robert Balkind, P.E.  
Commissioner  
Dutchess County Public Works  
626 Dutchess Turnpike  
Poughkeepsie, NY 12603

Re: Jackson Crossing Land Dedication  
71-75 Jackson Street  
Village of Fishkill

Dear Commissioner Balkind:

As you may know from speaking with Kelly Libolt, Farrell Builders is proposing to dedicate the portion of land shown on the attached mapping prepared by Thomas Schmidt, L.S. of JMC. This land is being voluntarily offered to Dutchess County at no cost to Dutchess County.

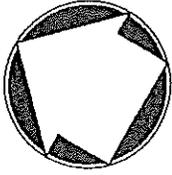
This land dedication was required as part of the Site Plan Approval granted from the Village of Fishkill Planning Board.

I have attached a Plan and Description for your use. Please advise if you require any additional information regarding this matter.

Sincerely,



Bryan J. Farrell

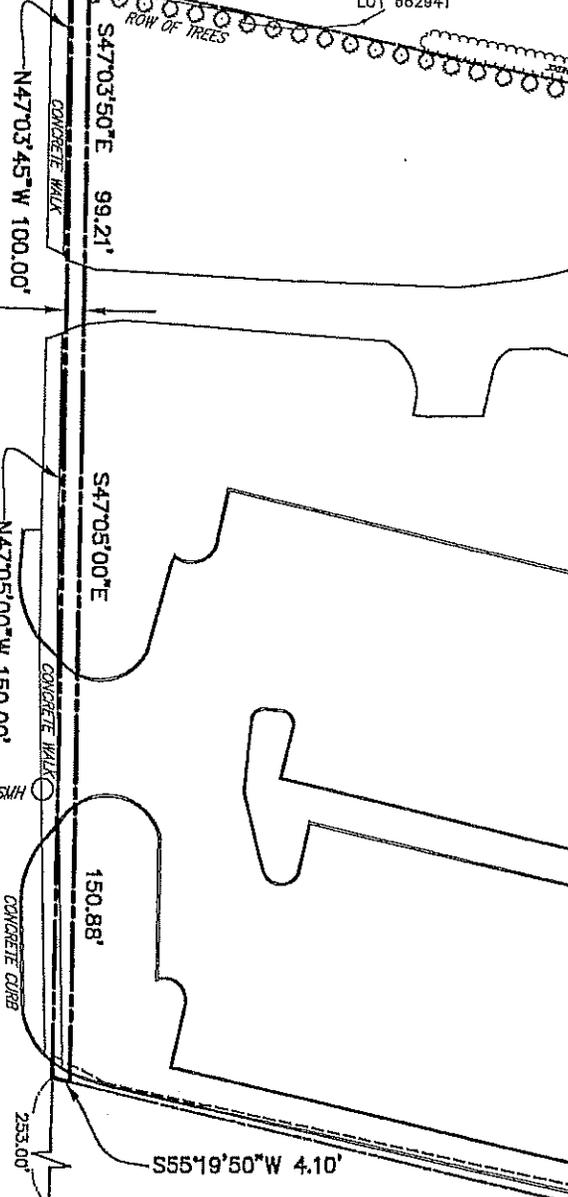


PROPOSED 4' WIDE AREA TO BE DEDICATED TO DUTCHESS COUNTY DEPARTMENT OF PUBLIC WORKS AREA = 1,000± SQUARE FEET OR 0.02296± ACRES

JACKSON STREET

MAIN STREET

N54°03'00"E 4.08'  
 N/F CATHERINE M. CRYVOFF-RUSIECKI  
 LIBER 22015 PAGE 1709  
 SECTION 6155  
 BLOCK 2  
 LOT 662941



N/F FISHKILL NATIONAL BANK  
 LIBER 1296 PAGE 0238  
 SECTION 6155  
 BLOCK 7  
 LOT 700919

Drawn:	TS	Approved:	TS
Scale:	1"=40'		
Date:	09/14/2017		
Project No:	15186-s		
EX-1.dwg	EX-1.tob	N/A	

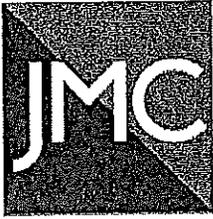
**EXHIBIT MAP  
 4' WIDE DEDICATION TO  
 DUTCHESS COUNTY DEPARTMENT OF  
 PUBLIC WORKS**



**SITE DEVELOPMENT CONSULTANTS**

120 BEDFORD ROAD • ARMONK, NY 10504  
 voice 914.273.5225 • fax 914.273.2102  
 www.jmcpllc.com

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Site Planning	Environmental Studies
Civil Engineering	Entitlements
Landscape Architecture	Construction Services
Land Surveying	3D Visualization
Transportation Engineering	Laser Scanning

JMC Project 16186  
Jackson Street  
Town and Village of Fishkill  
Dutchess County, New York  
September 14, 2017

Legal Description of Four Foot Wide Strip to be dedicated to the  
Dutchess County Department of Public Works

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town and Village of Fishkill, County of Dutchess and State of New York being part of the lands of Jackson Crossing LLC described in a deed dated December 24, 2012 and recorded July 12, 2013 in the Dutchess County Clerk's Office as Document No. 02 2013 3535 and a second deed dated December 24, 2012 and recorded July 12, 2013 in the Dutchess County Clerk's Office as Document No. 02 2013 3537 and being more particularly described as follows:

BEGINNING at a point along the northeasterly line of Jackson Street at its point of intersection with the southeasterly line of lands now or formerly of Catherine M. Cryvoff-Rusiecki;

Thence along said lands of Cryvoff-Rusiecki, North 54 degrees 00 minutes 00 seconds East, 4.08 feet;

Thence through said lands Jackson Crossing LLC, South 47 degrees 03 minutes 50 seconds East, 99.21 feet and South 47 degrees 05 minutes 00 seconds East, 150.88 feet to the lands now or formerly of Fishkill National Bank;

Thence along said lands now or formerly of Fishkill National Bank, South 55 degrees 19 minutes 50 seconds West, 4.10 feet to the aforesaid northeasterly line of Jackson Street;

Thence along said northeasterly line of Jackson Street, North 47 degrees 05 minutes 00 seconds West, 150.00 feet and North 47 degrees 03 minutes 45 seconds West, 100.00 feet to the Point of Beginning.

The above described parcel of land contains 1,000 square feet more or less or 0.02296 acres more or less.

The above described parcel of land is more fully shown on a map titled "Exhibit Map 4' Wide Dedication to Dutchess County Department of Public Works" prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC and dated September 14, 2017.

F:\2016\16186\Legal Descriptions\Legal Description four foot wide dedication 2017 09 14.doc

JMC Planning Engineering Landscape Architecture & Land Surveying, PLLC | John Meyer Consulting, Inc.

120 BEDFORD ROAD | ARMONK, NY 10504 | 914.273.5225 | MAIL@JMCPLLC.COM | JMCPLLC.COM

## *Public Works and Capital Projects Roll Call*

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert*	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli	<i>absent</i>	
District 15 - Town of Wappinger	Incoronato (VC)		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver (C)		

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

**2017214 AUTHORIZATION TO ACQUIRE BY WAY OF DONATION A FEE PARCEL FROM KM FARRELL REAL ESTATE, LLC., ON JACKSON STREET (CR 34) IN THE VILLAGE OF FISHKILL**

Date: November 9, 2017

# Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	✓	
District 17 - Town and Village of Fishkill	Miccio		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo		
District 1 - Town of Poughkeepsie	Kakish		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Flesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Coviello		
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	Washburn		

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

**2017214 AUTHORIZATION TO ACQUIRE BY WAY OF DONATION A FEE PARCEL FROM KM FARRELL REAL ESTATE, LLC., ON JACKSON STREET (CR 34) IN THE VILLAGE OF FISHKILL**

Date: November 13, 2017

RESOLUTION NO. 2017215

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

Legislators FLESLAND, SAGLIANO, TRUITT and JETER-JACKSON offer the following and move its adoption:

WHEREAS, pursuant to Article 11 of the Real Property Tax Law, the County of Dutchess made application to the Dutchess County Supreme Court for judgment and title to certain properties with delinquent taxes, and

WHEREAS, with regard to tax map number 134601-6158-14-297371-0000 in the Village of Wappingers Falls and tax map number 133600-6474-00-175125-0000 in the Town of Milan, both now vacant land, Verified Answers were filed on behalf of former owners contesting the County's application for judgment and title, and

WHEREAS, the matters came before the Dutchess County Supreme Court and the Court awarded the County judgment to tax map number 133600-6474-00-175125-0000 and tax map number 134601-6158-14-297371-0000 and directed the County of Dutchess to take a deed, and

WHEREAS, the County of Dutchess acquired title to the above referenced parcels, and

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

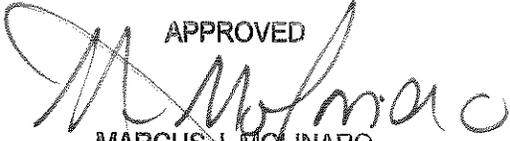
RESOLVED, that the Commissioner of Finance, be and she is hereby authorized and empowered to sell tax map number 133600-6474-00-175125-0000 and tax map number 134601-6158-14-297371-0000 at public auction at a date, time and location to be determined by the Commissioner of Finance, by an auctioneer under the direction of the Commissioner of Finance, and be it further

RESOLVED, that the Commissioner of Finance shall have the discretion to waive the fee authorized by RPTL 1102 where deemed economically desirable for the County, and be it further

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

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

CA-129-17  
CEB/kvh/G-0145  
10/12/17  
Fiscal Impact: See attached statement

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 11/20/2017

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 13<sup>th</sup> day of November 2017, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13<sup>th</sup> day of November 2017.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

**FISCAL IMPACT STATEMENT**

NO FISCAL IMPACT PROJECTED

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

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

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

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

Identify Line Items(s):

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

Nature/Reason:

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

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

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

**Additional Comments/Explanation:**

Favorable impact as the resolution grants the authority to sell two parcels which will than be placed back on the tax rolls.

Prepared by: Ykide Sal

Prepared On: 10/24/17

EXHIBIT A

**TERMS AND CONDITIONS OF SALE**

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

1. **Registration.** All bidders are required to register and to provide suitable I.D. Suitable ID includes driver's license, non-driver photo I.D., military I.D. and passport. (photo copy acceptable) prior to the auction. Auctioneer reserves the right to decline registration if I.D. is not sufficient. Notarized copy of bidder's signature on copy of bidder's valid driver's license or passport must be provided to auctioneer. **NO EXCEPTIONS.**

2. If you are registering as a **Corporation** you need to additionally enclose a copy of the following:

1. A copy of the FILING NOTICE that you received from the state where your Corporation was recorded.
2. A copy of the notice that you received from the Internal Revenue Service/Treasury Department stating the Federal Identification Number that was assigned to your Corporation.
3. A resolution from the Corporation Board of Directors authorizing whomever to purchase property on behalf of the Corporation.

If you are registering as a **Limited Liability Corporation (LLC)** you need to additionally enclose a copy of the following:

1. A copy of the FILING NOTICE that you received from the state where your LLC was recorded.
2. A copy of the notice that you received from the Internal Revenue Service/Treasury Department stating the Federal Identification Number that was assigned to your Corporation.

3. **Bidder Approval.** Download the "Internet Bidder Registration Packet" from the website (<http://www.nysauctions.com/auctions/IbidReg/Dutchess.pdf>). Complete all required information where highlighted by printing or signing legibly and return all completed documents with the funds described in paragraph two below to auctioneer/broker no later than 12:00 PM (noon) on Tuesday October 3, 2017, Eastern Standard Time. **NO EXCEPTIONS.**

4. **No Recourse.** Internet bidding through our Provider is offered as a service to our customers, and bidders shall not hold Dutchess County and/or Absolute Auctions & Realty, Inc., responsible for any failure due to the loss of the internet connection supplied to Absolute Auctions & Realty, Inc. by the Provider.

\*\*\*\*\*

**STANDARD TERMS:**

1. **Registration.** All bidders are required to register and to provide suitable I.D. Suitable ID includes driver's license, non-driver photo I.D., military I.D. and passport.

(photocopy acceptable) prior to the auction. Auctioneer reserves the right to decline registration if I.D. is not sufficient. Notarized copy of bidder's signature on copy of bidder's valid driver's license or passport must be provided to auctioneer. **NO EXCEPTIONS.**

2. If you are registering as a **Corporation** you need to additionally enclose a copy of the following:

1. A copy of the FILING NOTICE that you received from the state where your Corporation was recorded.
2. A copy of the notice that you received from the Internal Revenue Service/Treasury Department stating the Federal Identification Number that was assigned to your Corporation.
3. A resolution from the Corporation Board of Directors authorizing whomever to purchase property on behalf of the Corporation.

If you are registering as a **Limited Liability Corporation (LLC)** you need to additionally enclose a copy of the following:

1. A copy of the FILING NOTICE that you received from the state where your LLC was recorded.
2. A copy of the notice that you received from the Internal Revenue Service/Treasury Department stating the Federal Identification Number that was assigned to your Corporation.

3. **Buyer's Premium/Advertising Fee.** Purchaser shall pay an **eleven percent (11%) buyers premium (a 1% buyer's premium discount will be given for cash or guaranteed funds) in addition to the accepted bid price and an advertising fee of 1.5% of the bid price.**

4. **Down Payment.** \$250 or 20% of the total contract price (contract price is the bid price + buyer's premium), whichever is higher, shall be paid as a down payment upon execution of a contract of sale immediately upon being declared the successful high bidder. **ONLY CASH, CREDIT CARD (MASTERCARD, VISA or DISCOVER CARD ONLY), MONEY ORDER OR BANK CHECK (Tellers/Cashiers Check) MADE PAYABLE TO "DUTCHESS COUNTY COMMISSIONER OF FINANCE" WILL BE ACCEPTED. NO EXCEPTIONS.**

5. **Closing Costs.** Purchaser shall pay the following closing costs: Filing Fee for Combined Gains Transfer Tax Affidavit of \$5, Filing Fee of \$5 for Town of Red Hook Transfer Tax, and all recording and other fees required by the Dutchess County Clerk. Fees are subject to change by law without further notice.

6. **Balance Due.** The balance due, including closing costs and the **2017-2018** School Tax, and Village Tax if any, shall be paid by **cash, money order or bank check** made payable to "Dutchess County Commissioner of Finance" on or before **October 30, 2017. Credit Card payment is NOT acceptable for balance due. TIME IS OF THE ESSENCE.** Failure to timely pay balance due shall constitute default and forfeiture of down payment.

7. **Recording Information.** Purchaser shall provide all information necessary for recording the deed and shall execute all required documents prior to close of auction.

8. **Deed.** Conveyance shall be by quitclaim deed, with the description of the property to be by tax grid number. The deed shall be recorded by the County after payment in full, and returned to purchaser by the County Clerk's Office. The County will only issue a deed in the name of the successful bidder, no exceptions.

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

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

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

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

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

12. **Confirmation of Sale.** A bid shall be considered an offer to purchase subject to the acceptance of the County. If the bid is accepted, a contract of sale will be forwarded to the bidder for their records. No bid shall be considered unless the bidder fully complies with the Terms and Conditions of Sale. The following criteria will be used to determine the adequacy of the bid: (a) If the high bid on the parcel at auction meets or exceeds the outstanding taxes, costs, fees, due and owing, and the high bid is not substantially less than the assessed value of the parcel, it may be accepted, (b) If the high bid fails to meet this standard it may still be accepted by the county after consideration of past auction history, results of the current auction and state of the housing market in the county. (c) If the high bid fails to meet the standards described above it may be rejected. In all cases, written notice shall be given to the bidder by the Dutchess County Commissioner of Finance. **All balances are due on or before October 30, 2017.**

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

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

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

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

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

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

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

20. **Right to Maintain Order and Decorum.** The auctioneer reserves the right to revoke permission to bid and remove any individual from the auction whose behavior is deemed disruptive to the safe and efficient administration of the auction.

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

I accept these Terms and Conditions of Sale:

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

\_\_\_\_\_  
Bidder's Printed Name

Dated:

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

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

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert *		
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano (VC)		
District 6 - Town of Poughkeepsie	Flesland (C)		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		✓
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 22 - Towns of Beekman and Union Vale	Coviello		

Present: 12  
 Absent: 0  
 Vacant: 0

Resolution: ✓  
 Motion:     

Total : 11      1  
           Yes        No  
 Abstentions: 0

**2017215 PUBLIC AUCTION OF PROPERTIES ACQUIRED BY THE COUNTY THROUGH IN REM FORECLOSURE**

Date: November 9, 2017

# Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	✓	
District 17 - Town and Village of Fishkill	Miccio		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Boiner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo		
District 1 - Town of Poughkeepsie	Kakish		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Flesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Coviello		
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	Washburn		

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

**2017215 PUBLIC AUCTION OF PROPERTIES ACQUIRED BY THE COUNTY THROUGH IN REM FORECLOSURE**

Date: November 13, 2017

RESOLUTION NO. 2017216

RE: AUTHORIZING THE SALE OF PROPERTIES LOCATED  
AT TAMARACK HEIGHTS, TOWN OF POUGHKEEPSIE

Legislators FLESLAND, SAGLIANO, and JETER-JACKSON offer the following and  
move its adoption:

WHEREAS, parcels designated as tax map number 134689-6262-02-934714-0000, tax  
map number 134689-6262-02-936823-0000, tax map number 134689-6262-02-938687-0000, tax  
map number 134689-6262-02-939798-0000, tax map number 134689-6262-02-941778-0000, tax  
map number 134689-6262-02-956884-0000, tax map number 134689-6262-02-982746-0000, tax  
map number 134689-6262-02-985783-0000, and tax map number 134689-02-987833-0000, all  
in the Town of Poughkeepsie, (hereinafter the "2014 Tamarack Properties") were subject to  
Dutchess County's 2014 *in rem* foreclosure proceeding to enforce the payment of delinquent  
taxes, and

WHEREAS, a parcel designated as tax map number 134689-6262-940747-0000, in the  
Town of Poughkeepsie (hereinafter the "2015 Tamarack Property") was subject to Dutchess  
County's 2015 *in rem* foreclosure proceeding to enforce the payment of delinquent taxes, and

WHEREAS, pursuant to Article 11 of the Real Property Tax Law, the County of  
Dutchess recorded deeds to the 2014 and 2015 Properties and is seized of an estate in fee simple  
absolute, and

WHEREAS, the County of Dutchess offered the 2014 Tamarack Properties for sale at  
public auction in 2014, 2015, and 2016 and offered the 2015 Tamarack Property in 2015 and  
2016, but no sale was consummated due to default of prospective buyers, and

WHEREAS, the Properties may require significant remediation before they may be made  
available for public use, and

WHEREAS, Michael Lund desires to assume ownership of the Tamarack Properties and  
submitted a bid of \$125,000 plus fees, and 2017-2018 school taxes, totaling \$145,219.39, to the  
Commissioner of Finance, which is attached hereto and made a part hereof, and

WHEREAS, pursuant to Resolution No. 244 of 1997 (Land Disposition Policy),  
subsequent to being offered at public auction, the Commissioner of Finance may negotiate a  
private sale of property that was not sold at public auction, and

WHEREAS, Michael Lund has tendered to the Commissioner of Finance a total of  
\$145,219.39 to acquire any and all right, title, and interest the County acquired in the 2014 and  
2015 Tamarack Properties, and

WHEREAS, the Commissioner of Finance has accepted Michael Lund's offer to purchase the Tamarack Properties, such acceptance being attached hereto and made apart hereof, and such acceptance remaining subject to approval of the Legislature, and now therefore be it

RESOLVED, that the Dutchess County Legislature hereby approves and confirms the sale of the aforementioned Tamarack Properties, transferring ownership of the Tamarack Properties to Michael Lund, described herein subject to the terms of the Purchase Bid Form and Terms and Conditions of Sale, which are attached hereto and made a part hereof, and be it further

RESOLVED, that the County Executive and the Clerk of the County legislature be and they are hereby authorized and, empowered to make, execute and deliver in the name of the County of Dutchess and of the Legislature of said County, a quitclaim deed, to Michael Lund conveying any and all right, title and interest the County of Dutchess may have acquired in and to the 2014 and 2015 Tamarack Properties by reason of the *in rem* foreclosure proceeding.

CA-130-17  
CEB/kvh/G-0145  
10/12/17

Fiscal Impact: See attached statement

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 11/20/2017

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13<sup>th</sup> day of November 2017, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13<sup>th</sup> day of November 2017.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

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

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

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

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

Identify Line Items(s):

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

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

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

#### Additional Comments/Explanation:

Favorable impact as the resolution grants the authority to sell 10 parcels which will then place the parcels back on the tax rolls.

Prepared by:       *Hidei Seid*       Prepared On:       10/24/17



COMMISSIONER OF FINANCE  
**DUTCHESS COUNTY**  
 22 Market Street, Poughkeepsie, NY 12601-3294  
 Telephone: (845) 486-2025

HEIDI SIEYBACH  
 Commissioner

CARMELA MORLEY  
 Deputy

**PURCHASE BID FORM FOR COUNTY OWNED PROPERTY**

*(To be completed for submission of Private Bid)*

TO: Dutchess County Commissioner of Finance  
 Dutchess County Office Building  
 22 Market Street  
 Poughkeepsie, NY 12601-3294

I hereby make an offer of \$ 125,000 for the purchase of the real property described below:

*(to bid) - TAMARACK HEIGHTS*  
 TAX MAP GRID NUMBER: 6262-02-934714-0000, 6262-02-936823-0000, 6262-02-938687-0000,  
62-02-939798-0000, 6262-02-940747-0000, 6202-02-941778-0000, 6262-02-956884-0000, 6262-02-992746-0000,  
 AUCTION NUMBER: \_\_\_\_\_ 6262-02-985783-0000, 6262-02-987833-0000

I understand that Dutchess County reserves the right to reject any and all bids offered for the purchase of this property and to withdraw the property offered without prior notification.

I understand that upon acceptance of my bid, it will be submitted to the Dutchess County Legislature for a resolution action to approve the sale. If approved, a quitclaim deed will be issued by Dutchess County conveying the property to me.

DATE: 9/22/17  
 SIGNATURE: \_\_\_\_\_  
 PRINT NAME: Michael Lund  
 ADDRESS: 76 Stratford Drive  
Poughkeepsie, NY 12603  
 TELEPHONE NO.: 914-474-9335



COMMISSIONER OF FINANCE  
DUTCHESS COUNTY  
22 Market Street, Poughkeepsie, NY 12601-3294  
Telephone: (845) 486-2025

HEIDI SEELBACH  
Commissioner of Finance

**TERMS AND CONDITIONS OF SALE**

*(To be completed upon County's acceptance of Private Bid)*

1. **No Warranty.** (a) The real property, including any buildings thereon, is sold "AS IS", without any representation or warranty whatsoever, and is subject to: 1) any facts a survey or inspection of the parcel would disclose; (2) applicable zoning/land use/building regulations/easements or record; 3) federal or state taxes, liens, delinquent water and sewer rents and other local charges, and judgments which may not have been extinguished from land by foreclosure proceedings; 4) easements, covenants, conditions, and right-of-way of record. (b) There is no representation, express or implied, as to condition of parcel, warranty of title, or suitability for a particular use. **RESEARCH BEFORE YOU BID.**
2. **No Recourse.** All sales shall be final and without recourse, and in no event shall Dutchess County be liable for any defects in title for any cause whatsoever. No claim, demand or suit of any nature shall exist in favor of the purchaser, his/her heirs, successors or assigns, against Dutchess County arising from this sale.
3. **Confirmation of Sale and Waiver.** All sales are subject to confirmation by the Dutchess County Legislature. If the sale is not confirmed, money paid shall be refunded to purchaser without interest, and purchaser shall have no other remedies. By execution of this Terms and Conditions of Sale, purchaser waives any claim or demand of any nature against Dutchess County arising from this transaction.
4. **Taxes.** The parcel shall be free and clear of real property taxes as of \_\_\_\_\_, If a parcel is located in a village, it is possible that there are pre-existing taxes not extinguished by foreclosure. Purchaser must contact the village to determine if this is the case and to pay any taxes due.
5. **Closing Costs.** Purchaser shall pay the following closing costs: Filing fee for Combined Gains Transfer Tax Affidavit of \$5, Filing Fee of \$5 for Town of Red Hook Transfer Tax (where applicable), and all recording and other fees required by the Dutchess County Clerk, *in rem* foreclosure fees of \$100, together with a 10% buyer's premium (where applicable). All fees are subject to change by law without notice.
6. **Deed.** Conveyance shall be by quitclaim deed, with the description of the property by tax grid number. The deed shall be recorded by the County after payment in full, and returned to purchaser by the County Clerk's Office.

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

8. Ejectments. Ejectments, if necessary, are the sole responsibility of the purchaser following the recording of the deed.

9. Possession and Entry. The purchaser shall not take possession of nor enter upon the parcel until the deed has been recorded by Dutchess County.

10 to 191 - Tamarack Heights Lot # 290 2 cent in ch 5 @ 1/1000  
Tax Grid No.: \_\_\_\_\_ Bid Amount: \$ 125,000

Auction Parcel No. \_\_\_\_\_

I accept these Terms and Conditions of Sale:

Date: 9/22/17

  
Purchaser's Signature

Michael Lund  
Print Purchaser's Name

26 Stratton Drive  
Purchaser's Address

Poughkeepsie, NY 12603

RESOLUTION NO. 244 OF 1997

RE: ADOPTING THE RECOMMENDATIONS OF THE AD HOC COMMITTEE ON LAND DISPOSITION AS COUNTY POLICY

Legislators KENDALL, KLOSE, and KNAPP offer the following and move its adoption:

WHEREAS, on April 22, 1997, the Dutchess County Legislature formed a committee known as the Ad Hoc Committee on Land Disposition, and

WHEREAS, said committee consists of Dutchess County Legislators and elected and appointed officials, and

WHEREAS, on June 10, 1997, said committee filed a report with the Dutchess County Legislature with respect to land disposition outlining a policy with respect thereto, and

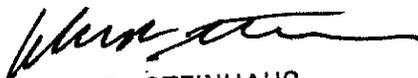
WHEREAS, the Dutchess County Legislature has examined the policy as outlined in said report, now, therefore, be it

RESOLVED, that the land disposition policy of Dutchess County with respect to property acquired by the county through *in rem* tax proceedings is as follows:

- 1) The county will extend to the former landowner an exclusive opportunity to reacquire his/her property by payment of all back taxes, fees, and accrued interest costs after the conclusion of the *in rem* proceedings, but only until 5:00 p.m. on the day prior to the next county auction of properties, subject to approval of the Legislature.
- 2) Following the completion of the *in rem* proceedings, the Department of Real Property Tax shall circulate, to all municipal entities of Dutchess County, a list of all available properties, along with a copy of this policy, in order to provide an opportunity for municipalities to acquire county-owned property for legitimate public purpose. The municipality must notify, by resolution, the Commissioner of Finance and the Clerk of the Legislature by 5:00 p.m. on the day prior to the auction of its interest. The resolution must set forth the purpose or municipal need for the property. Upon receipt of the resolution, the Commissioner of Finance shall withdraw the property from the auction. Within 60 days of the receipt of the resolution from the municipality, the municipality must provide payment in full to the Commissioner of Finance. Transfer of the property shall be subject to the approval of the Legislature. If transfer does not occur, the property will be held until the next available auction. Withdrawal from the auction for municipal interest shall not extend the former landowner's exclusive right to reacquire.

- 3) Subsequent to the auction the Commissioner of Finance may negotiate a private sale of property that was not sold at auction. The Economic Development Corporation shall notify the Commissioner of Finance and the Clerk of the Legislature of any interest it may have in marketing any property that may have economic development potential. The Commissioner of Finance shall inform the Clerk of the Legislature of all reasonable and appropriate written offers for county-owned property along with the outstanding liabilities of the county on said parcel. Any private sale is subject to the approval of the Legislature.
  
- 4) Notwithstanding the above policy, the county may continue to retain parcels acquired through the *in rem* procedure in order to further its legitimate municipal purposes. The county may also transfer title of acquired property to duly constituted public authorities in order to further municipal purposes, subject to the approval of the Legislature.

APPROVED

  
 WILLIAM R. STEINHAUS  
 COUNTY EXECUTIVE

Date 7/21, 1997

A:RES. 127 6/26/97 js

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 14th day of July, 1997, 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 14th day of July, 1997.

  
 CAROLYN MORRIS, ACTING CLERK OF THE LEGISLATURE

# Dutchess County *Le slatu*.

22 Market Street, Poughkeepsie, NY 12601

914-486-2100

Fax 914-486-2113

June 12, 1997

## Land Disposition Policy

### Objective:

To return property acquired by the county through the *in rem* process to taxable status as quickly as possible at minimal cost to the county while also providing a mechanism for the intermunicipal transfer of property to meet legitimate municipal purposes.

### Findings:

- The county continues to be well served by the use of public auction to dispose of properties acquired through the *in rem* procedure.
- The county recognizes the legitimate public purposes of local municipalities and should continue to circulate a list of available properties to all municipal entities in Dutchess County.
- In order to meet the economic development needs of Dutchess County, the list of available properties should be circulated to the Economic Development Corporation (EDC) for its review and potential marketing services.
- The county recognizes the potential hardship on the part of the former landowner who has lost property and should extend to said landowner a reasonable opportunity after the *in rem* proceeding to reacquire his/her property.

### Procedures:

- 1) The county will extend to the former landowner an exclusive opportunity to reacquire his/her property by payment of all back taxes, fees, and accrued interest costs after the conclusion of the *in rem* proceedings, but only until 5:00 p.m. the day prior to the next county auction of properties, subject to approval of the Legislature.
- 2) Following the completion of the *in rem* proceedings, the Department of Real Property Tax shall circulate, to all municipal entities of Dutchess County, a list of all available properties, along with a copy of this policy, in order to provide an opportunity for municipalities to acquire county-owned property for legitimate public purpose. The municipality must notify, by resolution, the Commissioner of Finance and the Clerk of the Legislature by 5:00 p.m. of the day prior to the auction of its interest. The resolution must set forth the purpose or municipal need for the property. Upon receipt of the resolution, the Commissioner of Finance shall withdraw the property from the auction. Within 60 days of the receipt of the resolution from the municipality, the municipality must provide payment in full to the Commissioner of Finance. Transfer of the property shall be subject to the approval of the Legislature. If transfer does not occur, the property will be held until the next available auction. Withdrawal from the auction for municipal interest shall not extend the former landowner's exclusive right to reacquire.

Land Disposition Policy

Page 2

June 12, 1997

- 3) Subsequent to the auction the Commissioner of Finance may negotiate a private sale of property that was not sold at auction. The Economic Development Corporation shall notify the Commissioner of Finance and the Clerk of the Legislature of any interest it may have in marketing any property that may have economic development potential. The Commissioner of Finance shall inform the Clerk of the Legislature of all reasonable and appropriate written offers for county-owned property along with the outstanding liabilities of the county on said parcel. Any private sale is subject to the approval of the Legislature.
  
- 4) Notwithstanding the above policy, the county may continue to retain parcels acquired through the *in rem* procedure in order to further its legitimate municipal purposes. The county may also transfer title of acquired property to duly constituted public authorities in order to further municipal purposes, subject to the approval of the Legislature.

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

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert *	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano (VC)		
District 6 - Town of Poughkeepsie	Flesland (C)		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 22 - Towns of Beekman and Union Vale	Coviello		

Present: 12  
 Absent: 0  
 Vacant: 0

Resolution: ✓  
 Motion:     

Total : 12      0  
           Yes        No  
 Abstentions: 0

**2017216 AUTHORIZING THE SALE OF PROPERTIES LOCATED AT TAMARACK HEIGHTS, TOWN OF POUGHKEEPSIE**

Date: November 9, 2017

# Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	✓	
District 17 - Town and Village of Fishkill	Miccio		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo		
District 1 - Town of Poughkeepsie	Kakish		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Flesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Coviello		
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	Washburn		

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

**2017216 AUTHORIZING THE SALE OF PROPERTIES LOCATED AT TAMARACK HEIGHTS, TOWN OF POUGHKEEPSIE**

Date: November 13, 2017

RESOLUTION NO. 2017217

RE: DESIGNATION OF DUTCHESS TOURISM, INC. AS THE TOURIST PROMOTION AGENCY FOR THE COUNTY OF DUTCHESS

Legislators FLESLAND, SAGLIANO, BORCHERT, MICCIO, BOLNER, JETER- JACKSON, TRUITT and STRAWINSKI offer the following and move its adoption:

WHEREAS, Dutchess County is developing plans for tourism, marketing and promotion and desires to promote the historical, cultural and environmental resources of Dutchess County to promote tourism, and

WHEREAS, Article 5-A of the Economic Development Law, known as the New York State Tourist Promotion Act, authorizes the State Commissioner of Economic Development to match funds expended by recognized tourist promotion agencies, based upon guidelines determined by the Commissioner, and

WHEREAS, pursuant to Article 5-A of the Economic Development Law, to qualify for this fund matching program, the Dutchess County Legislature must first designate a tourist promotion agency as the agency authorized to make application for and receive Tourism Matching Funds in Dutchess County, and

WHEREAS, Article 5-A defines a tourist promotion agency as any not-for-profit corporation, or other nonprofit organization, association or agency, designated by resolution of a county legislature, and

WHEREAS, by Resolution No. 2016265, this Legislature designated Dutchess Tourism, Inc. as the tourist promotion agency for Dutchess County for the fiscal year of January 1, 2017, through December, 31, 2017, and

WHEREAS, Dutchess Tourism, Inc. requires the authority of this Legislature to apply for up to \$431,500 in state matching funds, and

WHEREAS, Dutchess Tourism, Inc. is qualified to apply for Tourism Matching Funds, now, therefore, be it

RESOLVED, that Dutchess Tourism, Inc. is hereby designated the Tourist Promotion Agency for Dutchess County for the State fiscal year January 1, 2018 through December 31, 2018 and is authorized to apply for State matching funds up to \$431,500.

APPROVED  
*Marcus J. Molinaro*  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 11/20/2017

STATE OF NEW YORK  
ss:  
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13<sup>th</sup> day of November 2017, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13<sup>th</sup> day of November 2017.

*Carolyn Morris*  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Discussion on the foregoing Resolution No. 2017217 resulted as follows:

Legislator Metzger requested to abstain due to the fact that a family member was an employee of Dutchess Tourism, Inc.

Chairman Borchert granted permission to abstain.

Roll call on the foregoing resolution resulted as follows:

AYES: 24 Borchert, Bolner, Amparo, Black, Brendli, Coviello, Flesland, Forman, Horton, Incoronato, Jeter-Jackson, Kakish, Landisi, Miccio, Pulver, Rieser, Roman, Sagliano, Strawinski, Surman, Thomes, Truitt, Tyner, Washburn

NAYS: 0

ABSENT: 0

ABSTAIN: 1 Metzger

Resolution adopted.

# Budget, Finance, and Personnel Committee Roll Call

District	Name	Yes	No
District 3 - Town of LaGrange	Borchert *	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano (VC)		
District 6 - Town of Poughkeepsie	Flesland (C)		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger	<i>abstain</i>	
District 15 - Town of Wappinger	Incoronato		
District 22 - Towns of Beekman and Union Vale	Coviello		

Present: 12  
 Absent: 0  
 Vacant: 0

Resolution: ✓  
 Motion:     

Total : 11      0  
           Yes        No  
 Abstentions: 1

2017217 DESIGNATION OF DUTCHESS TOURISM, INC. AS THE TOURIST PROMOTION AGENCY FOR THE COUNTY OF DUTCHESS

Date: November 9, 2017

# Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	✓	
District 17 - Town and Village of Fishkill	Miccio		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo		
District 1 - Town of Poughkeepsie	Kakish		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Fiesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger	<i>abstain</i>	
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Coviello		
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	Washburn		

Present: 25                      Resolution: ✓                      Total: 24                      0  
 Absent: 0                              Motion:         Yes                              No  
 Vacant: 0    Abstentions: 1

2017217 DESIGNATION OF DUTCHESS TOURISM, INC. AS THE TOURIST PROMOTION AGENCY FOR THE COUNTY OF DUTCHESS

Date: November 13, 2017

RESOLUTION NO. 2017218

RE: RECEIPT OF TENTATIVE BUDGET FOR 2018 AND SETTING PUBLIC HEARING

Legislators FLESLAND, SAGLIANO, BORCHERT, TRUITT and JETER-JACKSON 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 2018, 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 4<sup>th</sup> of December 2017 in the Legislative Chambers, 22 Market Street, 6<sup>th</sup> 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 4<sup>th</sup> day of December at 7:00 pm, in the Legislative Chambers, 22 Market Street, 6<sup>th</sup> 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, 2018, and on the Capital Improvement Program of said county for the years 2018 through 2022.

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	\$15,450
MAJORITY/MINORITY ASSISTANT LEADER, COUNTY LEGISLATURE	\$19,570
MAJORITY/MINORITY LEADER, COUNTY LEGISLATURE	\$23,691
CHAIRMAN, COUNTY LEGISLATURE	\$32,961

APPROVED

MARCUS J. MOLINARO  
COUNTY EXECUTIVE

CAROLYN MORRIS  
CLERK  
DUTCHESS COUNTY LEGISLATURE

Date 1/20/2017

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 13<sup>th</sup> day of November 2017, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13<sup>th</sup> day of November 2017.

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 3 - Town of LaGrange	Borchert *		
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano (VC)		
District 6 - Town of Poughkeepsie	Flesland (C)		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 22 - Towns of Beekman and Union Vale	Coviello		

Present: 12  
 Absent: 0  
 Vacant: 0

Resolution: \_\_\_\_\_  
 Motion: ✓

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

**2017218** Legislator Tyner motioned to amend the foregoing resolution between the two Resolves: that there be an online county budget survey on the Dutchess County government website once again as in 2012 and 2013.

Seeing no second. The amendment is defeated.

Date: November 9, 2017

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

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert *	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano (VC)		
District 6 - Town of Poughkeepsie	Flesland (C)		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 22 - Towns of Beekman and Union Vale	Coviello		

Present: 12  
 Absent: 0  
 Vacant: 0

Resolution: ✓  
 Motion:     

Total : 12      0  
           Yes            No  
 Abstentions: 0

**2017218 RECEIPT OF TENTATIVE BUDGET FOR 2018 AND SETTING PUBLIC HEARING**

Date: November 9, 2017

# Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	<input checked="" type="checkbox"/>	<input type="checkbox"/>
District 17 - Town and Village of Fishkill	Miccio	<input type="checkbox"/>	<input type="checkbox"/>
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner	<input type="checkbox"/>	<input type="checkbox"/>
District 20 - Town of Red Hook	Strawinski	<input type="checkbox"/>	<input type="checkbox"/>
District 14 - Town of Wappinger	Amparo	<input type="checkbox"/>	<input type="checkbox"/>
District 1 - Town of Poughkeepsie	Kakish	<input type="checkbox"/>	<input type="checkbox"/>
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano	<input type="checkbox"/>	<input type="checkbox"/>
District 4 - Town of Hyde Park	Black	<input type="checkbox"/>	<input type="checkbox"/>
District 5 - Town of Poughkeepsie	Roman	<input type="checkbox"/>	<input type="checkbox"/>
District 6 - Town of Poughkeepsie	Flesland	<input type="checkbox"/>	<input type="checkbox"/>
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt	<input type="checkbox"/>	<input type="checkbox"/>
District 8 - City and Town of Poughkeepsie	Brendli	<input type="checkbox"/>	<input type="checkbox"/>
District 9 - City of Poughkeepsie	Rieser	<input type="checkbox"/>	<input type="checkbox"/>
District 10 - City of Poughkeepsie	Jeter-Jackson	<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	Metzger	<input type="checkbox"/>	<input type="checkbox"/>
District 15 - Town of Wappinger	Incoronato	<input type="checkbox"/>	<input type="checkbox"/>
District 16 - Town of Fishkill and City of Beacon	Forman	<input type="checkbox"/>	<input type="checkbox"/>
District 18 - City of Beacon and Town of Fishkill	Landisi	<input type="checkbox"/>	<input type="checkbox"/>
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver	<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	Coviello	<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	Washburn	<input type="checkbox"/>	<input type="checkbox"/>

Present:	<u>25</u>	Resolution:	<input checked="" type="checkbox"/>	Total :	<u>25</u>	<u>0</u>
Absent:	<u>0</u>	Motion:	<input type="checkbox"/>		Yes	No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

2017218 RECEIPT OF TENTATIVE BUDGET FOR 2018 AND SETTING PUBLIC HEARING

Date: November 13, 2017

RESOLUTION NO. 2017219

RE: AUTHORIZING THE SALE OF PROPERTY LOCATED ON ROUTE 22 IN MILLERTON, TOWN OF NORTH EAST

Legislators FLESLAND, SAGLIANO, JETER-JACKSON, TRUITT and PULVER offer the following and move its adoption:

WHEREAS, a parcel located in the Town of North East, Tax Grid 133889-7171-00-950854-0000 (hereinafter the Property) is a subject parcel of Dutchess County's 2017 *in rem* foreclosure proceeding to enforce the payment of delinquent taxes, and

WHEREAS, pursuant to Article 11 of the Real Property Tax Law, the County of Dutchess recorded a deed to the Property and is seized of an estate in fee simple absolute, and

WHEREAS, in conformance with Resolution 244 of 1997 (Land Disposition Policy) the Town of North East notified the Commissioner of Finance and the Clerk of the Legislature of its interest in purchasing the Property by submitting a bid form, a signed Terms and Conditions of Sale, and a Resolution of the Town Board authorizing the purchase of the Property for a legitimate public purpose, all of which is attached hereto and made a part hereof, and

WHEREAS, the Town of North East has tendered the sum of \$6,582.12 which constitutes the full delinquent tax amount plus fees, and other good and valuable consideration, to the Commissioner of Finance as consideration for all of the right, title, and interest the County has acquired in and to the Property, now therefore be it

RESOLVED, that the Dutchess County Legislature hereby approves and confirms the sale of the Property, transferring ownership of the Property described herein, to the Town of North East, subject to the terms of the Purchase Bid Form, the Terms and Conditions of Sale and the Land Disposition Policy, and be it further

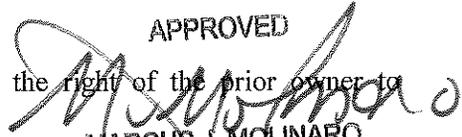
RESOLVED, that the County Executive and the Clerk of the County Legislature be and they are hereby authorized and empowered to make, execute and deliver in the name of the County of Dutchess and of the Legislature of said County a quitclaim deed conveying any and all right, title and interest which the County of Dutchess may have acquired in and to the Property by reason of the *in rem* foreclosure proceeding to the Town of North East, to be used for a legitimate public purpose, and be it further

RESOLVED, that pursuant to the Land Disposition Policy, the right of the prior owner to repurchase the Property expired at 5:00pm on October 3, 2017.

CA-131-17  
CEB/kvh/G-0145 10/06/17  
Fiscal Impact: See attached statement

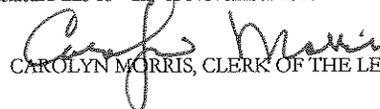
STATE OF NEW YORK  
COUNTY OF DUTCHESS

ss:

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 11/20/2017

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 13<sup>th</sup> day of November 2017, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13<sup>th</sup> day of November 2017.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

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

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

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

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

Identify Line Items(s):

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

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

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

#### Additional Comments/Explanation:

Favorable impact as the parcel located in the Town of North East, Tax Grid # 133889-7171-00-950854 will be placed back on the tax rolls.

Prepared by: Hindi Seal Prepared On: 10/24/17

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

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert *	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano (VC)		
District 6 - Town of Poughkeepsie	Flesland (C)		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 22 - Towns of Beekman and Union Vale	Coviello		

Present: 12  
 Absent: 0  
 Vacant: 0

Resolution: ✓  
 Motion:     

Total : 12      0  
           Yes            No  
 Abstentions: 0

**2017219 AUTHORIZING THE SALE OF PROPERTY LOCATED ON ROUTE 22 IN MILLERTON, TOWN OF NORTH EAST**

Date: November 9, 2017

# Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	✓	
District 17 - Town and Village of Fishkill	Miccio		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo		
District 1 - Town of Poughkeepsie	Kakish		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Flesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Coviello		
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	Washburn		

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

**2017219** AUTHORIZING THE SALE OF PROPERTY LOCATED ON ROUTE 22 IN MILLERTON, TOWN OF NORTH EAST

Date: November 13, 2017

RESOLUTION NO. 2017220

RE: MORTGAGE TAX APPORTIONMENT PERIOD APRIL 1, 2017 THROUGH SEPTEMBER 30, 2017

Legislators FLESLAND, SAGLIANO, BORCHERT, and JETER-JACKSON 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, 2017 through September 30, 2017, 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.

CA-128-17  
CEB/kvh  
G-0145  
10/12/17  
Fiscal Impact: NONE

APPROVED  
*M. J. Molinaro*  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 11/20/2017

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 13<sup>th</sup> day of November 2017, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13<sup>th</sup> day of November 2017.

*Carolyn Morris*  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

OFFICE OF  
COMMISSIONER OF FINANCE

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MORTGAGE TAX DISTRIBUTION      December 1, 2017

CITIES	AMOUNT
BEACON	\$228,302.56
POUGHKEEPSIE	194,480.44

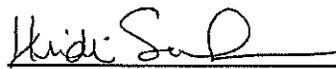
TOWNS

AMENIA	\$28,330.43
BEEKMAN	159,015.36
CLINTON	85,677.30
DOVER	69,815.03
EAST FISHKILL	468,720.48
FISHKILL	366,044.36
HYDE PARK	170,226.99
LAGRANGE	250,604.23
MILAN	47,439.08
NORTH EAST	42,615.25
PAWLING	112,449.50
PINE PLAINS	22,524.39
PLEASANT VLY	110,154.85
POUGHKEEPSIE	551,897.87
RED HOOK	110,767.13
RHINEBECK	103,037.71
STANFORD	53,072.63
UNIONVALE	74,630.08
WAPPINGER	307,217.47
WASHINGTON	69,766.24

VILLAGES

FISHKILL	25,392.37
MILLBROOK	6,848.29
MILLERTON	3,630.38
PAWLING	9,382.94
RED HOOK	10,628.67
RHINEBECK	17,691.93
TIVOLI	6,670.70
WAPPINGER FALLS	25,597.74

TOTAL	<u>\$3,732,632.40</u>
-------	-----------------------

  
COMMISSIONER OF FINANCE

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

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert *	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano (VC)		
District 6 - Town of Poughkeepsie	Flesland (C)		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 22 - Towns of Beekman and Union Vale	Coviello		

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

**2017220 MORTGAGE TAX APPORTIONMENT PERIOD APRIL 1, 2017 THROUGH SEPTEMBER 30, 2017**

Date: November 9, 2017

# Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	✓	
District 17 - Town and Village of Fishkill	Miccio		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
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District 1 - Town of Poughkeepsie	Kakish		
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District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Flesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
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District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
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District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Coviello		
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	Washburn		

Present:	<u>25</u>	Resolution:	<u>✓</u>	Total:	<u>25</u>	<u>0</u>
Absent:	<u>0</u>	Motion:	<u>    </u>		Yes	No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

**2017220 MORTGAGE TAX APPORTIONMENT PERIOD APRIL 1, 2017 THROUGH SEPTEMBER 30, 2017**

Date: November 13, 2017

RESOLUTION NO. 2017221

RE: APPROVAL OF APPLICATION TO CORRECT TAX BILL  
AND TO ORDER THE COMMISSIONER OF FINANCE TO  
ISSUE A CORRECTED TAX BILL

APPLICANT: Anthony J Leo  
100 Rochdale Rd.  
Poughkeepsie NY 12603

ACCOUNT NO.: 134689-6162-05-239816-0000

Legislators FLESLAND, SAGLIANO, TRUITT and JETER-JACKSON offer the following and move its adoption:

WHEREAS, there is an assessment on the 2016 assessment roll for the Town of Poughkeepsie under the name of Anthony J. Leo, Account No. 134689-6162-05-239816-0000, and

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

WHEREAS, pursuant to Section 554 of the Real Property Tax Law, the County Director of Real Property Tax Service has investigated this claim and it has been determined and certified by said Director that tax bill, as issued, is incorrect due to the clerical error, and

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

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

RESOLVED, that the application received September 22, 2017, relating to Account No. 134689-6162-05-239816-0000 for a corrected tax bill is hereby approved, and be it further

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

Municipality	Assessed Value	Exempt Amt.	Taxable Value	Corrected Tax
County	62,500		62,500	223.48
Town of Poughkeepsie	62,500		62,500	304.06
Consolidated Light	62,500		62,500	12.87
Fairview Fire	62,500		62,500	469.55
Poughkeepsie Library	62,500		62,500	55.97
Town wide Water Imp	1000 unit		1000 unit	33.12
Town wide Drain Imp	1000 unit		1000 unit	7.08
Returned School				1,535.60
			<b>TOTAL:</b>	<b>\$2,641.73 +penalties</b>

and be it further

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

A342 Allowance for Uncollectible Taxes	\$ 730.80
A430 Town of Poughkeepsie	685.96
A430 Consolidated Light	29.05
A430 Fairview Fire	1,059.30
A430 Poughkeepsie Library	126.28
A440 Hyde Park CSD	<u>3,237.68</u>
<b>TOTAL</b>	<b>\$5,869.07 +interest/penalties</b>

CA-132-17  
CEB/EA/MB/kvh G-0194  
10/12/17  
Fiscal Impact: None

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 11/20/2017

STATE OF NEW YORK  
ss:  
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13<sup>th</sup> day of November 2017, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13<sup>th</sup> day of November 2017.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

<u>Municipality</u>	<u>Assessed Value</u>	<u>Exempt Amt.</u>	<u>Taxable Value</u>	<u>Corrected Tax</u>
County	62,500		62,500	223.48
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Town wide Water Imp	1000 unit		1000 unit	33.12
Town wide Drain Imp	1000 unit		1000 unit	7.08
Returned School				1,535.60
			<b>TOTAL:</b>	<b>\$2,641.73 +penalties</b>

and be it further

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

A342 Allowance for Uncollectible Taxes	\$ 730.80
A430 Town of Poughkeepsie	685.96
A430 Consolidated Light	29.05
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A440 Hyde Park CSD	<u>3,237.68</u>
TOTAL	\$5,869.07 +interest/penalties

CA-132-17  
CEB/EA/MB/kvh G-0194  
10/12/17  
Fiscal Impact: None

# Dutchess County Real Property Tax Service Agency

## COE Investigating Report

Lot Description (grid #) 134689-6162-05-239816-0000

Owner's Name Anthony J Leo

Mailing Address 100 Rochdale Rd. Poughkeepsie NY 12603

Property Location 11 Spring St.

School District Hyde Park Central School Dist. Special District \_\_\_\_\_

Total Assessed Value now on roll 203,500 Corrected to 62,500

Taxable Assessed Value (Prior to Star) now on roll 203,500 Corrected to 62,500

Exempt codes and amounts if applicable

Amount Levied \$8,510.80

Should be \$2,641.73

Tax Bill Paid? \_\_\_ yes  no

Verified with assessor?  yes \_\_\_ no

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

Subdivision 2, Paragraph A (clerical error)

Subdivision 3, Paragraph \_\_\_ (error in essential fact)

Subdivision 7, Paragraph \_\_\_ (unlawful entry)

Reason:

Exemption was approved by assessor, but not entered on roll \_\_\_

Exemption amount incorrectly calculated \_\_\_

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

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

Assessment based on incorrect acreage \_\_\_

Parcel should be Wholly Exempt \_\_\_

Parcel Misclassified as homestead or non-homestead \_\_\_

Other: \_\_\_

Recommendation  APPROVE APPLICATION  DENY APPLICATION

Details: It is recommended that the application for a corrected 2016/17 County/Town Tax Bill be approved.

Investigator Margaret Burns Director

Eric A. [Signature]

Date 9/22/2017



NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE  
OFFICE OF REAL PROPERTY TAX SERVICES

APPLICATION FOR CORRECTED TAX ROLL  
FOR THE YEAR 20 16

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

ANTHONY J LEO  
1a. Name of Owner

Day 845 559 4361 Evening 845 248 6784  
2. Telephone Number

100 ROCKDALE RD  
POK NY 12603  
1b. Mailing Address

11 Spring St  
POK NY 12603  
3. Parcel Location (if different than 1b.)

NEW Single Home - 1500sq ft - 1/3 Complete 50' x 100' LOT  
4. Description of real property as shown on tax roll or tax bill (Include tax map designation) 134689 6162.05-239816

5. Account No. \_\_\_\_\_ 6. Amount of taxes currently billed \_\_\_\_\_

7. I hereby request a correction of tax levied by TOWN OF POK Land + School  
(county/city/school district; town in Westchester County; non-assessing unit village)

for the following reasons (use additional sheets if necessary): MISTAKEN ASSESSMENT

Property Value \$60K assessed at \$203K

Sep 20 2017  
Date

Anthony J Leo  
Signature of Applicant

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

Date application received: 9/22/2017 Period of warrant for collection of taxes: \_\_\_\_\_

Last day for collection of taxes without interest: \_\_\_\_\_

Recommendation:  Approve application\*  Deny Application

9/22/2017  
Date

Eric Affken  
Signature of County Director

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

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

\_\_\_\_\_APPLICATION APPROVED Amount of taxes currently billed: \$ \_\_\_\_\_

Notice of approval mailed to applicant on (enter date): \_\_\_\_\_ Corrected tax: \$ \_\_\_\_\_  
Order transmitted to collecting officer on (enter date): \_\_\_\_\_

\_\_\_\_\_APPLICATION DENIED Reason: \_\_\_\_\_

Seal of Office

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Chief Executive Officer  
or Official Designated by Resolution

**Part IV. For use by COLLECTING OFFICER:**

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

RECEIVED  
COUNTY DIRECTOR  
MAY 10 2004

Order from tax levying body received: \_\_\_\_\_

Date

Corrected tax due: \$ \_\_\_\_\_

Interest and penalties (if applicable): \$ \_\_\_\_\_

Total corrected tax due: \$ \_\_\_\_\_

Tax roll corrected: \_\_\_\_\_

Date

Tax bill corrected: \_\_\_\_\_

Date

Application and Order annexed to tax roll: \_\_\_\_\_

Date

Payment of corrected tax received: \_\_\_\_\_

Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Collecting Officer



*Town of Poughkeepsie*  
*Assessors Office*

1 Overocker Rd Poughkeepsie, NY 12603

*Kathleen D. Taber, Assessor*  
E-mail [Ktaber@townofpoughkeepsie-ny.gov](mailto:Ktaber@townofpoughkeepsie-ny.gov)

Telephone: (845) 485-3640  
Fax: (845) 486-7881

To the Director of Real Property Tax Services

I Kathleen Taber, Assessor of the Town of Poughkeepsie, Dutchess County do here by certify that the real property owned by the following owner is to be corrected due to a clerical error due to an error in Transcript.

Leo, Anthony J Location of 11 Spring Street Grid 6162-05-239816-0000 should have an assessment of \$62,500 not \$203,500.

Attached please find Stop Orders and Inspection report. I have also included the Assessment summary for the 2016 roll where assessment note states partial construction. This is a small 600 sq. ft. house. As of March 1<sup>st</sup> 2016 the foundation was in.

Therefore I hereby do support a recommendation of the Director of Real Property tax Service that new bills be issued for the above said properties.

September 21, 2017

Kathleen D. Taber  
Town of Poughkeepsie

RECEIVED  
REAL PROPERTY TAX SERVICES  
SEP 25 11 10 50

General Information		Parcel Land Size		File Maintenance/Sales Info	
Curr Owner: Leo, Anthony J	Acct #: 14239816	Front: 0.00 Acres:	0.12	Created: 01/02/2002	Book: 1985
Location: 11 Spring St POUGHKEEPSIE, NY 12601-0000	School Cd: 133201 Hyde Park CSD	Depth: 0.00 Sq Ft:	0	Modified: 03/07/2017 09:57 AM	
	Roll Sect: 1 Taxable RS/S:	Grid Coordinates		By: kmoro46	Page: 0422
	Prop Class: 210 1 Family Res	East: 612390 North:	628160	Folder: u_assmt_ar	

Property Description					
Owner Cd:	Alioc Factor: 0.0000	Tax Code: H Homestead	Desc 1: .12 Ac (C)		
Cons School:	Land Com Yr/Cd:	Mtg No:	Desc 2: 1760 0418 1698 0323		
Ag District: 0	Ag District Cd:	Bank Cd:	Desc 3:		
Easmnt Cd:	SSI: 0	Arrears: 1	Desc Print Cd: D		

Assessment Data					
Curr Land AV: 9,100	Orig Value Type:	Prior Land AV: 14,000	Taxable Values		AR Information
Curr Total AV: 203,500	Rev Value Type:	Prior Total AV: 57,500	County: 203,500	Equal Inc: 146,000	
Reval Land:	Residential Pct:	Relevies	Muni: 203,500	Equal Dec:	
Reval Total: 203,500	Uniform Pct: 100.00	School: 0.00	School: 203,500	Phys Inc:	
Disclos Total:	Full Mkt Value: 203,500	Village: 0.00	Village:	Phys Dec:	
			Star Sch: 203,500	Split Merge:	

Current Owners										
Street No./Prefix Dir/Street Name/Suffix/Post Dir		Attention To/In Care Of			Additional Address					
Leo, Anthony J.		Unit Name	Unit No.	P.O. Box	City	St	Zip Code	Country	Bar Cd	Owner Type
100 Rochdale Rd					Poughkeepsie	NY	12603-0000			Primary

Special Districts							
Code	Name	Primary Units	Secondary Units	Pct	Type	Value	Move Tax / Credit
999Y2	Townwide Drain Imp	1,000.00	0.00	0.00		0	0.00
CL057	Consolidated Light	0.00	0.00	0.00		0	0.00
FF025	Fairview Fire Pok	0.00	0.00	0.00		0	0.00
GL000	Pok Lib District	0.00	0.00	0.00		0	0.00
TW0K3	Town Wide Wat Imp	1,000.00	0.00	0.00		0	0.00
WS0P4	4th Ward Swr Imp Cap	1,000.00	0.00	0.00		0	0.00
ZH001	Ret 2016 School Tax	0.00	0.00	0.00	T Precalc tax	0	4,999.92

Building Permits					
Permit No.	Permit date	Permit Use	Pct Complete	Activity Code	
20112043	07/09/2014	Single family home	15	A Active	
20140946	06/12/2014	Demo 12'X12' shed	100	A Active	
30903	11/18/2003	12*12 shed	100	A Active	

Notes

Assessment new construction-partial assessment

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# REINSTATE EXPIRED APPLICATION

Town of Poughkeepsie  
One Overocker Road  
Poughkeepsie, NY 12603  
(845) 485-3655

Application: 20112043  
Permit Issued: 07/08/2016  
Permit Expires: 7/8/2018  
Application Date: 12/01/2011

Section-Lot: 6162-05-239816  
Zoned: R20

Project Location: 11 SPRING ST  
Approximate Cost: 0

**A permit is hereby given by the Building Department, Town of Poughkeepsie,  
County of Dutchess, New York, for the structure described herein:**

Owner:  
LEO ANTHONY J  
100 ROCHDALE RD  
POUGHKEEPSIE, NY 12603-

Contractor:  
LEO ANTHONY J  
100 ROCHDALE RD  
POUGHKEEPSIE, NY 12603-

Architect:  
DAVID FREEMAN  
26 SHELDON DRIVE  
POUGHKEEPSIE, NY 12603  
845-452-8344

No. of Rooms: 0  
No. of Stories: 1.00  
No. of Families: 0  
Water: TWTR

No. of Bedrooms: 2  
No. of Bathrooms: 1.00  
Sprinkler System: 0  
Sewer: COMM/PUBLI

Fire Alarm: N  
Total Sq. Ft.: 1,200  
Construction Type:

Exp. Date: 12/01/2013  
Use: 210 -

Permit Comments:

Project Description: SINGLE FAMILY RESIDENTIAL HOME

Additional Permits Required:

- PLUMBING WATER SERVICE Issued:

Quantity	Rate	Amount
		35.00
		40.00
		250.00
		338.00
		1,000.00
		-663.00
		<u>1,000.00</u>
		580.00
		<u>580.00</u>
		250.00
		<u>250.00</u>
		150.00
		<u>150.00</u>
		200.00
		<u>200.00</u>
		250.00
		<u>250.00</u>

BASE FEE AMOUNT

20142402 - RES 1 & 2 FAMILY PERM Issued: 07/09/2014

20162370 - STOP WORK ORDER #3 Issued: 06/23/2016

20162598 - STOP WORK ORDER #1 Issued: 07/08/2016

20162599 - STOP WORK ORDER #2 Issued: 07/08/2016

20162600 - REINSTATE EXPIRED APPLICATION Issued: 07/08/2016

RECEIVED  
TOWN OF POUGHKEEPSIE  
BUILDING DEPARTMENT  
NOV 22 2016



# Record of Inspections

Application: 20112043

Date Filed: 12/01/2011

Town of Poughkeepsie  
One Overocker Road  
Poughkeepsie, NY 12603  
(845) 485-3655

Desc.	Issued	Expires
PLMB PERMI	07/12/2016	07/12/2018
REINSTATE	07/08/2016	07/08/2018
RES 1 & 2	07/09/2014	07/08/2016
STOP WRK 1	07/08/2016	
STOP WRK 2	07/08/2016	
STOP WRK 3	06/23/2016	

Sec-Blk-Lot: 6162-05-239816

Zoned: R20

Project Location: 11 SPRING ST

Approximate Cost: 0

Owner:  
LEO ANTHONY J  
100 ROCHDALE RD  
POUGHKEEPSIE, NY 12603-

Contractor:  
LEO ANTHONY J  
100 ROCHDALE RD  
POUGHKEEPSIE, NY 12603-

Architect:  
DAVID FREEMAN  
26 SHELDON DRIVE  
POUGHKEEPSIE, NY 12603  
845-452-8344

Contractor:  
SHARP, STEPHEN  
LAMBERT PLUMBING & HEATING  
P.O. BOX 544  
HYDE PARK, NY 12538  
845-485-8012

No. of Rooms: 0  
No. of Stories: 1.00  
No. of Families: 0  
Water:

No. of Bedrooms: 2  
No. of Bathrooms: 1.00  
Sprinkler System: 0  
Sewer:

Fire Alarm: N  
Total Sq. Ft.: 1,200

Exp. Date: 12/01/2013  
Code: 210 -

Project Description: SINGLE FAMILY RESIDENTIAL HOME

### Building Inspections

Type	Date	Result	Inspector	Comments
ALARM INSPECTION			LSPL	
COMM REINSPECTION				
DAMP PROOFING INSPECTION				
ELECTRICAL FINAL				
ELECTRICAL ROUGH				
FINAL BUILDING INSPECTION				
FOOTING INSPECTION	07/29/2014	PASS	TWIA	1) FOOTINGS ALL OK WITH STEEL OK TO SET CONCRETE
FOUNDATION INSPECTION	08/28/2014	INC	BFLO	1) FOUNDATION WALL BUILT WITH 8" BLOCK. VERTICLE BARS NOT INSTALLED. WALL WAS TO BE POURED ONCRETE AS PER ARCHITECTS PLAN 2) NEED ARCHITECT TO APPROVE CHANGE
FRAMING INSPECTION				

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2012 SEP 22 10:56  
REAL PROPERTY  
TAX SERVICES



# Record of Inspections

Application: 20112043

Date Filed: 12/01/2011

Town of Poughkeepsie  
One Overocker Road  
Poughkeepsie, NY 12603  
(845) 485-3655

Desc.	Issued	Expires
PLMB PERMI	07/12/2016	07/12/2018
REINSTATE	07/08/2016	07/08/2018
RES 1 & 2	07/09/2014	07/08/2016
STOP WRK 1	07/08/2016	
STOP WRK 2	07/08/2016	
STOP WRK 3	06/23/2016	

FIRE SUPPRESSION SYSTEM

LSPL

FOOTING DRAINS INSPECTION 08/28/2014 INC BFLO

- 1) FOOTING DRAINS INSTALLED AN RUN OUT TO DAYLIGHT
- 2) NEED ARCHITECTSAPPROVAL PRIOR TO CONTINING WORK

HEATING INSPECTION

INSULATION INSPECTION

MISC INSPECTION 09/10/2015 PASS BFLO

Stop work order lifted 9/10/15. Revised plans have been approved andOwnr must comply with Approved plan and ZBA decision.

PLUMBING FINAL

SLAN

PLUMBING ROUGH INSPECTIOI

SLAN

SET INSPECTION

SLAB INSPECTION 10/21/2014 PASS TWIA

) SLAB WITH POLY & WIRE & 2" STYROFAOM ALL OK TO SET SLAB

SPRINKLER INSPECTION

LSPL

FIRE STOPPING INSPECTION

SITE INSPECTION 09/04/2014 CTXT BFLO

- 1) SPOKE ABOUT FOUNDATION CORRECTIONS
- 2) ARCHITECT WILL SUBMIT CORRECTIONS FOR FILE/INSPECTION. WORK TO CONTINUE ONCE NEW PLAN IS RECEIVED
- 3) CHECKED ON COMPLAINT FROM NEIGHBOR GRADING OF PROPERTY WILL MATCH EXISTING GRADES AT PROPERTY LINE

FOUNDATION INSPECTION 09/26/2014 CTXT BFLO

- 1) NO PLANS/CORRECTIONS FROM ARCHITECT ON SITE OR DELIVERED TO OFFICE.
- 2) MUST SUBMIT PRIOR TO RESCHEDULING

FOOTING INSPECTION 10/21/2014 PASS TWIA

- 1) NEW FOOTING IN REAR OK TO POUR WITH SLAB.
- 2) 2 BIF FOOT BASES WITH12" SONOTUBES AND REBAR FOR FRONT DECK OK TO SET CONCRETE

FOUNDATION INSPECTION 10/21/2014 PASS TWIA

- 1) FOUNDATION REBAR ANGLED SUPPORTS IN BLOCK TO FOOTING AND SLAB ALL OK PER NEW PLAN

VIOLATION 01/08/2015 EXEM BFLO

Stop work order issued on 1/8/15. Owner has changed plan and added deck on one end. Concerns were raised regarding the placement of foundation. Letter sent to owner and in file.

FOOTING INSPECTION 09/24/2015 PASS BFLO

- ) FOOTINGS FOR EXTENTION OF HOME COMPLETED AS REQUIRED
- 2) CORRECTIONS MADE TO STEEL
- 3) OK TO SET CONCRETE

MASONARY WALLS 10/02/2015 PASS BFLO

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# Record of Inspections

Application: 20112043

Date Filed: 12/01/2011

Town of Poughkeepsie  
One Overocker Road  
Poughkeepsie, NY 12603  
(845) 485-3655

Desc.	Issued	Expires
PLMB PERMI	07/12/2016	07/12/2018
REINSTATE	07/08/2016	07/08/2018
RES 1 & 2	07/09/2014	07/08/2016
STOP WRK 1	07/08/2016	
STOP WRK 2	07/08/2016	
STOP WRK 3	06/23/2016	

1) DOWELS FOR MASONRY WALL IN PLACE AS REQUIRED. OK TO BUILD FOUNDATION WALL

FOUNDATION INSPECTION 10/15/2015 PASS BFLO

- 1) FOUNDATION WALL FOR ADDITION TO ORIGINAL COMPLETED
- 2) STEEL IN PLACE AS REQUIRED IN CELLS @ 4' O.C.
- 3) OK TO GROUT
- 4) FOOTING DRAIN ALSO INSTALLED AND WALLS ARE DAMPROOFED

FOUNDATION INSPECTION 10/20/2015 PASS BFLO

- 1) ANCHOR BOLTS INSTALLED IN FOUNDATION WALL & CELLS WITH REBAR GROUTED
- 2) OK TO CONTINUE
- 3) ALSO DISCUSSED THE FOLLOWING
  - 1) MUST REMOVE DIRT/ROCK COVERING WATER SHUT OFF VALVE TO ADJACENT HOUSE TO WEST. VALVE IS NEAR TELEPHONE POLE
  - 2) MUST DIG IN BOTTOM OF SILT FENCE AND MAINTAIN FENCE TO PREVENT SILT RUN OFF
  - 3) AS SOON AS POSSIBLE GRADE EAST SIDE OF HOME AND STABILIZE GROUND WITH SEED & MULCH
  - 4) NO MORE DUMPING OVER BANK ONTO TOWN RITE OF WAY

PLUMBING ROUGH UNDER 09/29/2016 PASS SLAN

MISC INSPECTION 10/04/2016 PASS BFLO

- 1) ICE & WATER SHIELD APPLIED TO ROOF DECK AS REQUIRED
- 2) OK TO COVER

SLAB INSPECTION 02/28/2017 PASS BFLO

- SLAB IN ADDITION SIDE OF BASEMENT PREPARED FOR CONCRETE
- 1) INSULATION & POLY/WIRE MESH IN PLACE
- 3) OK TO SET CONCRETE

REAL PROPERTY  
 TAX SERVICES  
 9000 STATE ST  
 SUITE 200  
 ALBANY, NY 12207

# 2017 Town Detail Report

**S/VIS S/B/L** 134689 6162-05-239816-0000  
**OWNER** LEO ANTHONY J  
**ADDRESS** 11 SPRING ST

**MAILING ADDRESS** 100 ROCHDALE RD  
 POUGHKEEPSIE, NY 12603

**MUNICIPALITY** POUGHKEEPSIE  
**SCHOOL DISTRICT** HYDE PARK CENTRAL

**PARCEL TYPE** 210, 1 Family Res  
**ROLL SECTION** 1  
**PARCEL DIMENSIONS** Acreage = 0.12

**BANK CODE**  
**ACCOUNT NUMBER** 14239816  
**LAND VALUE** 9,100  
**TOTAL VALUE** 203,500  
**PAID DATES** 1st 2nd 3rd

**TAX INFORMATION**  
**BILL #: 006607**  
**PROPERTY TAXES - \*\*HOMESTEAD PARCEL\*\***

**DETAILS**

Tax Item	Total Tax Levy	Prior Year(+/-)	Taxable Assessed Value/Units	Rates per \$1000 or Unit	Tax Amount
Town Outside Tax	\$22,724,331	0.4%	203,500.00 <i>62,500</i>	4.864972	\$990.02
County Tax	\$106,383,900	0.3%	203,500.00 <i>62,500</i>	3.575632	\$727.64
Consolidated Light			<i>62,500</i>	0.205989	\$41.92
Fairview Fire Pok			<i>62,500</i>	7.512784	\$1,528.85
Pok Lib District			<i>62,500</i>	0.895572	\$182.25
Ret 2016 School Tax				1	\$4,999.92
Town Wide Wat Imp				0.033115	\$33.12
Townwide Drain Imp				0.007078	\$7.08
<b>Total:</b>					<b>\$8,510.80</b>

\*\* Note: Amount displayed is from your ORIGINAL TAX BILL and does not include penalties and additional charges.

To print this page, click the printer icon on your browser.

## 2016 School Detail Report

SWIS S/B/L 134689 6162-05-239816-0000  
 OWNER LEO ANTHONY J  
 ADDRESS 11 SPRING ST

MAILING ADDRESS 100 ROCHDALE RD  
 POUGHKEEPSIE, NY 12603

MUNICIPALITY POUGHKEEPSIE  
 SCHOOL DISTRICT HYDE PARK CENTRAL

PARCEL TYPE 210, 1 Family Res  
 ROLL SECTION 1  
 PARCEL DIMENSIONS Acreage = 0.12

BANK CODE  
 ACCOUNT NUMBER 14239816  
 LAND VALUE 9,100  
 TOTAL VALUE 203,500  
 PAID DATE

### TAX INFORMATION

BILL #: 000930

PROPERTY TAXES - **\*\*HOMESTEAD PARCEL\*\***

### DETAILS

Tax Item	Total Tax Levy	Prior Year (+/-)	Taxable Assessed Value/Units	Rates per \$1000 or Unit	Tax Amount
School Taxes	\$57,945,848	0.2%	203,500.00	22.962259	\$4,672.82
<b>Total:</b>					<b>\$4,672.82</b>

*62,500*

*1435.14*

**\*\* Note:** Amount displayed is from your ORIGINAL TAX BILL and does not include penalties and additional charges.

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

<i>District</i>	<i>Name</i>	<i>Yes</i>	<i>No</i>
District 3 - Town of LaGrange	Borchert *	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*		
District 14 - Town of Wappinger	Amparo*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano (VC)		
District 6 - Town of Poughkeepsie	Flesland (C)		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 22 - Towns of Beekman and Union Vale	Coviello		

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>	

**2017221 APPROVAL OF APPLICATION TO CORRECT TAX BILL AND TO ORDER THE COMMISSIONER OF FINANCE TO ISSUE A CORRECTED TAX BILL – TOWN OF POUGHKEEPSIE**

Date: November 9, 2017

# Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	✓	
District 17 - Town and Village of Fishkill	Miccio		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo		
District 1 - Town of Poughkeepsie	Kakish		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Flesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Coviello		
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	Washburn		

Present:	<u>25</u>	Resolution:	<u>✓</u>	Total :	<u>25</u>	<u>0</u>
Absent:	<u>0</u>	Motion:	<u>    </u>		Yes	No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

**2017221 APPROVAL OF APPLICATION TO CORRECT TAX BILL AND TO ORDER THE COMMISSIONER OF FINANCE TO ISSUE A CORRECTED TAX BILL – TOWN OF POUGHKEEPSIE**

Date: November 13, 2017



PROCLAMATION: EPILEPSY AWARENESS MONTH

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

WHEREAS, epilepsy is a neurological disease, sometimes referred to as a seizure disorder and is characterized by reoccurring seizures, and

WHEREAS, epilepsy is one of the most common neurological conditions, estimated to affect over 3 million people in the United States and each year another one hundred fifty thousand Americans are diagnosed with epilepsy, and

WHEREAS, epilepsy has many possible causes, including illness, brain injury, and abnormal brain development, while in many cases the cause is unknown, and

WHEREAS, despite all available treatments four out of ten people with epilepsy have uncontrollable seizures while many more experience less than optimal seizure control, and

WHEREAS, as many as fifty thousand Americans die each year from seizures and related causes, including "Sudden Unexpected Death in Epilepsy", and

WHEREAS, those affected by epilepsy experience the disease in a variety of different ways, dependent upon the severity of the person's condition and the impact it has on one's life, and

WHEREAS, it is critical that those affected by epilepsy have access to quality affordable care, and that research continues to be strongly supported, and

WHEREAS, the Epilepsy Foundation offers programs and services to lead the fight to overcome the challenges of living with epilepsy and to accelerate therapies to stop seizures, find cures, and save lives, and

WHEREAS, the Epilepsy Foundation provides advocacy, counseling, support groups, and service coordination as well as education and first aid training at schools, businesses, and to first responders. The Epilepsy Foundation works to ensure that people with epilepsy have the opportunity to live their lives to their fullest potential, and

WHEREAS, the prevention and control of epilepsy can be achieved through continuing community education and awareness programs, and

WHEREAS, "Epilepsy Awareness Month" each November challenges the general public to better understand this disease, how to recognize seizures and provide proper first aid techniques. It is also an opportunity to encourage governments at all levels to fully support epilepsy research programs that are seeking new treatments and a cure, now, therefore, be it

RESOLVED, that the Dutchess County Legislature proclaims November to be "Epilepsy Awareness Month" in Dutchess County, and encourages all Dutchess County residents to support an Epilepsy campaign, and wear purple in support of Epilepsy Awareness Month.

Resolution No. 2017222

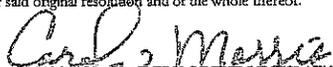
STATE OF NEW YORK

55

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 13<sup>th</sup> day of November 2017, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13<sup>th</sup> day of November 2017.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

L Aid ON DESKS 11-13-17  
Amended in Government Services & Administration 12-4-17

RESOLUTION NO. 2017223

RE: LOCAL LAW NO. \_\_\_\_\_ OF 2017, A LOCAL LAW PROHIBITING THE SALE OF CIGARETTES, TOBACCO PRODUCTS, LIQUID NICOTINE OR ELECTRONIC CIGARETTES TO PERSONS UNDER 21 YEARS OF AGE

Legislators INCORONATO, BORCHERT, LANDISI, PULVER, RIESER, and SURMAN offer the following and move its adoption:

RESOLVED, that this Legislature of the County of Dutchess adopt Local Law No. \_\_\_\_\_ of 2017, which has been submitted this day for consideration by said Legislature.

NO FURTHER ACTION TAKEN IN 2017

STATE OF NEW YORK

\_\_\_\_\_  
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 18<sup>th</sup> day of December 2017, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 18<sup>th</sup> day of December 2017.

\_\_\_\_\_  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LOCAL LAW NO. \_\_\_\_2017

RE: A LOCAL LAW PROHIBITING THE SALE OF CIGARETTES, TOBACCO PRODUCTS, LIQUID NICOTINE OR ELECTRONIC CIGARETTES TO PERSONS UNDER 21 YEARS OF AGE

BE IT ENACTED by the County Legislature of the County of Dutchess as follows:

Section 1 – Legislative Findings and Intent.

The Dutchess County Legislature hereby finds as follows:

A. The prevention of adolescent tobacco product use is detailed in Article 13-F of the Public Health Law of the State of New York, known as the Adolescent Tobacco-Use Prevention Act (ATUPA), which expressly prohibits the sale of tobacco products or herbal cigarettes, rolling papers or pipes to minors.

B. The Commissioner of Behavioral and Community Health of Dutchess County has the duty to enforce the provisions of ATUPA and the Dutchess County Board of Health encourages the Commissioner to utilize his/her time to reduce the prevalence of tobacco use and addiction as well as tobacco smoke exposure in Dutchess County.

C. Warnings by the U.S. Surgeon General, the American Heart Association, the American Lung Association, the American Cancer Society, and other medical authorities echo the adverse health effects of tobacco products.

D. Smoking has been proven to be a leading risk factor for heart disease, stroke, lung cancer and a host of other tobacco-related maladies.

E. The irreparable physical harm such products inflict on the human body is undeniable, resulting in thousands of related deaths and costly medical treatment throughout New York and across the nation.

F. Unfortunately, because of second-hand smoke, many persons — especially young children — are unknowingly or unwillingly exposed to the same deadly risk factors as smokers.

G. The U.S. Food and Drug Administration reports that electronic cigarettes, which may contain nicotine, could increase nicotine addiction and tobacco use in young people.

H. The long-term effects of electronic cigarettes and their contents are presently unknown and may pose significant health risks to consumers.

I. The New York State Legislature has found that “there is a substantial body of scientific research showing that breathing secondhand smoke is a significant health hazard for non-smokers,” and the Dutchess County Legislature seeks to protect the health of all of the residents of Dutchess County, including those under 21 years of age.

J. A survey done by the Dutchess County Department of Behavioral and Community Health revealed that over 55% of local high school students have used tobacco products, of which 57% first tried tobacco products before the age of 14 and over 92% first tried tobacco products before the age of 16.

K. The Dutchess County Board of Health has passed a Resolution urging Dutchess County to take action to prohibit the sale of tobacco and tobacco products to individuals under 21 years of age.

L. By enacting this Local Law, Dutchess County can further the goals of New York State’s tobacco use prevention control program, as identified in New York State Public Health Law § 1399-ii.

## Section 2 – Definitions.

A. “Tobacco products” means cigarettes, cigars, chewing tobacco, powdered tobacco, shisha, bidis, gutka, other tobacco products, nicotine water, herbal cigarettes, electronic cigarettes, liquid nicotine and all other products which are prohibited from being sold to minors by New York State Public Health Law Article 13-F, as the same may be amended from time to time.

B. “Herbal cigarette” means any product made primarily of an herb or combination of herbs, and intended to be smoked in any of the methods that tobacco is smoked, including but not limited to, as a cigarette, cigar or pipe filler.

C. "Bidis" means a product containing tobacco that is wrapped in Temburni leaf (diospyros melanoxylon) or tendra leaf (diospyros exculpra), or any other product offered to consumers as "beedies" or "bidis".

D. "Gutka" means a product containing lime paste, spices, areca and tobacco.

E. "Nicotine water" means bottled water that is laced with nicotine.

F. "Shisha" means any product made primarily of tobacco or other leaf, or any combination thereof, smoked or intended to be smoked in a hookah or water pipe.

G. "Electronic cigarettes" or "e-cigarettes" means an electronic device that delivers vapor which is inhaled by an individual user, and shall include any refill, cartridge and any other component of such a device.

H. "Paraphernalia" shall include: snuff, rolling papers and smoking paraphernalia, as those terms are defined in New York State Public Health Law Article 13-F and, when not so defined, as commonly understood to be defined.

I. "Person" means a person, firm, company, corporation, partnership, sole proprietor, limited partnership or association.

### Section 3 – Tobacco-Prohibited Sale.

Any person operating a place of business in the County of Dutchess wherein cigarettes, tobacco products, herbal cigarettes, liquid nicotine, shisha or electronic cigarettes are sold or offered for sale is prohibited from selling such cigarettes, herbal cigarettes, tobacco products, liquid nicotine, shisha or electronic cigarettes to persons under twenty-one (21) years of age, **except for all persons who are 18 years of age and are serving in the United States Military, including National Guard and Reserves.**

### Section 4 – Non-Tobacco Products-Prohibited Sale.

Any person operating a place of business wherein non-tobacco shisha, pipes, rolling papers or smoking paraphernalia are sold or offered for sale is prohibited from selling such non-tobacco shisha, pipes, rolling papers or smoking paraphernalia to individuals under

twenty-one (21) years of age, **except for all persons who are 18 years of age and are serving in the United States Military, including National Guard and Reserves.**

Section 5 – Businesses Selling Tobacco Products and Paraphernalia.

Any person operating a place of business wherein cigarettes, tobacco products, liquid nicotine, shisha or electronic cigarettes are sold or offered for sale shall post in a conspicuous place a sign, in accordance with the rules of the Dutchess County Department of Behavioral and Community Health, advising persons about the minimum age requirements for the sale of such items.

Section 6 – Identification Requirements.

The identification requirements contained in New York State Public Health Law Article 13-F Section 1399-cc(3), as the same may be amended from time to time, are hereby incorporated into this Local Law by reference, except that the age to be proven by such identification shall be 21.

Section 7- Enforcement.

This article shall be enforced by the Department of Behavioral and Community Health.

Section 8 – Penalties.

Any person found to be in violation of any provision of this Local Law shall be subject to the imposition of a civil penalty by the Commissioner of the Department of Behavioral and Community Health of a minimum of three hundred dollars (\$300.00), but not to exceed one thousand dollars (\$1,000.00) for a first violation, and a minimum of five hundred dollars (\$500.00), but not to exceed one thousand five hundred dollars (\$1,500.00) for each subsequent violation.

Section 9– Reverse Preemption.

This law shall be null and void on the day that Statewide or Federal legislation goes into effect, incorporating either the same or substantially similar provisions as contained in this law, or in the event that a pertinent State or Federal Administrative Agency issues and promulgates regulations preempting such action by the County of Dutchess. The County legislature may

determine via mere resolution whether or not identical or substantially similar Statewide legislation has been enacted for the purpose of triggering the provisions in this section.

Section 10 – Severability.

If any clause, sentence, paragraph, section, subdivision or other part of this Local Law or its applications shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or otherwise invalidate the remainder of this Local Law which shall remain in full force and effect except as limited by such order or judgment.

Section 11 – Effective Date.

This Local Law shall take effect on March 1, 2018 and shall apply to all transactions occurring on or after the effective date of this local law. Enforcement shall not commence until January 1, 2019.

The foregoing Resolution No. 2017223, A Local Law Prohibiting the Sale of Cigarettes, Tobacco Products, Liquid Nicotine or Electronic Cigarettes to persons Under 21 Years of Age, was laid on desks on November 13, 2017, and amended in Government Services and Administration Committee on December 4, 2017.

No further action was taken on this resolution in 2017.

# Government Services and Administration Roll Call

District	Name	Yes	No
District 3 - Town of LaGrange	Borchert*	✓	
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*	<i>absent</i>	
District 14 - Town of Wappinger	Amparo*	<i>absent</i>	
District 1 - Town of Poughkeepsie	Kakish	<i>absent</i>	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano (C)		
District 4 - Town of Hyde Park	Black		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman (VC)		

Present: <u>9</u>	Resolution: <u>    </u>	Total: <u>9</u>	<u>0</u>
Absent: <u>3</u>	Motion: <u>✓</u>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

Jm/DB  
Section 3/4

except for all persons  
who are 18 years of age and  
are serving in U.S. Military,  
National Guard & Reserve

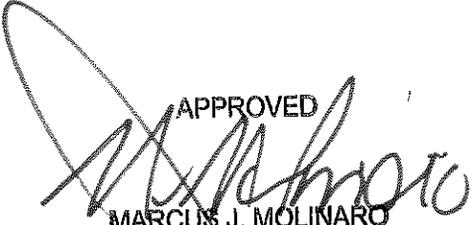
RESOLUTION NO. 2017224

RE: LOCAL LAW NO. 1 OF 2018,  
A LOCAL LAW AMENDING LOCAL LAW NO. 3 OF 2007  
A LOCAL LAW TO PROVIDE FOR A PARTIAL REAL  
PROPERTY TAX EXEMPTION FOR COLD WAR VETERANS

Legislators BORCHERT, PULVER, SAGLIANO, TRUITT, BLACK, and COVIELLO  
offer the following and move its adoption:

1 RESOLVED, that the Legislature of the County of Dutchess adopt Local Law No.  
of 201~~8~~<sup>8</sup> which has been submitted this day for consideration by said Legislature.

CA-142-17  
CEB/kvh/G-1440  
11/02/17

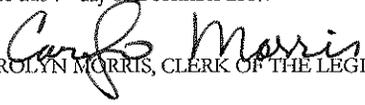
APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 12/21/2017

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 7<sup>th</sup> day of December 2017, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7<sup>th</sup> day of December 2017.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LOCAL LAW NO. 1 of 2018

RE: LOCAL LAW NO. 1 OF 2018, A LOCAL LAW AMENDING LOCAL LAW NO. 3 OF 2007 A LOCAL LAW TO PROVIDE FOR A PARTIAL REAL PROPERTY TAX EXEMPTION FOR COLD WAR VETERANS

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

SECTION 1. LEGISLATIVE AUTHORIZATION.

This Local Law is authorized by the Real Property Tax Law Section 458-b.

SECTION 2. PARTIAL EXEMPTION FOR COLD WAR VETERANS.

Section 2, Subsection 2, paragraph (iii) of Local Law No. 3 of 2007 is amended to read as follows:

(iii) Notwithstanding the ten year limitation imposed by Real Property Tax Law 458-b, pursuant to Subsection 2(c)(iii) of 458-b of the New York State Real Property Tax Law, the exemption provided by Local Law No. 3 of 2007, as amended by Local Law No. 3 of 2008, shall be granted to qualifying owners of qualifying real property for as long as they remain qualifying owners, without regard to such ten year limitation.

SECTION 3. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the Secretary of State and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after such date.

## FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

### APPROPRIATION RESOLUTIONS

*(To be completed by requesting department)*

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

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

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

Identify Line Items(s):

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

Nature/Reason:

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

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

#### Additional Comments/Explanation:

Exemptions do not diminish the tax levy in any way, nor is there a direct cost to the county. Currently there are a total of 820 Cold War veterans receiving a total exemption value of \$11,161,291. Without this change the majority of these veterans would lose their exemption for January 2019 taxes. The others would lose their exemptions as their individual 10-year exemption expired. In terms of the January 2017 tax levy, these exemptions represented approximately \$39,600 in county property taxes. The impact on the rate was approximately 0.001 / 1,000. I would not anticipate a significant change in the number of Cold War veterans as time goes on.

Prepared by: Eric Axelsen, Director RPTS

Prepared On: 11/13/2017

The foregoing Resolution No. 2017224, Local Law No. 1 of 2018, A Local Law Amending Local Law No. 3 of 2007, A Local Law to Provide for a Partial Real Property Tax Exemption for Cold War Veterans, was laid on desks on November 13, 2017, and considered on December 7, 2017.

Roll call vote at that time resulted as follows:

AYES: 25 Borchert, Bolner, Amparo, Black, Brendli, Coviello, Flesland, Forman, Horton, Incoronato, Jeter-Jackson, Kakish, Landisi, Metzger, Miccio, Pulver, Rieser, Roman, Sagliano, Strawinski, Surman, Thomes, Truitt, Tyner, Washburn

NAYS: 0

ABSENT: 0

Resolution adopted.

The County Executive held a public hearing on the foregoing Local Law on December 21, 2017 and signed it into Law on the same day. The effective date of the Local Law was January 9, 2018.

## Government Services and Administration Roll Call

District	Name	Yes	No
District 3 - Town of LaGrange	Borchert*		
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*	<i>absent</i>	
District 14 - Town of Wappinger	Amparo*	<i>absent</i>	
District 1 - Town of Poughkeepsie	Kakish	<i>absent</i>	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano (C)		
District 4 - Town of Hyde Park	Black		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman (VC)		

Present: <u>9</u>	Resolution: <input checked="" type="checkbox"/>	Total: <u>9</u>	
Absent: <u>3</u>	Motion: <input type="checkbox"/>	Yes	No
Vacant: <u>0</u>		Abstentions: <u>0</u>	

**2017224 A LOCAL LAW AMENDING LOCAL LAW NO. 3 OF 2007  
A LOCAL LAW TO PROVIDE FOR A PARTIAL REAL PROPERTY TAX EXEMPTION  
FOR COLD WAR VETERANS**

Date: December 4, 2017

# Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	✓	
District 17 - Town and Village of Fishkill	Miccio		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo		
District 1 - Town of Poughkeepsie	Kakish		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
District 4 - Town of Hyde Park	Black		
District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Flesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Coviello		
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	Washburn		

Present:	<u>25</u>	Resolution:	<u>✓</u>	Total :	<u>25</u>	<u>0</u>
Absent:	<u>0</u>	Motion:	<u>    </u>		Yes	No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

**2017224 A LOCAL LAW AMENDING LOCAL LAW NO. 3 OF 2007  
A LOCAL LAW TO PROVIDE FOR A PARTIAL REAL PROPERTY TAX EXEMPTION  
FOR COLD WAR VETERANS**

Date: December 7, 2017

RESOLUTION NO. 2017225

RE: LOCAL LAW NO. 2 OF 2018, A LOCAL LAW REPEALING LOCAL LAW 8 OF 2003, REPEALING THE WIRELESS COMMUNICATIONS SURCHARGE AUTHORIZED BY ARTICLE SIX OF THE COUNTY LAW OF THE STATE OF NEW YORK, AND IMPOSING THE WIRELESS COMMUNICATIONS SURCHARGES PURSUANT TO AUTHORITY OF TAX LAW SECTION 186-g

Legislators BORCHERT, PULVER, SAGLIANO, TRUITT, and BLACK offer the following and move its adoption:

RESOLVED, that the Legislature of the County of Dutchess adopt Local Law No. 2 of 2018 which has been submitted this day for consideration by said Legislature.

CA-152-17  
TJL/kvh/G-1353-A  
11/09/17

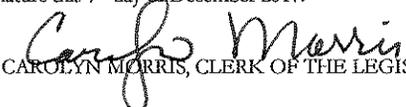
Fiscal Impact: None

APPROVED  
  
MARCUS J. MOLINARO  
COUNTY EXECUTIVE  
Date 12/21/2017

STATE OF NEW YORK  
ss:  
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7<sup>th</sup> day of December 2017, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7<sup>th</sup> day of December 2017.

  
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LOCAL LAW NO. 2 of 2018

RE: LOCAL LAW NO. 2 OF 2018, A LOCAL LAW REPEALING LOCAL LAW 8 OF 2003, REPEALING THE WIRELESS COMMUNICATIONS SURCHARGE AUTHORIZED BY ARTICLE SIX OF THE COUNTY LAW OF THE STATE OF NEW YORK, AND IMPOSING THE WIRELESS COMMUNICATIONS SURCHARGES PURSUANT TO AUTHORITY OF TAX LAW SECTION 186-g

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

SECTION 1. Local Law No. 8 of 2003 entitled "A Local Law for the Establishment of an E 9-1-1 Wireless Surcharge", is hereby REPEALED.

SECTION 2. IMPOSITION OF WIRELESS COMMUNICATIONS SURCHARGES.

(a) Pursuant to the authority of Tax Law Section 186-g there are hereby imposed and there shall be paid surcharges within the territorial limits of the County of Dutchess, on: (i) wireless communications service provided to a wireless communications customer with a place of primary use within the County of Dutchess, at the rate of thirty cents per month on each wireless communications device in service during any part of the month; and (ii) the retail sale of prepaid wireless communications service sold within the County of Dutchess at the rate of thirty cents per retail sale, whether or not any tangible personal property is sold therewith.

(b) Wireless communications service suppliers shall begin to add such surcharge to the billings of its customers and prepaid wireless communications sellers shall begin to collect such surcharge from its customers commencing March 1, 2018.

(c) Each wireless communications service supplier and prepaid wireless communications seller is entitled to retain, as an administrative fee, an amount equal to three percent of its collections of the surcharges imposed by this Local Law, provided that the supplier or seller files any required return and remits the surcharges due to the New York State Commissioner of Taxation and Finance on or before its due date.

SECTION 3: ADMINISTRATION OF SURCHARGES. The surcharges imposed by this Local Law shall be administered and collected by the New York State Commissioner of Taxation and Finance as provided in paragraph (8) of Tax Law Section 186-g and in a like manner as the taxes imposed by Article Twenty-eight and Twenty-nine of the Tax Law.

SECTION 4: APPLICABILITY OF STATE LAW TO SURCHARGES IMPOSED BY THIS LOCAL LAW. All the provisions of Tax Law Section 186-g shall apply to the surcharges imposed by this Local Law with the same force and effect as if those provisions had been set forth in full in this Local Law except to the extent that any of those provisions is either inconsistent with or not relevant to the surcharges imposed by this Local Law.

SECTION 5: NET COLLECTION. Net collection received by Dutchess County from the surcharges imposed by this Local Law shall be expended only upon authorization of the Dutchess County Legislature and only for payment of system costs, eligible wireless 911 service costs, or other costs associated with the administration, design, installation, construction, operation, or maintenance of public safety communications networks or a system to provide enhanced wireless 911 service serving Dutchess County as provided in paragraph (9) of the Tax Law Section 186-g including, but not limited to, hardware, software, consultants, financing and other acquisition costs. Dutchess County shall separately account for and keep adequate books and records of the amount and object or purpose of all expenditures of all such monies. If, at the end of any fiscal year, the total amount of all such monies exceeds the amount necessary for payment of the above mentioned costs in such fiscal year, such excess shall be reserved and carried over for the payment of those costs in the following fiscal year.

SECTION 6. EFFECTIVE DATE. This local law shall take effect March 1, 2018.

# FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

## APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

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

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

2018 E-911 Surcharge - A.3020.11400

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

Identify Line Items(s):

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

Nature/Reason:

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

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

### Additional Comments/Explanation:

2018 budgeted revenue for the surcharge on cell phones and pre-paid cellphones totals \$800,000 with an effective date of March 1, 2018. The total E-911 surcharge budgeted for 2018 is \$1,250,000 which also includes the current surcharge on landlines and VOIP. If the local law is not adopted, \$800,000 in ongoing revenue will need to be removed from the budget and replaced by an ongoing revenue source.

Prepared by: Jessica White, Budget Director

Prepared On: 11/8/2017

The foregoing Resolution No. 2017225, Local Law No. 2 of 2018, A Local Law Repealing Local Law No. 8 of 2003, Repealing the Wireless Communications Surcharge Authorized by Article Six of the County Law of the State of New York, and Imposing the Wireless Communications Surcharges Pursuant to Authority of Tax Law Section 186-g, was laid on desks on November 13, 2017, and considered on December 7, 2017. Discussion at that time resulted as follows:

Legislator Tyner stated that there were other ways to find this revenue and referred to spending \$125 per day on locking up thirty non-violent drug addicts in the jail.

Legislator Flesland called point of order because the foregoing comments did not pertain to this resolution.

Chairman Borchert ruled Legislator Tyner out of order.

Roll call on the foregoing resolution resulted as follows:

AYES:           24    Borchert, Bolner, Amparo, Black, Brendli, Coviello, Flesland, Forman, Horton, Incoronato, Jeter-Jackson, Kakish, Landisi, Metzger, Miccio, Pulver, Rieser, Roman, Sagliano, Strawinski, Surman, Thomes, Truitt, Washburn

NAYS:           1     Tyner

ABSENT:        0

Resolution adopted.

The County Executive held a public hearing on the foregoing Local Law on December 21, 2017 and signed it into Law on the same day. The effective date of the Local Law was January 9, 2018.

# Government Services and Administration Roll Call

District	Name	Yes	No
District 3 - Town of LaGrange	Borchert*		
District 17 - Town and Village of Fishkill	Miccio*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 20 - Town of Red Hook	Strawinski*	<i>absent</i>	
District 14 - Town of Wappinger	Amparo*	<i>absent</i>	
District 1 - Town of Poughkeepsie	Kakish	<i>absent</i>	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano (C)		
District 4 - Town of Hyde Park	Black		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes		
District 24 - Towns of Dover and Union Vale	Surman (VC)		

Present: <u>  9  </u>	Resolution: <input checked="" type="checkbox"/>	Total :	<u>  9  </u>	<u>  0  </u>
Absent: <u>  3  </u>	Motion: <input type="checkbox"/>		Yes	No
Vacant: <u>  0  </u>		Abstentions:	<u>  0  </u>	

**2017225** A LOCAL LAW REPEALING LOCAL LAW 8 OF 2003, REPEALING THE WIRELESS COMMUNICATIONS SURCHARGE AUTHORIZED BY ARTICLE SIX OF THE COUNTY LAW OF THE STATE OF NEW YORK, AND IMPOSING THE WIRELESS COMMUNICATIONS SURCHARGES PURSUANT TO AUTHORITY OF TAX LAW SECTION 186-g

Date: December 4, 2017

# Roll Call Sheets

District	Last Name	Yes	No
District 3 - Town of LaGrange	Borchert	✓	
District 17 - Town and Village of Fishkill	Miccio		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner		
District 20 - Town of Red Hook	Strawinski		
District 14 - Town of Wappinger	Amparo		
District 1 - Town of Poughkeepsie	Kakish		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano		
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District 5 - Town of Poughkeepsie	Roman		
District 6 - Town of Poughkeepsie	Flesland		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Rieser		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 11 - Towns of Rhinebeck and Clinton	Tyner		✓
District 12 - Town of East Fishkill	Metzger		
District 15 - Town of Wappinger	Incoronato		
District 16 - Town of Fishkill and City of Beacon	Forman		
District 18 - City of Beacon and Town of Fishkill	Landisi		
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District 21 - Town of East Fishkill	Horton		
District 22 - Towns of Beekman and Union Vale	Coviello		
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	Washburn		

Present:	<u>25</u>	Resolution:	<u>0</u>	Total :	<u>24</u>	<u>1</u>
Absent:	<u>0</u>	Motion:	<u>    </u>		Yes	No
Vacant:	<u>0</u>			Abstentions:	<u>0</u>	

**2017225** A LOCAL LAW REPEALING LOCAL LAW 8 OF 2003, REPEALING THE WIRELESS COMMUNICATIONS SURCHARGE AUTHORIZED BY ARTICLE SIX OF THE COUNTY LAW OF THE STATE OF NEW YORK, AND IMPOSING THE WIRELESS COMMUNICATIONS SURCHARGES PURSUANT TO AUTHORITY OF TAX LAW SECTION 186-g

Date: December 7, 2017

On motion by Legislator Sagliano, duly seconded by Assistant Majority Leader Bolner and carried, the Rules were suspended to allow the public to address the Legislature on agenda and non-agenda items.

Len Polhemus, LaGrange, spoke in opposition to the installation of a cell tower on Maloney Road, comments attached.

Candice Sunderland, LaGrange, spoke in support of campaign finance.

Dave Heller, Rhinebeck, spoke in favor of rank choice voting.

Constantine Kazolias, City of Poughkeepsie, questioned if funds were in the 2018 budget for the disaster at the Rip VanWinkle apartments and regarding \$3,000,000 due to the City of Poughkeepsie, comments attached.

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

There being no further business, the Chairman adjourned the meeting at 8:55 p.m.

**STOP THE TOWER PACKAGE SENT TO ALL REPRESENTATIVES OCT 17, 2017**

**PACKAGE INCLUDED 10 PDF'S AND OPENING LETTER**

**\*TOWER PRESENTS IMMEDIATE IMPACT TO DUTCHESS COUNTY ECONOMIC ENGINE THEREFORE ALL DUTCHESS RESIDENTS**

**1. OBNOCIIOUS VISIUAL IMPACT TO DC RAIL TRAIL (PHOTO 6)**

**2. DANGEROUS OBSTRUCTION TO AIRPORT LANDING PATTERN**

**A. IMPACT TO ANY POTENTIAL BUSINESS**

**B. RETARDING TO PERSONAL AND RECREATIONAL TRAFFIC**

**\* PHOTOS TAKEN BY VERIZON OF THE BALOON TEST WERE FROM DALEY ROAD  
BEHIND THE RAIL TRAIL**

**\*PHOTO 6 IS FROM SMITH CROSSING ROAD IN FRONT OF THE RAIL TRAIL**

**\*\* AIRPORT**

- PHOTO 1 IS PLOT OF LANDING APROACH IMPRESSED ON DUT COUNTY PARCEL WEBSITE.**
- PHOTO 2 IS PROJECTED LANDING ALTITUDES AT POINTS FROM PUBLISHED APPROACH PLATE AND TYPICAL VFR LANDING APROACH**

**NOTE THE 100 TO 200 FT CLEARANCE TO THE TOP OF THE HILL WHICH I MEASURED WITH 2 ALTIMETERS.**

**THERE IS GOING TO BE AN ACCIDENT**

**CANCER: THERE HAVE BEEN NUMEROUS STUDIES REGARDING THE EFFECTS OF MICRO-WAVES ON CANCER; A COUPLE ARE INCLUDED IN PACKAGE.**

430

**IMMEDIATE REQUEST:**

- 1. LETTER FROM THIS LEGISLATIVE BODY TO DARIN CLIPPER  
PHOTO 7 WITH FORMAL OBJECTION OF PUTTING A CELL  
TOWER ON THIS PROPERTY!**
  
- 2. LETTER TO THE TOWN OF LA GRANGE PLANNING BOARD  
AND TOEN BOARD OBJECTING TO THE NEGATIVE VISUAL  
IMPACT ON A COUNTH PARK NAMELY THE RAIL TRAIL.**

**THIS TOWER WILL HAVE A DOUBLE NEGATIVE  
IMPACT ON THE DUTCHESS ECONOMIC  
ENGINE!!!!!!**

THE COUNTY IS DRIVING A HARD A BARGAIN WITH ITS COUNTY UNION EMPLOYEES, BY HAVING THE EMPLOYEES GIVE UP 5 PERSONEL DAYS!!!!!!

WAS.IS THERE ANY MONIES IN THE 2017/2918 COUNTY BUDGET FOR THE DISASTER OCCURING AT THE RIP VAN WNKLE HIGH RISE IN POUGHKEEPSIE? IN THE FUTURE ARE ANY PLANS, OR WHAT DISASTER AID IS THERE?

I ALWAYS ASK MY CAT , WHO IS PYCHIC, TELL ME WHERE THE MONEY IS?HE RAISES HIS PAW AND POINTS TO THE COUNTY OFFICE BUILDING, AND ON THE LAST OCCASION HIS PAW POINTED THREE TIMES TO THE COUNTY OFFICE BULDING, HE MUST HAVE BEEN REFFERING TO THAT \$3,000,000 NYS CEMAC BUS AID WHICH THE COUNTY GOT UNDER TWO FALSE MEMOS, SENT TO NYS, THE MOU AN D THE MOA, STATING THE CITY BUSSES WERE TRANSFERRED TO THE COUNTY!!!! THE LAST DESPARATE EFFORT WAS HAVING A POUGHKEEPSIE C.C MEETING ELECTION EVE, THE FIRST IN MY LIFE TME, TO TRANSFER THE CITY BUSSES, NO DEAL!!!! QUESTION? NOW, WHAT HAPPENS TO THAT NYS \$3,000,000?

THOSE TWO ABOVE MENTIONED MEMOS,MOU/MOA, WERE SENT TO THE FEDS, PREDICATED THEM,YJE FED A SENT A SEVEN PAGE REPLY, WHICH I WILL GIVE THIS LEGISLATURE!!!!

I TOOK A PHILOPHY CLASS AT DUTCHESS, IN LOGIC, WHICH I STIIL REMEMBER , STARTI NG ON A FALSE PREMISE,A LIE, YOUR CONCLUSIONS ARE INACCURATE!!!!



U.S. Department  
of Transportation  
**Federal Transit  
Administration**

REGION II  
New Jersey,  
New York

One Bowling Green  
Room 429  
New York, NY 10004-1415  
212-668-2170  
212-668-2136 (fax)

November 3, 2017

(Via Hard Copy and Electronic Mail: [rrolison@cityofpoughkeepsie.com](mailto:rrolison@cityofpoughkeepsie.com))

Mayor Robert G. Rolison  
City of Poughkeepsie  
Municipal Building  
62 Civic Center Plaza  
Poughkeepsie, NY 12601

Re: The City of Poughkeepsie's Transit Disposition Plan

Dear Mayor Rolison:

I write in response to the City of Poughkeepsie's request for the Federal Transit Administration's (FTA) review of its Transit Disposition Plan dated August 15, 2017. The Transit Disposition Plan identifies FTA-funded assets which were procured by the City, and it outlines a plan for their disposition given the City's termination of its public transportation service on June 30, 2017. In the Transit Disposition Plan, the City proposes to (1) transfer certain FTA-funded assets to Dutchess County Transit, (2) maintain certain FTA-funded assets for Dutchess County Transit's use, (3) sell certain FTA-funded assets, and (4) maintain an FTA-funded garage for non-transit purposes. The City supplemented the justification for its Transit Disposition Plan by letter dated August 29, 2017. There is a lengthy history that led to the City's request, and I will summarize the key milestones below.

### **Background**

By letter dated January 18, 2017, the City formally notified FTA of its intent to cease its public transportation operations and transfer service to Dutchess County Transit. FTA subsequently began biweekly meetings with the City of Poughkeepsie, Dutchess County, the New York State Department of Transportation, and the Dutchess County Transportation Council on January 26, 2017, to support the transition of the City's transit service to Dutchess County.

On April 18, 2017, the City of Poughkeepsie and Dutchess County executed a Memorandum of Agreement (MOA) whereby the County agreed to take over the City's public transportation operations on July 1, 2017.

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By letter dated June 19, 2017, the City transmitted to FTA a preliminary version of its Transit Disposition Plan for approval. Following the City's letter dated June 19, 2017, FTA learned that the City of Poughkeepsie's Common Council had concerns with the Transit Disposition Plan.

By letter dated June 22, 2017, FTA reminded the City of its legal obligations under the Office of Management and Budget's Super Circular at 2 C.F.R. Part 200, FTA's Award Management Requirements Circular 5010.1E, and FTA's Master Agreement to repay the Federal Government its financial share of any remaining interest in FTA-funded assets removed from public transportation use prior to the end of their useful lives.

On July 1, 2017, the City terminated its public transportation operations and transferred its service to Dutchess County. With this transfer of public transportation operations, the City removed FTA-funded assets from public transportation use prior to the expiration of their useful lives.

On July 31, 2017, the City notified FTA that on July 28, 2017, the Common Council held a special meeting to vote on a transfer of certain FTA-funded assets having \$1,291,558 in remaining Federal financial interest and a sale of certain FTA-funded assets having \$236,685 in remaining Federal financial interest. The resolution failed in the Common Council by a vote of four in favor, two against, and two abstentions (five votes in favor were needed for the resolution to pass).

By memorandum dated August 15, 2017, the City transmitted to FTA an updated and final version of its Transit Disposition Plan for review and approval. The Transit Disposition Plan outlines the City's plans for (1) transferring certain FTA-funded assets that have \$1,291,558 in remaining Federal financial interest to Dutchess County for continued public transportation use; (2) maintaining certain FTA-funded assets that have \$664,311 in remaining Federal financial interest to support Dutchess County's expanded public transportation operations; (3) selling certain FTA-funded assets that have \$196,318 in remaining Federal financial interest, remitting to FTA its financial share of the assets, and reimbursing FTA \$26,917 for assets retained by the City for non-transit use; and (4) maintaining for non-transit use an FTA-funded garage and fixed lift that have \$686,192 in remaining Federal financial interest. The total amount of remaining Federal financial interest in FTA-funded assets is \$2,865,296.●

On August 28, 2017, the City notified FTA that the Common Council held another special meeting to vote on the Transit Disposition Plan. The resolution failed in the Common Council by a vote of four in favor, three against, and one abstention.

On September 14, 2017, FTA obligated \$595,009 in lapsing funds through Grant NY-2017-054-00 for preventive maintenance and operating expenses incurred by the City in 2015, 2016, and 2017. FTA froze the City's ability to access these funds on August 24, 2017, until the disposition issues outlined above are resolved and until the City submits financial documentation to FTA to support the costs that it incurred for the preventive maintenance and operating activities described in the grant.

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### **The City's Disposition of FTA-Funded Assets**

The City incorporated a spreadsheet into its Transit Disposition Plan entitled, "City of Poughkeepsie Assets, Proposed Disposal and Depreciation Schedule." This spreadsheet provides detailed information on the FTA-funded assets subject to disposition, and it is divided into four sections. The first three sections address the disposition of FTA-funded equipment, and the fourth section addresses the disposition of FTA-funded real property. I am enclosing this spreadsheet for your reference. There are different legal requirements governing the disposition of equipment and real property, and I will address each section in turn, below.

#### **Disposition of FTA-Funded Equipment**

The Office of Management and Budget's Super Circular at 2 C.F.R. Part 200, FTA's Award Management Requirements Circular 5010.1E, and FTA's Master Agreement govern the disposition of FTA-funded equipment. In accordance with these requirements, a recipient must use FTA-funded equipment for its authorized purpose, as outlined in the underlying Grant Agreement, for the duration of the equipment's useful life. If a recipient ceases its use of FTA-funded equipment prior to the expiration of its useful life, then the recipient must dispose of the asset pursuant to disposition instructions provided by FTA.

Upon a disposition of FTA-funded equipment prior to the expiration of its useful life, FTA is entitled to its share of the remaining Federal financial interest. The recipient must return to FTA the greater of FTA's share of the fair market value of the equipment, or FTA's share of the sales price. FTA's share is determined by calculating its participation in the original purchase price of the equipment.

If FTA authorizes a recipient to sell the property, then the recipient will be required to employ proper sales procedures that ensure the highest possible return is achieved in the disposition of the FTA-funded asset.

#### **Section 1: Transfer of FTA-Funded Equipment to Dutchess County**

The City intends to transfer certain FTA-funded equipment identified in Section 1 of the Transit Disposition Plan to Dutchess County for continued public transportation use in accordance with the originally authorized purposes described in the underlying Grant Agreements. The equipment includes six Gillig hybrid electric buses and associated fareboxes, security cameras, battery packs, and a farebox audit unit. Per the City's disposition spreadsheet, the City purchased this equipment with FTA funds, and the equipment has remaining useful life with an FTA financial interest of \$1,291,558.

FTA's Award Management Requirements Circular 5010.1E authorizes a disposition method entitled "Transfer of Rolling Stock—Recipient-to-Recipient." Under this disposition method, a recipient may transfer rolling stock that has not yet served its useful life to another recipient with prior FTA written approval. The FTA interest in the rolling stock is transferred with the rolling stock, and there is no obligation to reimburse FTA.

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For FTA to approve a transfer under this disposition method, the recipient must submit to FTA a written request for approval to transfer the equipment, which includes the names of the transferor and transferee, a list of equipment (including the associated year, make, and model, as appropriate), the date that the recipient placed the equipment in revenue service, the date that the recipient removed the equipment from revenue service, the FTA grant numbers that funded the equipment, mileage, the remaining useful life, the remaining FTA financial interest, and the reasons for transfer.

The recipient also must submit a board resolution or other appropriate legal action from each recipient authorizing the transfer. The legal action should identify the recipients, a statement that the equipment is no longer required by the transferor, a statement that the equipment is needed by the transferee, a list of the equipment to be transferred including any vehicle identification numbers, the remaining FTA financial interest that will be transferred to the receiving recipient, and an agreement that the equipment will be maintained in accordance with FTA requirements.

As noted above, the City and the County executed an MOA on April 18, 2017. Appendix C of the MOA is a draft proposal of the Transit Disposition Plan, which includes the information required by FTA's Circular 5010.1E: a detailed list of the equipment to be transferred, the date that the City placed the equipment into revenue service, the date that the City planned to remove the equipment from revenue service, the FTA grant numbers that funded the equipment, mileage, the remaining useful lives, and the remaining FTA financial interest. The MOA identifies the transferor and transferee and it outlines the reasons for the transfer, which include financial issues facing the City and the County's willingness and capacity to assume the service. In the MOA, the County acknowledges its responsibility to maintain the equipment in accordance with all applicable Federal requirements.

Given the factors outlined above, FTA finds that the "Transfer of Rolling Stock-- Recipient-to-Recipient" disposition method is appropriate for the equipment outlined in Section 1 of the City's Transit Disposition Plan, and FTA instructs the City to dispose of this equipment accordingly.

## **Section 2: Continued Maintenance of FTA-Funded Equipment**

In 2013, FTA obligated funds to the City through Grant Numbers NY-04-0058-00 and NY-96-X023-00 to build a Transit Hub located at the intersection of Main and Market Streets, in front of the Financial Plaza Parking Garage. The City intends to maintain the Transit Hub for the continued public transportation operations of Dutchess County. The City will allow the County and several other transit operators to use the facility as a terminus and transfer location. In Section 2 of the Transit Disposition Plan, the City also identified a pressure washer and a "Green Machine" litter vacuum that it intends to maintain for continued public transportation operations.

Given that the City will maintain the Transit Hub and other equipment for public transportation operations, and given that the Transit Hub and other equipment will continue to serve the

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originally authorized purposes of the underlying Grant Agreements, the City does not have to dispose of the Transit Hub and other equipment. The City must maintain the equipment in accordance with OMB's Super Circular at 2 C.F.R. Part 200, FTA's Circular 5010.1E, FTA's Master Agreement, and all other applicable Federal requirements. The City must provide annual reports to FTA which demonstrate that the City is continuing to maintain the Transit Hub and the equipment and that they are still being utilized for public transportation purposes until their respective useful lives have been met. FTA reminds the City that if the value of the Transit Hub and the equipment is greater than \$5,000 upon the expiration of their useful lives, then FTA will continue to have a remaining financial interest in them.

### **Sections 3: Sale/Buyout of FTA-Funded Equipment**

Under Section 3 of the Transit Disposition Plan, the City identifies a series of FTA-funded equipment that it intends to publicly sell or buyout. Section 3A identifies a Gillig Phantom bus, two service vehicles, and a vehicle inspection system that the City intends to publicly sell. Section 3B identifies a Gillig Phantom bus, two service vehicles, a tire machine, an H-frame press, and a Krankart for which the City intends to buyout FTA's remaining financial interest.

FTA's Award Management Requirements Circular 5010.1E authorizes a disposition method entitled "Disposition of Property with a Fair Market Value of More Than \$5,000." Under this disposition method, a recipient may sell FTA-funded equipment valued at more than \$5,000 if the equipment is no longer needed for the originally authorized purposes of the underlying Grant Agreements. FTA is entitled to an amount calculated by multiplying the current market value, or proceeds from sale, by FTA's percentage of participation in the cost of the original purchase.

FTA finds that this is an appropriate disposition method for the equipment identified in Section 3 of the City's Transit Disposition Plan. FTA is entitled to its share following the public sale of the equipment identified in Section 3A, and FTA is entitled to repayment of its share of the fair market value of the equipment that the City intends to purchase as identified in Section 3B. FTA instructs the City to sell the equipment and reimburse FTA, accordingly.

### **Disposition of FTA-Funded Real Property**

The Office of Management and Budget's Super Circular at 2 C.F.R. Part 200, FTA's Award Management Requirements Circular 5010.1E, FTA's Master Agreement, and 49 U.S.C. § 5334(h) provide disposition options for FTA-funded real property. A recipient must use FTA-funded real property for its originally authorized purpose, as outlined in the underlying Grant Agreement. If a recipient ceases its use of FTA-funded real property for its originally authorized purpose, then the recipient must dispose of the real property pursuant to disposition instructions provided by FTA.

#### **Section 4: Maintain an FTA-Funded Garage for Non-Transit Purposes**

On June 1, 2016, FTA obligated \$1,163,242 to the City for the construction of a bus garage to be used as a maintenance facility. The use of the garage was to be shared among other entities for non-transit purposes. The garage includes seven bus bays, two of which were reserved for the service and maintenance of the City's transit vehicles. Given the limited transit use of this facility, FTA only funded one-third of its construction costs. The garage has a forty-year useful life, and there are 29 years of useful life remaining. The City appraised the value of the real estate at \$854,378, of which FTA has a financial interest of \$686,192. The City wishes to retain the garage, but it no longer intends to use it for transit service.

The City supplemented its Transit Disposition Plan with a letter dated August 29, 2017, wherein it seeks to justify the retention of this FTA-funded asset under the statutory provisions of 49 U.S.C. § 5334(h)(1)-(3). Under these provisions, an FTA recipient may transfer an FTA-funded asset to a local governmental authority to be used for a non-transit purpose with no further obligation to FTA. The City argued that it should be able to retain the garage for non-transit purposes with no further obligation to FTA under this authority. The deed for this real property is in the name of the "City of Poughkeepsie."

FTA does not approve the disposition method under 49 U.S.C. § 5334(h)(1)-(3) for the City's garage. These statutory provisions allow for a transfer of an FTA-funded asset to another governmental authority. The City is not proposing to effectuate any transfer here; instead, it is proposing to simply keep an FTA-funded asset for non-transit purposes with no further obligation to FTA. The City's proposal would violate 2 C.F.R. Part 200, FTA's Circular 5010.1E, and FTA's Master Agreement which require reimbursement to FTA of its financial interest.

FTA's Circular 5010.1E authorizes a real property disposition method entitled, "Retain Title with Buyout." Pursuant to this disposition method, a recipient may retain the FTA-funded real property by "buying out" FTA's financial interest. The recipient must compensate FTA by computing the percentage of FTA financial interest in the real property through an appraisal and remitting to FTA its share, accordingly. The recipient may pay FTA the straight line depreciated value of improvements plus land value, if this is greater than FTA's share of the fair market value.

In light of the City's intent to retain the FTA-funded garage, FTA instructs the City to follow the "Retain Title with Buyout" disposition method outlined in FTA Circular 5010.1E. The City may follow another appropriate disposition method as outlined in FTA Circular 5010.1E with prior FTA approval.

As noted above, the City removed the FTA-funded assets identified in Sections 1, 2, and 4 of its Transit Disposition Plan from public transportation operations on July 1, 2017. Since that time, the Common Council has voted twice against any transfer, sale, or other disposition of the FTA-funded assets. In light of these actions and the legal requirements associated with the

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City's federally-funded assets, FTA directs the City to undertake the dispositions authorized above within thirty calendar days from the date of this letter. If the City fails to dispose of the FTA-funded assets in accordance with these instructions, FTA will take further action, as necessary, to protect the interests of the Federal Government.

Finally, I note that in the City's disposition spreadsheet, there are eight FTA-funded assets that have no remaining useful life. The City has not identified any value associated with these assets. I remind the City that, if the value of an asset is greater than \$5,000 after the expiration of its useful life, then FTA still has a remaining financial interest in the asset. Please provide FTA with an updated "Assets, Proposed Disposal and Depreciation Schedule" which includes estimated values for each of these assets with any corresponding Federal financial interest within ten calendar days from the date of this letter.

If you have any questions or if you need further assistance, please contact Mr. Darreyl Davis, FTA Region 2's Director of Program Management and Operations, by electronic mail at [Darreyl.Davis@dot.gov](mailto:Darreyl.Davis@dot.gov) or by telephone at (212) 668-2186.

Sincerely,



*for* Stephen Goodman, P.E.  
Regional Administrator

Enclosure

- "City of Poughkeepsie's Assets, Proposed Disposal and Depreciation Schedule"

Cc: Anthony G. Carr, FTA  
Darreyl Davis, FTA  
Rosie Luperena, FTA  
Michael Culotta, Esq., FTA  
Mare Nelson, City of Poughkeepsie  
Paul Ackermann, Esq., City of Poughkeepsie

