Attendance Sheets

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

Present: 22
Absent: 3
Vacant: 0

Date: 10/09/18

Regular Meeting

of the

Dutchess County Legislature

Tuesday, October 9, 2018

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

Roll Call by the Clerk of the Legislature

PRESENT:	23	Black, Bolner, Borchert, Brendli, Edwards, Garito, Houston, Incoronato, Jeter-Jackson, Johnson, Llaverias, Metzger, Munn, Page, Pulver, Roman, Sagliano, Surman, Thomes, Truitt, Tyner, Zernike
ABSENT:	2	Horton, Miccio
PRESENT, LATE:	1	Amparo

Quorum Present.

Pledge of Allegiance to the Flag; invocation given by Reverend Heather Moody of First Congregational Church in Poughkeepsie, followed by a moment of silent meditation.

Public Hearings:

Public Hearing on the award of matching grant funds to purchase open space adjacent to Kimlin Cider Mill

The Clerk read the Notice of Public Hearing.

Chair declared the public hearing open.

Lisa Weiss, President of Cider Mill Friends, spoke in favor of the partnership between the county and the Cider Mill Friends in purchasing 1 acre of open space adjacent to the Kimlin Cider Mill.

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

Public Hearing on the lease with Tesla Energy Operations, Inc., to install a mounted photovoltaic array system at the Hudson Valley Regional Airport

The Clerk read the Notice of Public Hearing.

Chair declared the public hearing open.

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

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

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

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

The September 2018 minutes were adopted.

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

None.

Resolutions considered out of numerical order will be placed in numerical order for fluidity.

COMMUNICATIONS RECEIVED FOR THE OCTOBER 2018 BOARD MEETING

Received from Dutchess County Executive, Executive Order No. 4 of 2018, Establishing the Privacy of County Employees' Personal Information to Ensure That Such Personal Information Shall Be Kept Private Unless Otherwise Required By Law.

Received the following from Van DeWater and Van DeWater, LLP:

Letter dated September 11, 2018, regarding Town of LaGrange (Remsburger – Landi) File No. 70-1100.

Supplemental letter dated September 20, 2018, regarding Town of LaGrange (Remsburger – Landi) File No. 70-1100.

Summons, Notice of Petition, Verified Complaint/Petition

Affirmation of Erin L. O'Dea

Corrected Memorandum of Law with Appendices

Received from Water and Wastewater Authority, Tentative Estimate of 2019 Debt Service Expenditures and Revenue Needs, and the Tentative Assessment Rolls for Zones of Assessment A, B, C, D, H. J, K, L, and Q in the Dutchess County Water District, and for Part County Sewer Districts 1, 2, 3 and 10.

Received from New York State Department of Taxation and Finance, List of 2018 State Equalization Rates, September 18, 2018.

Received from Town of LaGrange, Town Clerk, Public Hearing Notice and Proposed Local Law Amending the Zoning Map Established in 240-22 of Chapter 240, "Zoning", of the LaGrange Town Code in Order to Correct Dutchess County Mapping Errors.

Received Small Business Resource Guide and Literature from Elaine Powell-Belnavis Economic Development Specialist from U.S. Small Business Administration.

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

Received from County Clerk:

September Foreclosure Report

September Mortgage Reports

Received the following from Drescher & Malecki LLP:

Basic Financial Statements, Required Supplementary Information and Federal Awards Information for the Year Ended December 31, 2017, and Independent

Auditors' Reports, and

New York State Department of Transportation Financial Assistance Schedules for the Year Ended December 31, 2017, and Independent Auditors' Report

COUNTY OF DUTCHESS

MARCUS J. MOLINARO
COUNTY EXECUTIVE

EXECUTIVE ORDER NO. 4 OF 2018

I hereby issue the following Executive Order establishing a policy regarding the privacy of County employees' personal information to ensure that such personal information shall be kept private unless otherwise required by law.

WHEREAS, the Alternative County Government Law provides that the County Executive shall be the administrative head of County government, and have supervision, direction and control over governmental functions of all administrative units of the County [Section 155(1)(a) &(b)]; and

WHEREAS, Section 3.02 of the Dutchess County Charter provides that the County Executive shall have and exercise all the executive powers and duties now or hereafter conferred or imposed by law or this Charter upon a County Executive officer or the executive branch of a county, and all powers and duties necessarily implied or incidental thereto; and

WHEREAS, Section 3.02(b) of the Dutchess County Charter provides that the County Executive shall "supervise, direct and control the administration of all departments," and

WHEREAS, Section 3.02(d) of the Dutchess County Charter provides that the County Executive shall supervise and direct the internal structure and organization of every unit of the executive branch of the County government, including, except as otherwise provided in this Charter or applicable law, the appointment and dismissal of employees, and

WHEREAS, home addresses and personal identifying details of public employees are exempt from disclosure as constituting an unwarranted invasion of personal privacy according to NY Public Officers Law Section 89(2)(b), and

WHEREAS, release of records which are irrelevant to the performance of a County employee's official duties has been determined to constitute an unwarranted invasion of personal privacy, and

WHEREAS, the privacy of all Dutchess County employees' personal identifying information should be preserved, now, therefore it is

ORDERED, that no County unit of government under the authority of the County Executive, including any of its officers or employees, shall disclose home address(es), personal telephone number(s), or personal email address(es) of a public employee, as the term "public employee" is defined in Article 14 of the Civil Service Law, except

(i) to an employee organization that, in accordance with Article 14 of the Civil Service Law, is the certified or recognized bargaining representative of a unit of public employees solely for the purpose of aiding such employee organization in obtaining certification or recognition; or

(ii) to the extent compelled to do so by lawful subpoena, court order, or as otherwise required by law, and, it is further

22 Market Street, Poughkeepsie New York 12601 • (845) 486-2000 • Fax: (845) 486-2021
mmolinaro@dutchessny.gov

ORDERED, that such Executive Order shall not apply to work-related, publicly available information such as title, salary, and dates of employment.

Made this 10th day of September, 2018 at the office of the County Executive, 22 Market Street, Poughkeepsie, New York.

MARCUS J. MOLINARO
Dutchess County Executive

VAN DEWATER AND VAN DEWATER, LLP

COUNSELORS AT LAW

John B. Van DeWater (1892-1968)
Robert B. Van DeWater (1921-1990)
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Gerard J. Comatos, Jr.
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Rebecca S. Mensch

Danielle E. Strauch
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Noel deCordova, Jr. (1929-2013)
Edward vK Cunningham, Jr. (1935-2018)
John K. Gifford
Jeffrey S. Battistoni
Janis M. Gomez Anderson
Counsel

RECEIVED
SEP 14 2018
By 11:15am

September 11, 2018

Richard A. Ball, Commissioner
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Counsel's Office
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Dr. Robert Somers
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Re: Town of LaGrange (Remsburger - Landi)
Our File No. 70-1100

Dear Commissioner, et al:

The Town of LaGrange, Dutchess County, State of New York contemplates a legal challenge to the August 20, 2018 determination of the Dutchess County Legislature to include approximately 1.43 acres of improved real property at 18 Traver Road within a County Agricultural District. The area of inclusion is too small to constitute viable agricultural land. No assessment of soils was performed. The site is too tight for legitimate home occupation use in a residential zone, infra.

Agriculture and Markets Law 303(3) vests the Dutchess County Agricultural and Farmland Protection Board with a vital role in assessing whether the real property constitutes viable

agricultural land within the meaning of Section 301(7) of the Agriculture and Markets Law.

On May 21, 2018, the County Farmland Protection Board solicited comment from the Town of LaGrange, in particular, as to whether there were any open land use violations regarding use of the property for apiary purposes.

On May 30, 2018, the Town's Municipal Code Enforcement Officer responded to the Farmland Protection Board. (Copy attached.) He noted the following violations of record:

a) The apiary farming activity fell below the legislative seven (7) acre minimum necessary for farming in the Town;

b) The site was exceeding thresholds for a home occupation for the production of honey and maple syrup;

c) In effect, the home occupation had eclipsed the residential use of the site due to outdoor storage, trucking activity centering on a large commercial flatbed truck used for the transport of beehives and related activity, removal of trees from the parcels front yard to expand the driveway for easier access to commercial vehicles. All of these activities are precluded for home occupations; and

d) The home occupation has become a second principal use on the same lot --- giving rise to a violation of 240-26 of the Town Code which prescribes that there shall be a separate lot for every building.

On or about June 25, 2018, the County Farmland Protection Board issued a report which recommended that the Landi property be rejected for inclusion in the Agricultural District.

Despite this recommendation, the County Legislature voted to include the Landi property in the Agricultural District on August 20, 2018 --- thereby institutionalizing the aforesaid violations of local zoning law. This action followed a public hearing held on July 9, 2018.

Pending before the Town is the potential revocation of the home occupation approval for the Landi property. The owner was afforded the procedural due process right to comment on this

potential revocation. A copy of the response is attached hereto. The response does not address the expansion of the home occupation as summarized above in terms of outdoor storage and commercial vehicles. By exclusion, these aspects are admitted.

A determination of the revocation of the home occupation awaits review and approval of the Building Inspector/Zoning Administrator of the Town.

Upon information and belief, Commissioner's certification of the addition of land to an Agricultural District is a pro forma exercise under Ag and Markets Law Section 303(7) and (8).

The Town of LaGrange has issued a FOIL request to the County Legislature and to the Office of the Commissioner to determine whether, over the proceeding ten (10) years, the Commissioner has ever withheld certification of land in an Ag District after inclusion by the Dutchess County Legislature.

The Town of LaGrange respectfully requests that the Commissioner withholds certification of the Landi property pending the Town's exhaustion of legal remedies for review of the substantive determination of the County Legislature. The Town's pleadings should be factored into the certification determination of the Commissioner.

Very truly yours,

VAN DEWATER & VAN DEWATER, LLP

By: _____
RONALD C. BLASS, JR.

RCB/jbo
Enclosures: 2
Cc: Juilette Landi
Scott Volkman, Esq.
A. Gregg Pulver, Legislative Chairman
Carolyn Morris, Clerk of the Legislature

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TOWN OF LAGRANGE
OFFICE OF THE BUILDING INSPECTOR
120 Stringham Road, LaGrangeville, NY 12540
845-452-1830; Fax 845-452 7692

May 30, 2018

Agriculture and Farmland Protection Board
Amy M. Cross, Secretary
2715 Route 44, Suite 3
Millbrook, New York 12545

Re: Town of LaGrange (Remsburger Honey & Maple)

Dear Ms. Cross:

You have asked for land use violations, if any, from the Town of LaGrange regarding the application of Juliette Landi to include tax parcel # 6462-03-172062 in an Agricultural District.

The owner was engaged in making bees available to pollenate crops on properties other than their residence. At start up, hives and queen bees were removed from the fields to harvest honey in a large butler building on the parcel. The hives were then returned to the field. Based on that activity, the owner was classified as a home occupation and a use permit for such activity was issued by the Town.

The owner has begun a practice of bringing hives back to 18 Traver Road as an apiary and staging area, rather than leaving the hives on the outlying properties. Land has been cleared to this end. To the best of my knowledge, bees are in an agitated state, and more aggressive, as a result of such relocations. The Landi property is located in the Residential Low Density zoning district. And, the parcel has several residential neighbors. They have expressed concern about exposure to agitated bees.

The request for inclusion in the Agricultural District is based on activity which is a zoning violation.

18 Traver Road is approximately 2.1 acres in size located in the RLD zone. Farming is a permitted use in all zones, subject to the definition of farming in the Local Zoning Law. The definition of farm, to which the table of uses refers at footnote 37, requires a minimum of 7 acres. The Landi parcel falls almost 5 acres short.

The intensity of the production of honey at 18 Traver Road raises the additional question as to whether the activity, now including an advertised apiary, is subordinate to the residence, or the residence is subordinate to the commercial activity which provides honey to several markets. The expanded activity differs markedly from representations made to obtain the use permit for home occupation.

VIA CERTIFIED AND REGULAR MAIL

PO Box 223
Pleasant Valley, NY 12569
845-891-6800
June 11, 2018

RECEIVED
JUN 13 2018

Town of LaGrange
Office of the Zoning Administrator
120 Stringham Rd
LaGrangeville, NY 12540

Attn: Building Inspector

To whom it may concern;

I am in receipt of your Notice of Intended Revocation. In response to your determination, I would argue that the Home Occupation is indeed subordinate to the residential use of the property and follows all of the Town's criteria for a home business and therefore is in compliance.

- It is incidental to the use of a dwelling unit for residential purposes.
- It is owner-occupied
- No more than 30% of the total floor area of the dwelling unit is used
- We are not open to the public
- We do not have employees

I am not sure what you are basing your 'alternative' facts on.

We have spoken at length to our immediate neighbors and not one is questioning their peace, quiet or domestic tranquility.

The reference to 'insects' in my application was derived from NYS Agriculture & Markets Regulations - it has nothing to do with bees on the property, it has to do with sanitary conditions during packaging (Ag & Markets - Section 276.4). It was not a condition directed by town code to qualify for our permit.

In our approved permit application it was made very clear that we produce honey. It is impossible to produce honey without honey bees. Let's face it, there are bees everywhere - with or without honey production. Any reasonable person would understand that in order to produce honey that honey bees would be required. We consider our bees livestock, they are an intricate part of the production of agriculture, they contribute to the farm industry across the county, they are not a pest or vermin that should be exterminated.

In the correspondence between Bob Somers and Robert Taft - your EXHIBIT D - Mr. Taft makes various quotes (hearsay) supposedly coming from Mr. Paul Cappy. During Mr. Taft's phone call, he conveniently failed to inform Mr. Cappy that the beekeeper in this operation is Dennis Remsburger, with whom Mr. Cappy has had a 20 year professional relationship with. Mr. Cappy is well aware that our bees are very well taken care of, and have been inspected numerous times over the years. Mr. Remsburger is registered with the state and has been inspected as required. Queen bees are not nuisance bees, and they are contained their entire lives until placed in a colony of their own - and Mr. Cappy would never state anything to the contrary. There are no laws/ordinances against us raising our own Queen Bees. For your information, nuisance bees by their very definition are either sick, contagious or africanized. We do not have nuisance bees on our property or anywhere else for that matter.

When we first moved into LaGrange, Mr. Taft had told us verbally that he was willing to give us the Ag assessment after our first year of living here, he would work with us he said, he

VIA CERTIFIED AND REGULAR MAIL

would help us in any way he could. Instead of being helpful he has tried at every twist and turn to put us out of business. Not sure what his motivation is, but perhaps it should be addressed by the powers that be.

The bee boxes mentioned in the determination that are periodically outside the building come and go very quickly and they are part of the process of honey extraction. They do not contain colonies of bees. They are not storage. If it would please the town and the neighbors we can certainly erect a fence along the side of the property so that no one has to see boxes coming off the truck and back onto the truck.

Regarding the accusation that I provided contradicting information, or alternate information on applications, that is a total falsehood. I take an incredible offense at the insinuation that I am lying or trying to manipulate. I mentioned Queen Bee rearing and Nucleus colony creation. As mentioned before that does NOT fall into the exclusion of insects. Nucleus colonies are created and sold within days, there are no local ordinances that preclude anyone in LaGrange from having bee hives on their property. It is weak minded people that will simply state someone is a liar based on others falsified information. You should all think twice and do your research before accusing anyone of lying. Your actions are considered defamation (in written form as libel) and are punishable by law.

In addition, I would also like to address the fact that you sent a letter to the Agriculture and Farmland Protection Board stating that we have land use violations. They apparently received this information before we had any knowledge of it.

You state that we are clearing land to bring bee boxes to our property?? - that is not the truth! We have removed two trees which were dead and two trees needed to be removed for our solar installation. Neither instance has anything to do with bee boxes - or our business for that matter. Are there local ordinances stating that I cannot remove a tree or trees from my property? Please advise.

We have spoken to our neighbors, no one has any concern for the bees, yet you tell the Ag Board that our residential neighbors have concerns about agitated bees. There are no agitated bees here.

You state to them that, "The request for inclusion in the Agricultural District is based on activity which is a zoning violation." What exactly is the activity/zoning violation you speak of?

You speak of an "advertised apiary," Again, I'm not sure what you are talking about, I would appreciate clarification.

We currently have one honey bee colony on our property. There are no ordinances that say I can't have a beehive on my property. If anyone in your office would like a lesson in beekeeping, Dennis teaches hundreds of people every year how to keep bees and he is more than willing to educate you also.

We do not have nuisance bees on our property or elsewhere.

We have complied with your Home Occupation definition in its' entirety.

Based on the true facts, we should not have our permit taken away.

Juliette Landi

Juliette Landi
Owner
18 Traver Rd, Pleasant Valley, NY

VAN DEWATER AND VAN DEWATER, LLP

COUNSELORS AT LAW

John B. Van DeWater (1892-1968)
Robert B. Van DeWater (1921-1990)
James E. Nelson
Gerard J. Comatos, Jr.
Ronald C. Blass, Jr.
Kyle W. Barnett
Daniel F. Thomas, III

Rebecca S. Mensch

Danielle E. Strauch
Erin L. O'Dea
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Noel deCordova, Jr. (1929-2013)
Edward vK Cunningham, Jr. (1935-2018)
John K. Gifford
Jeffrey S. Battistoni
Janis M. Gomez Anderson
Counsel

RECEIVED
SEP 24 2018
By 2:15pm

September 20, 2018

Richard A. Ball, Commissioner
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Counsel's Office
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Dr. Robert Somers
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Re: Town of LaGrange (Remsburger - Landi)
Our File No. 70-1100

Dear Commissioner, et al:

This supplements our letter of September 11, 2018.

At that time, we did not possess the County Legislature's resolution of August 20, 2018. We have it now. It is attached or enclosed.

We also attach or enclose the June 14, 2018 recommendation of the Dutchess County Farmland Protection Board to reject the Landi property at 18 Traver Road, LaGrange, New York from inclusion.

We also provide the July 10, 2017 resolution of the County Legislature which excluded the Landi property from the county agriculture district.

We note the following with respect to the County Legislature's resolution:

a) Despite what the resolution says, the Dutchess County Farmland Protection Board did not recommend the inclusion of the Landi property at 18 Traver Road;

b) The Legislature ignored the statutory adverse recommendation of the Dutchess County Farmland Protection Board;

c) The Legislature did not make a finding that the Landi property at 18 Traver Road consisted predominately of "viable agricultural land"; and

d) Without a meaningful change of circumstances, the Legislature included 18 Traver Road in the agricultural district despite rejecting its inclusion during the annual review process which culminated on July 10, 2017 --- consistent with the recommendation of the Dutchess County Farmland Protection Board.

The only changes of circumstances were adverse to inclusion. They included precise allegations (of the Town to the Farmland Protection Board) of the property owners exceeding of standards limiting home occupation activity.

All of these points will be included in a hybrid proceeding challenging the County Legislature's resolution of August 20, 2018.

Lastly, on September 18, 2018, the Town of LaGrange issued a determination vacating the home occupation permit at 18 Traver Road for activity which exceeded limits on home occupations. Commissioner certification will continue to institutionalize land use violations under Town Code.

Very truly yours,

VAN DEWATER & VAN DEWATER, LLP

By: _____
RONALD C. BLASS, JR.

RCB/jbo

Enclosures: 3
Cc: Juliette Landi
Scott Volkman, Esq.
A. Gregg Pulver, Legislative Chairman
Carolyn Morris, Clerk of the Legislature

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Environment
Tabled on floor 7/9/18
Amended on floor 8/20/18

RESOLUTION NO. 2018190

RE: PROPERTY OWNER REQUESTS TO BE INCLUDED WITHIN DUTCHESS COUNTY'S CERTIFIED AGRICULTURAL DISTRICTS 20, 21, 22, AND 23

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

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law establishes a mechanism on an annual basis for parcels of land comprised of predominately viable agricultural land to be included within the state's Agricultural Districts, and

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law sets forth the requirement that the Legislative Body in every county in New York State with existing Agricultural Districts must designate an annual 30-day period during which landowners may apply for inclusion of their agriculturally viable land in the Agricultural Districts, and

WHEREAS, Dutchess County Legislative Resolution 204098 established an annual thirty-day period extending from April 15 to May 14 during which landowners may summit such requests to the Legislature to include their properties in the Agricultural Districts, and

WHEREAS, during the one-month period extending from April 15, 2018, to May 14, 2018, the Dutchess County Farmland Protection Board received such applications on behalf of the Legislature, and

WHEREAS, subsequently the Agricultural and Farmland Protection Board submitted its report with recommendation as to those requests to the Legislature, and

WHEREAS, after proper Notice of Public Hearing, this Legislature held a public hearing on July 9, 2018, with respect to the above and heard all those wishing to address the matter at said public hearing, and

WHEREAS, New York State Agriculture and Markets Law Section 303-b requires the County Legislature, following such public hearing to adopt or reject the proposed requests for inclusion of land within an existing Agricultural District, and

WHEREAS, the report and recommendations of the Agricultural Farmland Protection Board are on file with the Clerk of the Dutchess County Legislature, and

WHEREAS, the Legislature has considered the matter including the report and recommendation of the Agricultural Farmland Protection Board at the public hearing, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby adopts the recommendations of the Agricultural and Farmland Protection Board and adopts the requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Landowner	Town	SWIS Code	Parcel Number	Acres	District
James Enkler	Clinton	132400	6267-00-820205	3.7	20
James Enkler	Clinton	132400	6267-00-865205	3.1	20
James Vitiello	Clinton	132400	6267-00-787124	13.44	20
Heidi Myers	Washington	135889	6765-00-048708	21.1	21
Robert Behring	LaGrange	133400	6462-02-675824	31	22
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-167790	1.3	23
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-062777	60.4	23
Sally Raphael	Pawling	134089	7156-00-400973	25.5	23
Heidi Myers	UnionVale	135400	6663-00-653092	10.58	23
Juliette Landi	LaGrange	133400	6462-03-172062	2.1	22

and, be it further

RESOLVED, that the Dutchess County Legislature herby adopts the recommendations of the Agricultural and Farmland Protection Board and rejects the requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Maria Fitzgibbon	Milan	133800	6671-00-042265	140.2	20
Kerrie Abela	Rhinebeck	135089	6371-00-600224	50.55	20
Michael Lancto	Rhinebeck	135089	6269-00-232404	40.74	20
Edward Russell	Rhinebeck	135089	6371-00-423606	5.93	20
Thomas Sanford	LaGrange	133400	6560-01-060861	13.03	22

and, be it further

RESOLVED, that the Clerk of the Legislature shall submit a copy of this Resolution together with the report of the Dutchess Agricultural and Farmland Protection Board, and the tax map identification numbers and tax maps for each parcel of land to be included in an Agricultural District, to the New York State Commissioner of Agriculture and Markets.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date _____

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 20th day of August 2018, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 20th day of August 2018.

Carolyn Morris

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Agriculture and Farmland Protection Board of Dutchess County

Gregg Pulver
Chairman
914-474-0908

Art Collings
Vice Chairman
Dutchess Land Conservancy
845/677-3002 Ext. 100

Peter Coon
Coon Brothers Partnership
845/373-8328

Doug Giles
Walbridge Farm

Ken Migliorelli
Migliorelli Farm

Agri-business
Edward C. Hackett
Hackett Farm Supply, Inc.
845/266-3494

Brian Scoralick
DC Soil & Water
Conservation District
845/677-8011 ext.3

Will Truitt
Dutchess County
Legislature

Eric Axelsen
DC Real Property Tax
845/486-2140

Eoin Wrafter
DC Acting Commissioner of
Planning and Development
845/486-3600

Jennifer Fimbel
Cornell Cooperative
Extension
845/677-8223

Harry Baldwin
Ex-Officio
845/266-5378

Resolution of the Dutchess County Farmland Protection Board

At a meeting of the Dutchess County Farmland Protection Board ("Board") held on the 5th day of June, 2015 in Millbrook, NY, the following resolution was adopted by a vote of the entire Board, to wit:

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law establishes a mechanism on an annual basis for parcels of land comprised of predominately viable agricultural land to be included within the state's Agricultural Districts; and

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law sets forth the requirement that the Legislative Body in every county in New York State with existing Agricultural Districts must designate an annual 30-day period during which landowners may apply for inclusion of their agriculturally viable land in the Agricultural Districts; and

WHEREAS, Dutchess County Legislative Resolution 204098 established an annual thirty-day period extending from April 15 to May 14 during which Landowners may summit such requests to the legislature to include their properties in the Agricultural Districts; and

WHEREAS, During the one month period extending from April 15, 2018 to May 14, 2018, the Dutchess County Farmland Protection Board received such applications on behalf of the Legislature; and

WHEREAS, The Dutchess County Soil and Water Conservation District, acting as a consultant to the Board, conducted a review of the agricultural characteristics of all such applications received by the Board; and

WHEREAS, the same Dutchess County Soil and Water Conservation District, found in the process of conducting the aforementioned review that the certain parcels itemized below are located within one of the Dutchess County's four Agricultural Districts and have present a high percentage or large acreage of viable farmland as required by Section 303-b of the Agricultural Districts Law; and

WHEREAS, the same Dutchess County Soil and Water Conservation District specifically recommended that certain parcels itemized below qualify for inclusion in the Agricultural Districts due

to the character of viable farmland found to be present on these properties; and

WHEREAS, the Board, in the context of the standards established by Section 303-b of the Agriculture Districts Law, has duly considered the merits of the each and every parcel application it has received; therefore be it

RESOLVED by a majority vote of the Dutchess County Agriculture and Farmland Protection Board on June 5th, 2018, that the Board recommends to the Dutchess County Legislature that the following nine parcels constituting a total of 170.12 acres of land to be added to the respective Agriculture Districts pursuant to Section 303-b, including three parcels comprising 20.24 acres in Agricultural District 20, one parcel comprising 21.1 acres in Agricultural District 21, one parcel comprising 31 acres in Agricultural District 22, and four parcels comprising 97.78 acres in Agricultural District 23:

Landowner	Town	SWIS Code	Parcel Number	Acres	District
James Enkler	Clinton	132400	6267-00-820205	3.7	20
James Enkler	Clinton	132400	6267-00-865205	3.1	20
James Vitiello	Clinton	132400	6267-00-787124	13.44	20
Heidi Myers	Washington	135889	6765-00-048708	21.1	21
Robert Behring	LaGrange	133400	6462-02-675824	31	22
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-167790	1.3	23
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-062777	60.4	23
Sally Raphael	Pawling	134089	7156-00-400973	25.5	23
Heidi Myers	UnionVale	135400	6663-00-653092	10.58	23

these said parcels being recommended due to the character of viable farmland documented to be present on said parcels; and be it further

RESOLVED that the Board recommends to the Dutchess County Legislature that the following six parcels totaling 252.55 acres, for which an application was received, be rejected for inclusion in the Agricultural Districts:

Maria Fitzgibbon	Milan	133800	6671-00-042265	140.2	20
Kerrie Abela	Rhinebeck	135089	6371-00-600224	50.55	20
Michael Lancto	Rhinebeck	135089	6269-00-232404	40.74	20
Edward Russell	Rhinebeck	135089	6371-00-423606	5.93	20
Juliette Landi	LaGrange	133400	6462-03-172062	2.1	22
Thomas Sanford	LaGrange	133400	6560-01-060861	13.03	22

these said parcels being recommended for rejection rather than inclusion due to fact that the character of land on said parcels does not meet the criteria of viable farmland stipulated in Section 303-b of the Agricultural Districts Law; and be it further

RESOLVED that for four parcels totaling 72.107 acres an application was received for parcels that had already been enrolled in an Agricultural District prior to April 15, 2018:

William Holman	Clinton	132400	6466-00-631439	10.007	20
William Holman	Clinton	132400	6466-00-619485	29.03	20
James Viticllo	Clinton	132400	6267-00-780038	14.07	20
Michael Wolfe	Fishkill	133089	6054-00-790825	20	22

these said parcels therefore requiring no further action by the Legislature due to their status as parcels already included in Agriculture Districts 20, 22, or 23; and be it further

RESOLVED that in support of the above recommendations, the Board shall submit to the Legislature the following materials: 1) copies of all applications received, 2) copies of the review materials prepared by the Dutchess County Soil and Water Conservation District in association with all applications received, 3) copies of the minutes of the June 5th, 2018 meeting of the Board.

IN WITNESS WHEREOF, **I, Gregg Pulver, Chairman of the Dutchess County Farmland Protection Board, certify that the foregoing resolution was adopted by Board at its June 5th, 2018 meeting.**

Date June 14th 2018

Environment

RESOLUTION NO. 2017136

RE: PROPERTY OWNER REQUESTS TO BE INCLUDED WITHIN DUTCHESS COUNTY'S CERTIFIED AGRICULTURAL DISTRICTS 20, 21, 22, AND 23

Legislators FORMAN, MICCIO, BOLNER, PULVER, WASHBURN, TRUITT, SAGLIANO, STRAWINSKI, LANDISI and HORTON offer the following and move its adoption:

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law establishes a mechanism on an annual basis for parcels of land comprised of predominately viable agricultural land to be included within the state's Agricultural Districts, and

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law sets forth the requirement that the Legislative Body in every county in New York State with existing Agricultural Districts must designate an annual 30-day period during which landowners may apply for inclusion of their agriculturally viable land in the Agricultural Districts, and

WHEREAS, Dutchess County Legislative Resolution 204098 established an annual thirty-day period extending from April 15 to May 14 during which landowners may summit such requests to the Legislature to include their properties in the Agricultural Districts, and

WHEREAS, during the one-month period extending from April 15, 2017, to May 14, 2017, the Dutchess County Farmland Protection Board received such applications on behalf of the Legislature, and

WHEREAS, subsequently the Agricultural and Farmland Protection Board submitted its report with recommendation as to those requests to the Legislature, and

WHEREAS, after proper Notice of Public Hearing, this Legislature held a public hearing on July 10, 2017, with respect to the above and heard all those wishing to address the matter at said public hearing, and

WHEREAS, New York State Agriculture and Markets Law Section 303-b requires the County Legislature, following such public hearing to adopt or reject the proposed requests for inclusion of land within an existing Agricultural District, and

WHEREAS, the report and recommendations of the Agricultural Farmland Protection Board are on file with the Clerk of the Dutchess County Legislature, and

WHEREAS, the Legislature has considered the matter including the report and recommendation of the Agricultural Farmland Protection Board at the public hearing, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby adopts the recommendations of the Agricultural and Farmland Protection Board and adopts the

requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Landowner	Town	SWIS Code	Parcel Number	Acres	District
Stoudemire Farms Holdings LLC	Hyde Park	133200	6264-01-364904	37.47	20
Stoudemire Farms Holdings LLC	Hyde Park	133200	6265-03-395040	141.4	20
Sharon Sherrod	Rhinebeck	135089	6169-00-022744	3.2	20
Lloyd Hicks	North East	133889	7070-00-751718	6.75	21
Dwaine Lee	Dover	132600	7260-00-015023	3.711	23
Mara Shelby	Dover	132600	7161-00-875395	34.49	23
Mara Shelby	Dover	132600	7161-00-803354	5.51	23

and, be it further

RESOLVED, that the Dutchess County Legislature herby adopts the recommendations of the Agricultural and Farmland Protection Board and rejects the requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Kerrie Abelea	Rhinebeck	135089	6371-00-600224	50.55	20
Edward Russell	Rhinebeck	135089	6371-00-423606	5.93	20
Drew Kessler	East Fishkill	132800	6355-00-328959	3.16	22
Drew Kessler	East Fishkill	132800	6355-00-320931	0.98	22
Juliette Landi	LaGrange	133400	6462-03-172062	2.1	22
Organic Outpost Inc.	East Fishkill	132800	6556-01-195790	13.66	22
Dwaine Lee	Dover	132600	7160-00-941061	43.23	23

and, be it further

RESOLVED, that the Clerk of the Legislature shall submit a copy of this Resolution together with the report of the Dutchess Agricultural and Farmland Protection Board, and the tax map identification numbers and tax maps for each parcel of land to be included in an Agricultural District, to the New York State Commissioner of Agriculture and Markets.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/18/2017

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of July 2017, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of July 2017.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF DUTCHESS

----------x

Town of LaGrange

Plaintiff/Petitioner,

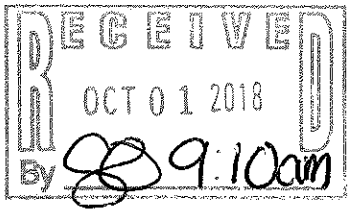
-against-

Index No. 2018 - 53053

Dutchess County Legislature, Juliette Landi

Defendant/Respondent.

----------x



NOTICE OF ELECTRONIC FILING

You have received this Notice because:

- The Plaintiff/Petitioner, whose name is listed above, has filed this case using the New York State Courts e-filing system, and
- You are a Defendant/Respondent (a party) in this case.

(CPLR § 2111, Uniform Rule § 202.5-bb)

If you are represented by an attorney: give this Notice to your attorney. (Attorneys: see "Information for Attorneys" pg. 2).

If you are not represented by an attorney: you are not required to e-file. You may serve and file documents in paper form and you must be served with documents in paper form. However, as a party without an attorney, you may participate in e-filing.

Benefits of E-Filing

You can:

- serve and file your documents electronically
- view your case file on-line
- limit your number of trips to the courthouse
- pay any court fees on-line.

There are no additional fees to e-file, view, or print your case records.

To sign up for e-filing or for more information about how e-filing works, you may:

- visit: www.nycourts.gov/efile-unrepresented or
- go to the Help Center or Clerk's Office at the court where the case was filed. To find legal information to help you represent yourself visit www.nycourthelp.gov

Information for Attorneys

An attorney representing a party who is served with this notice must either:

1) immediately record his or her representation within the e-filed matter on the NYSCEF site https://iapps.courts.state.ny.us/nyscef/HomePage; or

2) file the Notice of Opt-Out form with the clerk of the court where this action is pending. Exemptions from mandatory e-filing are limited to attorneys who certify in good faith that they lack the computer hardware and/or scanner and/or internet connection or that they lack (along with all employees subject to their direction) the operational knowledge to comply with e-filing requirements. [Section 202.5-bb(e)]

For additional information about electronic filing and to create a NYSCEF account, visit the NYSCEF website at www.nycourts.gov/efile or contact the NYSCEF Resource Center (phone: 646-386-3033; e-mail: efile@nycourts.gov).

Dated: 09/28/201

RONALD C. BLASS JR.
Name

Van DeWater and Van DeWater, LLP
Firm Name

85 Civic Center Plaza, Suite 101
Address

Poughkeepsie, New York 12601

(845) 452-5900
Phone

rblass@vandewaterlaw.com
E-Mail

To: _____

_____

_____

11/20/17

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF DUTCHESS
----------X
TOWN OF LAGRANGE,

Plaintiff - Petitioner,

-against-

DUTCHESS COUNTY LEGISLATURE AND
JULIETTE LANDI,

Defendants - Respondents.
----------X

SUMMONS

Index No. 2018-53053

(_____, J.)

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the complaint in this action, and to serve a copy of your answer or, if the complaint is not served with the summons, to serve notice of appearance on the plaintiff's attorneys within twenty (20) days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete, if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the verified complaint including (a) judgment declaring and vacating an August 20, 2018 Resolution of the Dutchess County Legislature to include 18 Traver Road in a county agricultural district, and (b) injunctive relief enforcing the Town of LaGrange's land use regulations concerning home occupations, together with an award of attorneys' fees and costs and disbursements, and together with such other and further relief which this Court finds proper.

Dutchess County is hereby designated as the mandatory place of trial. The basis of venue is the location of the County Legislature and the subject real property of 18 Traver Road, LaGrange, New York.

Dated: Poughkeepsie, New York
September 26, 2018

Yours, etc.

VAN DEWATER & VAN DEWATER, LLP

By: _____

RONALD C. BLASS, JR.
Attorneys for Plaintiff - Petitioner
Office and P. O. Address
85 Civic Center Plaza, Suite 101
P. O. Box 112
Poughkeepsie, New York 12602
Telephone: 845-452-5900

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF DUTCHESS
----------X
TOWN OF LAGRANGE,

Plaintiff - Petitioner,

-against-

DUTCHESS COUNTY LEGISLATURE AND
JULIETTE LANDI,

Defendants - Respondents.
----------X

NOTICE OF PETITION

Index No.

(_____, J.)

PLEASE TAKE NOTICE THAT upon the Verified Petition, verified on September 26, 2018, Petitioner will move this Court located at the Dutchess County Courthouse, 10 Market Street, Poughkeepsie, New York, on the 2nd day of November, 2018 at 9:30 A.M., or as soon thereafter as counsel can be heard, for judgment pursuant to CPLR Article 78 (a) annulling a determination made on August 20, 2018 by the Dutchess County Legislature after public hearing which included defendant Landi's 18 Traver Road, LaGrange, New York property within a county agricultural district as the remedy for the arbitrary, capricious, and irrational action of respondent Legislature, and such other and further relief which this Court finds just, suitable and proper.

PLEASE TAKE FURTHER NOTICE that answering papers and a certified return are demanded from Respondent no later than five (5) days if by delivery, and not less than ten (10) days if by mail, before the aforesaid return date, or consistent with such schedule as shall be established by agreement the parties.

Demand is made for the County Legislature to produce its full record of proceedings.

Dated: Poughkeepsie, New York
September 26, 2018

Yours, etc.

VAN DEWATER & VAN DEWATER, LLP

By: _____
RONALD C. BLASS, JR.
Attorneys for Plaintiff - Petitioner
Office and P. O. Address
85 Civic Center Plaza, Suite 101
P. O. Box 112
Poughkeepsie, New York 12602
Telephone: 845-452-5900

TO:

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF DUTCHESS
----------X
TOWN OF LAGRANGE,

Plaintiff - Petitioner,

-against-

DUTCHESS COUNTY LEGISLATURE AND
JULIETTE LANDI,

Defendants - Respondents.
----------X

VERIFIED COMPLAINT
AND PETITION

Index No.

(_____, J.)

In this hybrid proceeding, Plaintiff – Petitioner Town of LaGrange ("Town") alleges as follows:

1. The Town is a municipal corporation under the laws of the State of New York, and the Town maintains its principal office at Town Hall, 120 Stringham Road, LaGrangeville, New York.

2. Defendant – Respondent Dutchess County Legislature ("Legislature") is an elective legislative body for the County of Dutchess which is a municipal corporation with its principal office at County Office Building, 22 Market Street, Poughkeepsie, New York.

3. Defendant - Respondent Juliette Landi ("Landi") is the fee owner and is a resident of 18 Traver Road, Town of LaGrange, New York.

THE CHALLENGED ACTION OF THE LEGISLATURE

4. On August 20, 2018, and in derogation of the requirements of Agriculture and Markets Law 303-b, the Legislature adopted a resolution including 18 Traver Road within a county agricultural district. (See Exhibit "A" attached.)

5. The Legislature adopted the resolution despite the adverse recommendation of the Dutchess County Farmland Protection Board.

6. The role of the Dutchess County Farmland Protection Board is set forth within Section 303-b(2)(a) of the Agriculture and Markets Law.

7. Section 303-b(2)(a) of the Agriculture and Markets Law requires a Farmland Protection Board to recommend whether land to be included in agricultural district consists predominately of "viable agricultural land".

8. On June 14, 2018, the Dutchess County Farmland Protection Board determined that the 2.1-acre parcel of Landi at 18 Traver Road did not qualify for inclusion within the agricultural district. The inclusion of 18 Traver Road was rejected. (See Exhibit "B" attached.)

9. Despite the requirements of Section 303-b(2)(a), the resolution of the Legislature, adopted on August 20, 2018, did not find and state that 18 Traver Road consisted predominately of "viable agricultural land". The inclusion was accomplished without this finding in derogation of Section 303-b of the Agriculture and Markets Law.

10. The Legislature's resolution of August 20, 2018, concludes erroneously that the Dutchess County Farmland Protection Board had recommended the inclusion of the Landi property at 18 Traver Road.

11. During 2017, and on July 10, 2017, the Legislature adopted a resolution rejecting inclusion of the Landi property of 2.1 acres at 18 Traver Road. This action was consistent with

the recommendation of the Dutchess County Farmland Protection Board. (See Exhibit "C" attached.)

12. On its face, the resolution of the Legislature was arbitrary, capricious, unreasonable, and irrational in the following ways:

a) The Dutchess County Farmland Protection Board did not recommend the inclusion of the Landi property at 18 Traver Road;

b) The Legislature ignored the statutory adverse recommendation of the Dutchess County Farmland Protection Board;

c) The Legislature did not make a finding that the Landi property at 18 Traver Road consisted predominately of "viable agricultural land"; and

d) Without a meaningful change of circumstances, the Legislature included 18 Traver Road in the agricultural district despite rejecting its inclusion during the annual review process which culminated on July 10, 2017 --- consistent with the recommendation of the Dutchess County Farmland Protection Board.

THE ZONING VIOLATIONS AT 18 TRAVER ROAD.

13. 18 Traver Road consists of 2.1 acres. The minimum lot size for the Residential Low Density zoning district is 2.75 acres. The lot is non-conforming.

14. 18 Traver Road is situated within the Residential Low Density ("RLD") zoning district according to the Zoning Map of the Town.

15. Commercial uses are not allowed in the RLD zoning district.

16. On February 24, 2017, Landi applied to the Town for a home occupation involving the production of honey and maple syrup. (A copy of the application is annexed hereto as Exhibit "D".) The application stated that there would be "no insects" kept at 18 Traver Road. Bees are insects.

17. Section 240-54 of the Town Code addresses the procedure for establishment of a home occupation in a residential district which does not allow for commercial uses.

18. The central purpose of Section 240-54 is to preserve:

> "...peace, quiet, and domestic tranquility with all residential neighborhoods while recognizing that limited home occupational use can be useful to the general community as well as the resident-proprietor."

19. The processes under Section 250-54(B) calls for the applicant for a home occupation to circulate its business plan to all neighbors who reside within 150 feet.

20. Pursuant to Section 240-54(B) the home occupation permit expires <u>when the occupation changes</u> or the property is sold. (Emphasis supplied.)

21. The home occupation may not include the following under Section 240-54(B):

a) There shall be no outside evidence of the home occupation. (Section 240-54[B][6].)

b) There shall be no exterior storage of materials for the home occupation. (Section 240-54[B][8].)

c) There shall be no alteration of residential appearance to accommodate the home occupation. (Section 240-54[B][9].)

d) The cumulative impact of all home occupation activity shall not exceed the impact of a single, full-time home occupation. (Section 240-54[B][10].)

22. Because of outdoor parking, the following uses are prohibited as home occupations: ambulance service; automobile repair; churches; restaurants and taverns; and parking of construction equipment.

23. On March 6, 2017, the Town issued a home occupation permit to Landi for the manufacture of honey and maple syrup. (Attached as Exhibit "E".)

24. After March 6, 2017, Landi altered the home occupation as described within the Notice of Determination Revoking Home Occupation Permit, dated September 18, 2018. (Attached hereto as Exhibit "F".)

25. Before issuance of the Determination Revoking Home Occupation Permit the Town received a request from the Dutchess County Farmland Protection Board regarding the Landi efforts to include 18 Traver Road within a county agricultural district. The Dutchess County Farmland Protection Board specifically inquired as the presence of any violations.

26. On May 30, 2018, the Town responded to the Dutchess County Farmland Protection Board with a list of outstanding violations of Chapter 240 of the Town Code. (See Exhibit "G" annexed hereto.)

27. The Town noted that the following violations existed:

a) Farming of land, outside of an agricultural district, less than 7 acres in size;

b) Despite representations in the application, the maintaining of insects [bees] at the property;

c) The coming and going of box trucks to the property; and

d) The subordination of residential use to the commercial activity.

28. Landi was provided with a procedural due process opportunity to oppose the stated intention of the Town to revoke the home occupation permit. That opportunity was exercised. (See Exhibit "H" annexed hereto.)

29. The Dutchess County Farmland Protection Board recommended, for the second year in a row, the rejection of the 2.1-acre Landi property at 18 Traver Road in the county agricultural district. (See Exhibit "B".)

30. The Legislature, without acknowledging the recommendation, added 18 Traver Road to the county agricultural district.

31. In an exercise of significant error, the Legislature went so far as to conclude that the Dutchess County Farmland Protection Board had recommended 18 Traver Road for inclusion.

AS AND FOR A FIRST CAUSE OF ACTION FOR DECLARATORY JUDGMENT, AND A FIRST CLAIM UNDER CPLR ARTICLE 78

32. The Town restates and realleges the allegations set forth in paragraphs "1" through "31" hereinabove, as if fully set forth herein.

33. The resolution of the Legislature adopted on August 20, 2018 is arbitrary, capricious, unreasonable, and irrational for the following reasons:

a) The Dutchess County Farmland Protection Board did not recommend the inclusion of the Landi property at 18 Traver Road, although the resolution of the Legislature said that it did;

b) The Legislature ignored the statutory adverse recommendation of the Dutchess County Farmland Protection Board;

c) The Legislature did not make a finding that the Landi property at 18 Traver Road consisted predominately of "viable agricultural land"; and

d) Without a meaningful change of circumstances, the Legislature included 18 Traver Road in the agricultural district despite rejecting its inclusion during the annual review process which culminated on July 10, 2017 --- consistent with that year's recommendation of the Dutchess County Farmland Protection Board.

34. The resolution of the Legislature is substantive and final for purposes of review by declaratory judgment or by Article 78 proceeding.

35. Upon information and belief, the certification of the Legislature's action by the Commissioner of Agriculture and Markets is ministerial under Section 303-b of the Agriculture and Markets Law.

36. Upon information and belief, which the Town expects to be established by access to records under the Freedom of Information Law, the Commissioner has never withheld a certification of the Legislature's inclusion of land within a county agricultural district.

37. Moreover, based on the content of the Exhibit "I" annexed hereto (namely June 8, 2018, correspondence of Paul Cappy, an apiculturist with the Department of Agriculture and Markets), it would be futile for the Town to oppose or to challenge certification by the Commissioner of Agriculture and Markets. In the next to last paragraph of his letter, Mr. Cappy goes so far as to pre-certify Dennis Remsburger for authorization to raise "Nucs" colonies. Mr. Cappy does not address the fact that Nucs colonies contravene the application for home occupation.

38. This member of staff of the Commissioner is invested in the reputation of one Dennis Remsburger who handles the bee operation at the Landi property at 18 Traver Road.

39. Futility is a recognized exception to finality.

AS AND FOR A SECOND CAUSE OF ACTION FOR INJUNCTIVE RELIEF

40. The Town restates and realleges the allegation set forth within paragraphs "1" through "39" hereinabove, as if fully set forth herein.

41. Pursuant to Section 240-86 of the LaGrange Town Code, the Town is entitled to pursue injunctive relief to prevent unlawful uses and, if successful, the Town is entitled to recover reasonable attorneys' fees.

42. On September 26, 2018, the Town Board authorized the commencement of this enforcement action by resolution. (Exhibit "J" annexed hereto.)

43. The plaintiff is a municipality. A municipality is not required to establish irreparable harm or a balancing of the equities in its favor in order to enforce violations of Town Code by injunction. Establishing the violation is enough. (Town of North East v. Vitiello, 2018 N.Y. App. Div. LEXIS 1426*; 2018 NY Slip Op 01497; Hasson v. S.B.J. Assoc., LLC, 117 AD3d 904, 905, N.Y.S.2d 905; Town of Brookhaven v. Mascia, 38 AD3d 758, 759, 833 N.Y.S.2d 519).

44. This principle is further manifest within the authority of the Town of Islip v. Clark (90 A.D.2d, 500, 454 N.Y.S.2d 893 [2d Dept., 1982].)

45. The Town requests the following injunctive relief:

a) Revocation of the Landi Home Occupation Permit due to change of occupation;

b) Judgment enjoining the keeping of beehives at 18 Traver Road for the purpose of breeding bees as insects;

c) Judgment enjoining the maintaining of outdoor deposit at 18 Traver Road related to the home occupation of producing honey and maple syrup;

d) Judgment compelling Landi to replant the trees which were removed to expand the home occupation;

e) Judgment compelling Landi to restore the driveway configuration at 18 Traver Road; and

f) Judgment enjoining Landi and Dennis Remsburger from use of box trucks to transport beehives to and from 18 Traver Road.

46. In the event the Town prevails in the injunction action, an award of actual and reasonable attorneys fees to the Town by this Court, and the entry of judgment in such amount.

WHEREFORE, the Town respectfully requests judgment:

a) Vacating the resolution of the Legislature dated August 20, 2018, on the grounds that it is arbitrary, capricious, unreasonable, and irrational, as well as a gross deviation from the requirements of Section 303-b of the Agriculture and Markets Law; and

b) Judgment for injunctive relief vacating the home occupation permit for 18 Traver Road based upon a change of occupation, or granting the injunctive relief necessary to reinstate the home occupation as approved by the Town on March 6, 2017; and

c) Judgment awarding the Town attorneys fees on the second cause of action in the event it prevails; and

d) Costs and disbursements of this action.

Dated: Poughkeepsie, NY
September 26, 2018

VAN DE WATER & VAN DE WATER, LLP

By: _____

RONALD C. BLASS, JR.
Attorneys for Plaintiff - Petitioner
Office and P.O. Addresses
85 Civic Center Plaza, P.O. Box 112
Poughkeepsie, NY 12602
Telephone: (845) 452-5900

VERIFICATION

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

ALAN BELL, being duly sworn, deposes and says:

I am the SUPERVISOR of the TOWN OF LAGRANGE, the Plaintiff - Petitioner in the action herein; I have read the annexed VERIFIED COMPLAINT AND PETITION know the contents thereof and the same are true to my knowledge, except those matters therein which are stated to be alleged on information and belief, and as to those matters I believe them to be true.

The grounds of my belief as to all matters not stated upon my own knowledge are correspondence, records and reports in my possession.

ALAN BELL

Sworn to before me this
26th day of September, 2018.

Notary Public

CHRISTINE M. O'REILLY-RAO
NOTARY PUBLIC-STATE OF NEW YORK
No. 01OR6169917
Qualified in Dutchess County
My Commission Expires July 02, 2019

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EXHIBIT A

Environment
Tabled on floor 7/9/18
Amended on floor 8/20/18

RESOLUTION NO. 2018190

RE: PROPERTY OWNER REQUESTS TO BE INCLUDED WITHIN DUTCHESS COUNTY'S CERTIFIED AGRICULTURAL DISTRICTS 20, 21, 22, AND 23

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

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law establishes a mechanism on an annual basis for parcels of land comprised of predominately viable agricultural land to be included within the state's Agricultural Districts, and

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law sets forth the requirement that the Legislative Body in every county in New York State with existing Agricultural Districts must designate an annual 30-day period during which landowners may apply for inclusion of their agriculturally viable land in the Agricultural Districts, and

WHEREAS, Dutchess County Legislative Resolution 204098 established an annual thirty-day period extending from April 15 to May 14 during which landowners may summit such requests to the Legislature to include their properties in the Agricultural Districts, and

WHEREAS, during the one-month period extending from April 15, 2018, to May 14, 2018, the Dutchess County Farmland Protection Board received such applications on behalf of the Legislature, and

WHEREAS, subsequently the Agricultural and Farmland Protection Board submitted its report with recommendation as to those requests to the Legislature, and

WHEREAS, after proper Notice of Public Hearing, this Legislature held a public hearing on July 9, 2018, with respect to the above and heard all those wishing to address the matter at said public hearing, and

WHEREAS, New York State Agriculture and Markets Law Section 303-b requires the County Legislature, following such public hearing to adopt or reject the proposed requests for inclusion of land within an existing Agricultural District, and

WHEREAS, the report and recommendations of the Agricultural Farmland Protection Board are on file with the Clerk of the Dutchess County Legislature, and

WHEREAS, the Legislature has considered the matter including the report and recommendation of the Agricultural Farmland Protection Board at the public hearing, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby adopts the recommendations of the Agricultural and Farmland Protection Board and adopts the requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Landowner	Town	SWIS Code	Parcel Number	Acres	District
James Enkler	Clinton	132400	6267-00-820205	3.7	20
James Enkler	Clinton	132400	6267-00-865205	3.1	20
James Vitiello	Clinton	132400	6267-00-787124	13.44	20
Heidi Myers	Washington	135889	6765-00-048708	21.1	21
Robert Behring	LaGrange	133400	6462-02-675824	31	22
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-167790	1.3	23
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-062777	60.4	23
Sally Raphael	Pawling	134089	7156-00-400973	25.5	23
Heidi Myers	UnionVale	135400	6663-00-653092	10.58	23
Juliette Landi	LaGrange	133400	6462-03-172062	2.1	22

and, be it further

RESOLVED, that the Dutchess County Legislature herby adopts the recommendations of the Agricultural and Farmland Protection Board and rejects the requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Maria Fitzgibbon	Milan	133800	6671-00-042265	140.2	20
Kerrie Abela	Rhinebeck	135089	6371-00-600224	50.55	20
Michael Lancto	Rhinebeck	135089	6269-00-232404	40.74	20
Edward Russell	Rhinebeck	135089	6371-00-423606	5.93	20
Thomas Sanford	LaGrange	133400	6560-01-060861	13.03	22

and, be it further

RESOLVED, that the Clerk of the Legislature shall submit a copy of this Resolution together with the report of the Dutchess Agricultural and Farmland Protection Board, and the tax map identification numbers and tax maps for each parcel of land to be included in an Agricultural District, to the New York State Commissioner of Agriculture and Markets.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date _____

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 20th day of August 2018, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 20th day of August 2018.

Carolyn Morris
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

EXHIBIT B

Agriculture and Farmland Protection Board of Dutchess County

Gregg Pulver
Chairman
914-474-0908

Art Collings
Vice Chairman
Dutchess Land Conservancy
845/677-3002 Ext. 100

Peter Coon
Coon Brothers Partnership
845/373-8328

Doug Giles
Walbridge Farm

Ken Migliorelli
Migliorelli Farm

Agri-business
Edward C. Hackett
Hackett Farm Supply, Inc.
845/266-3494

Brian Scoralick
DC Soil & Water
Conservation District
845/677-8011 ext.3

Will Truitt
Dutchess County
Legislature

Eric Axelsen
DC Real Property Tax
845/486-2140

Eoin Wrafter
DC Acting Commissioner of
Planning and Development
845/486-3600

Jennifer Fimbel
Cornell Cooperative
Extension
845/677-8223

Harry Baldwin
Ex-Officio
845/266-5378

Resolution of the Dutchess County Farmland Protection Board

At a meeting of the Dutchess County Farmland Protection Board ("Board") held on the 5th day of June, 2015 in Millbrook, NY, the following resolution was adopted by a vote of the entire Board, to wit:

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law establishes a mechanism on an annual basis for parcels of land comprised of predominately viable agricultural land to be included within the state's Agricultural Districts; and

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law sets forth the requirement that the Legislative Body in every county in New York State with existing Agricultural Districts must designate an annual 30-day period during which landowners may apply for inclusion of their agriculturally viable land in the Agricultural Districts; and

WHEREAS, Dutchess County Legislative Resolution 204098 established an annual thirty-day period extending from April 15 to May 14 during which Landowners may summit such requests to the legislature to include their properties in the Agricultural Districts; and

WHEREAS, During the one month period extending from April 15, 2018 to May 14, 2018, the Dutchess County Farmland Protection Board received such applications on behalf of the Legislature; and

WHEREAS, The Dutchess County Soil and Water Conservation District, acting as a consultant to the Board, conducted a review of the agricultural characteristics of all such applications received by the Board; and

WHEREAS, the same Dutchess County Soil and Water Conservation District, found in the process of conducting the aforementioned review that the certain parcels itemized below are located within one of the Dutchess County's four Agricultural Districts and have present a high percentage or large acreage of viable farmland as required by Section 303-b of the Agricultural Districts Law; and

WHEREAS, the same Dutchess County Soil and Water Conservation District specifically recommended that certain parcels itemized below qualify for inclusion in the Agricultural Districts due

to the character of viable farmland found to be present on these properties; and

WHEREAS, the Board, in the context of the standards established by Section 303-b of the Agriculture Districts Law, has duly considered the merits of the each and every parcel application it has received; therefore be it

RESOLVED by a majority vote of the Dutchess County Agriculture and Farmland Protection Board on June 5th, 2018, that the Board recommends to the Dutchess County Legislature that the following nine parcels constituting a total of 170.12 acres of land to be added to the respective Agriculture Districts pursuant to Section 303-b, including three parcels comprising 20.24 acres in Agricultural District 20, one parcel comprising 21.1 acres in Agricultural District 21, one parcel comprising 31 acres in Agricultural District 22, and four parcels comprising 97.78 acres in Agricultural District 23:

Landowner	Town	SWIS Code	Parcel Number	Acres	District
James Enkler	Clinton	132400	6267-00-820205	3.7	20
James Enkler	Clinton	132400	6267-00-865205	3.1	20
James Vitiello	Clinton	132400	6267-00-787124	13.44	20
Heidi Myers	Washington	135889	6765-00-048708	21.1	21
Robert Behring	LaGrange	133400	6462-02-675824	31	22
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-167790	1.3	23
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-062777	60.4	23
Sally Raphael	Pawling	134089	7156-00-400973	25.5	23
Heidi Myers	UnionVale	135400	6663-00-653092	10.58	23

these said parcels being recommended due to the character of viable farmland documented to be present on said parcels; and be it further

RESOLVED that the Board recommends to the Dutchess County Legislature that the following six parcels totaling 252.55 acres, for which an application was received, be rejected for inclusion in the Agricultural Districts:

Maria Fitzgibbon	Milan	133800	6671-00-042265	140.2	20
Kerrie Abela	Rhinebeck	135089	6371-00-600224	50.55	20
Michael Lancto	Rhinebeck	135089	6269-00-232404	40.74	20
Edward Russell	Rhinebeck	135089	6371-00-423606	5.93	20
Juliette Landi	LaGrange	133400	6462-03-172062	2.1	22
Thomas Sanford	LaGrange	133400	6560-01-060861	13.03	22

these said parcels being recommended for rejection rather than inclusion due to fact that the character of land on said parcels does not meet the criteria of viable farmland stipulated in Section 303-b of the Agricultural Districts Law; and be it further

RESOLVED that for four parcels totaling 72.107 acres an application was received for parcels that had already been enrolled in an Agricultural District prior to April 15, 2018:

William Holman	Clinton	132400	6466-00-631439	10.007	20
William Holman	Clinton	132400	6466-00-619485	29.03	20
James Vitielio	Clinton	132400	6267-00-780038	14.07	20
Michael Wolfe	Fishkill	133089	6054-00-790825	20	22

these said parcels therefore requiring no further action by the Legislature due to their status as parcels already included in Agriculture Districts 20, 22, or 23; and be it further

RESOLVED that in support of the above recommendations, the Board shall submit to the Legislature the following materials: 1) copies of all applications received, 2) copies of the review materials prepared by the Dutchess County Soil and Water Conservation District in association with all applications received, 3) copies of the minutes of the June 5th, 2018 meeting of the Board.

IN WITNESS WHEREOF, **I, Gregg Pulver, Chairman of the Dutchess County Farmland Protection Board, certify that the foregoing resolution was adopted by Board at its June 5th, 2018 meeting.**

Date June 14th 2018

EXHIBIT C

Environment

RESOLUTION NO. 2017136

RE: PROPERTY OWNER REQUESTS TO BE INCLUDED WITHIN DUTCHESS COUNTY'S CERTIFIED AGRICULTURAL DISTRICTS 20, 21, 22, AND 23

Legislators FORMAN, MICCIO, BOLNER, PULVER, WASHBURN, TRUITT, SAGLIANO, STRAWINSKI, LANDISI and HORTON offer the following and move its adoption:

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law establishes a mechanism on an annual basis for parcels of land comprised of predominately viable agricultural land to be included within the state's Agricultural Districts, and

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law sets forth the requirement that the Legislative Body in every county in New York State with existing Agricultural Districts must designate an annual 30-day period during which landowners may apply for inclusion of their agriculturally viable land in the Agricultural Districts, and

WHEREAS, Dutchess County Legislative Resolution 204098 established an annual thirty-day period extending from April 15 to May 14 during which landowners may summit such requests to the Legislature to include their properties in the Agricultural Districts, and

WHEREAS, during the one-month period extending from April 15, 2017, to May 14, 2017, the Dutchess County Farmland Protection Board received such applications on behalf of the Legislature, and

WHEREAS, subsequently the Agricultural and Farmland Protection Board submitted its report with recommendation as to those requests to the Legislature, and

WHEREAS, after proper Notice of Public Hearing, this Legislature held a public hearing on July 10, 2017, with respect to the above and heard all those wishing to address the matter at said public hearing, and

WHEREAS, New York State Agriculture and Markets Law Section 303-b requires the County Legislature, following such public hearing to adopt or reject the proposed requests for inclusion of land within an existing Agricultural District, and

WHEREAS, the report and recommendations of the Agricultural Farmland Protection Board are on file with the Clerk of the Dutchess County Legislature, and

WHEREAS, the Legislature has considered the matter including the report and recommendation of the Agricultural Farmland Protection Board at the public hearing, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby adopts the recommendations of the Agricultural and Farmland Protection Board and adopts the

requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Landowner	Town	SWIS Code	Parcel Number	Acres	District
Stoudemire Farms Holdings LLC	Hyde Park	133200	6264-01-364904	37.47	20
Stoudemire Farms Holdings LLC	Hyde Park	133200	6265-03-395040	141.4	20
Sharon Sherrod	Rhinebeck	135089	6169-00-022744	3.2	20
Lloyd Hicks	North East	133889	7070-00-751718	6.75	21
Dwaine Lee	Dover	132600	7260-00-015023	3.711	23
Mara Shelby	Dover	132600	7161-00-875395	34.49	23
Mara Shelby	Dover	132600	7161-00-803354	5.51	23

and, be it further

RESOLVED, that the Dutchess County Legislature herby adopts the recommendations of the Agricultural and Farmland Protection Board and rejects the requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Kerrie Abelea	Rhinebeck	135089	6371-00-600224	50.55	20
Edward Russell	Rhinebeck	135089	6371-00-423606	5.93	20
Drew Kessler	East Fishkill	132800	6355-00-328959	3.16	22
Drew Kessler	East Fishkill	132800	6355-00-320931	0.98	22
Juliette Landi	LaGrange	133400	6462-03-172062	2.1	22
Organic Outpost Inc.	East Fishkill	132800	6556-01-195790	13.66	22
Dwaine Lee	Dover	132600	7160-00-941061	43.23	23

and, be it further

RESOLVED, that the Clerk of the Legislature shall submit a copy of this Resolution together with the report of the Dutchess Agricultural and Farmland Protection Board, and the tax map identification numbers and tax maps for each parcel of land to be included in an Agricultural District, to the New York State Commissioner of Agriculture and Markets.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/18/2017

STATE OF NEW YORK

COUNTY OF DUTCHESS ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of July 2017, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of July 2017.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

EXHIBIT D

TOWN OF LAGRANGE

120 Stringham Road, LaGrangeville, New York 12540
Tel. No. (845) 452-2046

USE PERMIT APPLICATION

NAME OF BUSINESS: Remsburger Honey + Maple

APPLICANT'S NAME: Juliette Landi DATE: 2-24-17

MAILING ADDRESS: 18 Traver Road FEE: $100. paid

Pleasant Valley, NY TEL.NO. 845-891-6800

GRID # OF PROPERTY: 133400-6462-03-172062-0000 ACREAGE OF PARCEL 2.1

LOCATION (if different from above) N/A

SUITE ADDRESS N/A

ZONING DISTRICT: _____ LOCATED ON: _____ State road _____ County road ✓ Town road

Type of Business (describe briefly): Maple syrup + honey

Retail: 0 Office: 0 Warehouse: 1,000 Other: 432

Total square footage to be occupied by above business 1,440 sq.ft.

Total Number of Employees: 0 Hours of Operation: NOT OPEN TO PUBLIC

Number of parking spaces available to your business: 0

Prior use of Building (if any): garage

Describe any proposed changes to: Exterior of bldg: _____ Interior of bldg. _____

Parking area _____ Landscaping _____ Signage _____

I certify that the above information is true and correct to the best of my knowledge.

Applicant's Signature Juliette Landi

18 Traver Road
PO Box 223
Pleasant Valley, NY 12569
February 24, 2017

Dear Mr. & Mrs. Recchia;

In accordance with the Town of LaGrange Zoning Code, Chapter 240-54, I am applying for a Use Permit for a Home Occupation for processing maple syrup and honey from my home. This is a use that is permitted provided I comply with the conditions set forth in the code.

One of the conditions is that all neighboring property owners within 150' of my property be notified of my intentions. If you have any questions or comments with respect to my application, please call the Department of Planning, Zoning and Building and Building at 452-1830 x 115.

We are Remsburger Honey & Maple, have been in business for over a decade and have relocated from Town of Peasant Valley to the Town of LaGrange.

We are a wholesale company and you may have seen our products in Adams Fairacre Farms, Pleasant Valley Department Store, Miller Hardware, The Branch Health Food Store, Meadowbrook Farm and Barton Orchard to name a few and look forward to continuing our operation here.

We are not open to the public and therefore will not congest the area with traffic.

Sincerely,

Juliette Landi
Manager
Remsburger Honey & Maple

I, Juliette Landi, owner of 18 Traver Road, Pleasant Valley, NY, Town of LaGrange do hereby state:

My home occupation will be incidental to the use of a dwelling unit for residential purposes.

The dwelling unit will be owner-occupied.

No more than 30% of the total floor area of the dwelling unit will be used in connection with my home occupation.

Sale of produce and consumer goods shall be prohibited except for the sales of products or goods produced or fabricated on the premises as a result of the home occupation.

Only the person or persons who own and occupy the dwelling and two additional persons shall be employed in the home occupation.

There shall be no outside evidence of the home occupation except that one sign shall be permitted as per § 240-43 of this chapter and Table 1[1] of that section.

In no case shall my home occupation be open to the public at times earlier than 8:00 a.m. nor later than 9:00 p.m.

There shall be no exterior storage of materials to be used in conjunction with a home occupation.

No alteration of the residential appearance of the premises to accommodate the home occupation will be done.

An existing accessory structure can be used for a home occupation, provided that there are no exterior modifications and that the use will not change the residential or agricultural character of the area.

The total number of home occupations conducted within a dwelling unit is not limited except that the cumulative impact of all home occupations conducted within the dwelling unit or on the premises shall not exceed the impact of a single, full-time home occupation.

Electrical or mechanical equipment that creates visible or audible interference in radio or television receivers or causes fluctuations in line voltage outside the dwelling unit or that creates noise not normally associated with residential uses is prohibited.

Signage will conform to § 240-43.

Furthermore our home business consists of processing maple syrup and honey and are therefore exempt from the licensing requirements of the Subchapter in circular 938 of the nYS Department of Ag & Markets, provided that the following conditions are met (we will meet all of the following requirements):
(1) Such establishments are maintained in a sanitary condition and manner, and to this end the following requirements shall be complied with:

Dear

In accordance with the Town of LaGrange Zoning Code, Chapter 240-54, I am applying for a Use Permit for a Home Occupation for processing maple syrup and honey from my home. This is a use that is permitted provided I comply with the conditions set forth in the Code.

One of the conditions is that all neighboring property owners within 150' of my property be notified of my intentions. If you have any questions or comments with respect to my application, please call the Department of Planning, Zoning and Building at 452-1830 x115.

Sincerely,

Gary G. Schenkel
14 Traver Rd
Pleasant Valley, NY 12569
For Property:133400006462000317404000000

Raymond C. Coffey
18 Traver Rd
Pleasant Valley, NY 12569
For Property:133400006462000317206200000

Donald Northrup, Jr
10 Traver Rd
Pleasant Valley, NY 12569
For Property:133400006462000315702700000

James P. Donick
28 Traver Rd
Pleasant Valley, NY 12569
For Property:133400006462000317607900000

Alex M. Limato, Jr
500 Lake St
White Plains, NY 10604
For Property:133400006462000314006500000

Helen M. Page
189 Freedom Rd
Pleasant Valley, NY 12569
For Property:133400006461000132295800000

Peggy Pisano
38 Traver Rd
Pleasant Valley, NY 12569
For Property:133400006462000321711100000

John H. Recchia
22 Traver Rd
Pleasant Valley, NY 12569
For Property:133400006462000321406700000

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EXHIBIT E

TOWN OF LAGRANGE

DUTCHESS COUNTY, NEW YORK

CERTIFICATE OF USE

GRID NO. 08-6462-03-172062 **PERMIT NO. 17-01**

CERTIFICATE OF USE PERMIT FOR **HOME OCCUPATION** IS HEREBY GRANTED TO **JULIETTE LANDI** FOR PROPERTY SITUATED **18 TRAVER ROAD** TOWN OF LAGRANGE, DUTCHESS COUNTY, NEW YORK IN ACCORDANCE WITH THE ZONING ORDINANCE OF THE TOWN OF LAGRANGE.

THIS 6th DAY OF MARCH, 2017

Building Inspector

THIS USE PERMIT IS ISSUED PURSUANT TO THE FOLLOWING APPROVALS:

PLANNING BOARD:_____
CERTIFICATE OF COMPLIANCE 12947
DUTCHESS COUNTY HEALTH DEPT._____

ZONING BOARD OF APPEALS _____
OTHER: _____

12/2008

EXHIBIT F

OFFICE OF THE ZONING ADMINISTRATOR

Town of LaGrange

Dutchess County, New York

Determination On Use/ Revocation of Home Occupation

09-18-1

In the matter of Juliette Landi, 18 Traver Road, Pleasant Valley, NY 12569.
Home Occupation to process maple syrup and honey.

FACTS

1. **Juliette Landi**, the owner of 18 Traver road located at Grid No. **6462-03-172062** in an RLD zoning district containing 2.1 acres.

2. **Juliette Landi,** purchased the property January 5, 2017.

3. The undersized parcel containing 2.1 acres is a legal nonconforming lot as to bulk and area requirements. Specifically the RLD zoning district requires 2.75 acres.

4. Upon information and belief, the parcel is **not** located in an agricultural district certified by the State Agriculture & Markets Department, and it does **not** qualify as a farm. Specifically a minimum of **7 acres** is required to be classified as a farm as defined in section §240-112 of the zoning code; Definitions.

5. On February 24, 2017 Juliette Landi submitted an application and statement of use on forms provided by the Zoning Administrator seeking to operate a **Home Occupation** in order to process maple syrup and honey in a residential zoning district.

6. Juliette Landi (hereinafter "the permit holder") was issued a **Use Permit** on March 6, 2017 after a public notice was circulated to all neighbors within 150 feet; pursuant to the requirements set forth in the zoning code §240-54 Home Occupation.

7. On February 14, 2018, the permit holder submitted an independent application for an **agricultural assessment** on form NO. RP-305; provided by the state of New York Department of Taxation and Finance Office of Real Property Tax Services.

FACTS CONTINUED

8. On April 26, 2018, the permit holder submitted an independent application requesting **placement into an agriculture district** on forms provided by the New York State Department of Agriculture and Markets. The application was received by the Farmland Protection Board for Dutchess County established under Section 302 of the Ag & Markets Law.

9. In early spring of 2018, a resident brought to the Town's attention a concern that there were numerous bees on the property at 18 Traver Road. The complaint required the Town's Code Enforcement Officer to investigate.

10. As result of all of the correspondence and activity pertaining to this parcel, the zoning department deemed it necessary to review the entirety of all the facts pertaining to the use permit.

11. On June 5, 2018, the permit holder received the **Notice of Intended Revocation Opportunity to be Heard** for her Home Occupation use permit.

12. On June 13, 2018, Juliette Landi submitted her written response.

FINDINGS

WHEREAS, in the statement of use received by the building department on February 16, 2017, the permit holder stated that the home occupation would be for *processing maple syrup and honey* on the parcel. The permit holder specifically stated; *every practicable precaution shall be taken to exclude birds, insects, rodents and other vermin and animals from the premises of the operation.* (EXHIBIT A, Document Statement of Use.) Bees are insects.

WHEREAS, there is evidence of excessive outdoor storage of [bee boxes on the side and rear of the site's building and therefore is in violation of §240-54 (6) and (8). (EXHIBIT B, Photos)

WHEREAS, on May 3, 2018 in a correspondence to the Town Assessor, Robert Taft, the permit holder submitted information seeking to obtain an agricultural exemption. The permit holder stated in an email to Mr. Taft; *we sell Nucleus 'nuc' colonies [of bees] every spring, which are taken care of on the property until sold. We also raise Queen Honey Bees here.* In the same email, the permit holder also stated that the commercial business earns nearly $300,000 producing agricultural product on their parcel, including the raising of bees. (EXHIBIT C, Email)

FINDINGS CONTINUED

WHEREAS, on May 18, 2018 the Town of LaGrange was made aware that application for inclusion in the AG District had been made by the Owner. The Farmland Protection Board sent an email to the Town Supervisor, with a request to provide the Farmland Protection Board with any violations. The Town requested a copy of the application. (EXHIBIT D)

WHEREAS, in response to the Farmland Protection board's inquiry, the Municipal Code Enforcement Inspector provided the Farmland Protection Board a statement of zoning violations at 18 Traver Road, by letter dated May 30, 2018. (EXHIBIT E)

WHEREAS, the permit holder did not disclose the necessary use of a large commercial flatbed truck in order to transport beehives, equipment and products to and from the residential property.

WHEREAS, the permit holder removed trees in the front yard to expand their driveway for easier access for their commercial vehicles.

WHEREAS, §240-54 Home Occupation (D) (5) *Parking, storage and servicing of construction equipment, including, but not limited to, trucks larger than pickups and panel wagons, backhoes and bulldozers is not permitted.* (EXHIBIT B, Photos)

WHEREAS, §240-54 Home Occupation states: *Purpose. The provisions of this section are to help provide peace, quiet, and domestic tranquility with all residential neighborhoods while recognizing that limited home occupational use can be useful to the general community as well as the resident-proprietor.*

WHEREAS, §240-54 (B) Procedure. *Persons seeking to establish a home occupation must seek a use permit from the Zoning Administrator, who shall require, at a minimum, an application letter describing the use, hours of operation, traffic, parking, and effect on neighboring properties, with a sketch of the house and parking. The applicant shall notify all neighbors within 150 feet and shall certify to the Zoning Administrator that such notification has been given. The application shall be accompanied by an application fee; the amount of the fee shall be set forth on the prevailing fee schedule adopted by resolution of the Town Board and as such schedule is modified from time to time by resolution of the Town Board. The permit expires when the occupation changes or the property is sold. Permitted home occupations operated in any dwelling unit may be operated only if they comply with all of the following conditions* (Home Occupation Standards)

FINDINGS CONTINUED

WHEREAS, §240-54 Home Occupation (1) states: *A home occupation must be incidental to the use of a dwelling unit for residential purposes.*

WHEREAS, §240-26 General Regulations (A) states: *Lot for every building. Every building hereafter erected shall be located on a lot as herein defined, and there shall be not more than one principal building on one lot, except as specifically permitted elsewhere in this chapter.*

WHEREAS, §240-54 Home Occupation (6) states: *There shall be no outside evidence of the home occupation except that one sign shall be permitted as per* **§240-43** *of this chapter and* **Table 1** [1] *of that section.* (EXHIBIT B)

WHEREAS, §240-54 Home Occupation (8) states: *There shall be no exterior storage of materials to be used in conjunction with a home occupation.* (EXHIBIT B)

WHEREAS, §240-54 Home Occupation (10) states: *An existing accessory structure can be used for a home occupation, provided that there are no exterior modifications and that the use will not change the residential or agricultural character of the area.*

WHEREAS, §240-112 Definitions states: *Farm, An area of land consisting of not less than seven acres, unless the parcel is located in a state-certified agriculture district, where crops are grown or animals are reared for commercial purposes, together with appropriate buildings. [Upon information and belief, the property is not within an Agricultural District certified by the state Ag & Markets Department.] Nothing herein shall be deemed to prohibit gardening, the raising of animals as may be regulated elsewhere in the Code, or other agricultural activities conducted for private use or consumption as an accessory use to a dwelling.*

DETERMINATION

WHEREAS, on June 11, 2018 the owner of 18 Traver Road exercised their due process right and opportunity to respond to the Notice of Intended Revocation Opportunity to be Heard.

WHEREAS, the permit holder omitted information of consequence to the Zoning Administrator in order to obtain a Use Permit for the Home Occupation.

WHEREAS, the permit holder submitted information to the Town Assessor's office; by providing a list of expanded operations beyond that of the approved Use Permit in an effort to obtain an agricultural exemption for the property.

DETERMINATION CONTINUED

WHEREAS, the permit holder submitted further information to obtain inclusion into an Agricultural District in order to gain farm protection rights.

WHEREAS, had the applicant disclosed all of their intended commercial activities when they submitted their statement of use, the Use Permit would not have been granted.

WHEREAS, the permit holder is in violation of several conditions of the Home Occupation regulations in order to conduct business in a residentially zoned area as in numerated.

1. **240-54 Home Occupation (1)** *A home occupation must be incidental to the use of a dwelling unit for residential purposes.*
2. **240-54 Home Occupation (D) (5)** *Parking, storage and servicing of construction equipment.*
3. **240-54 Home Occupation (6)** *There shall be no outside evidence of the home occupation*
4. **240-54 Home Occupation (8)** *There shall be no exterior storage of materials to be used in conjunction with a home occupation*
5. **240-54 Home Occupation (10)** *An existing accessory structure can be used for a home occupation, provided that there are no exterior modifications and that the use will not change the residential or agricultural character of the area*
6. **240-26 General Regulations (A)** *Lot for every building. Every building hereafter erected shall be located on a lot as herein defined, and there shall be not more than one principal building on one lot, except as specifically permitted elsewhere in this chapter.*
7. **240-112 Definitions** *An area of land consisting of not less than seven acres, unless the parcel is located in a state-certified agriculture district.*

THEREFORE, based upon review of all the facts and findings, it is the official determination of this office that the permit holder intentionally omitted information in order to obtain a Use Permit for a Home Occupation and then proceeded to submit differing and more extensive information to both the Town Assessor and Farmland Protection Board. If the same information had been submitted to the Zoning office, a Use Permit could not and would not have been granted. The commercial honey business and newly established apiary [a place for keeping or raising bees] exceeds the standards for a Home Occupation and is now determined to be a second principal use. The structure devoted to the second principal use is a second principal building on the same lot. The use no longer qualifies under the Home Occupation requirements of §240-54. The Home Occupation is also devoted to farming activity in violation of the use regulations for the RLD zone which require a minimum parcel size of 7 acres. Upon information and belief, the property is not within an Agricultural District certified by the State Department of Ag & Markets. The Use Permit is hereby revoked.

RIGHT TO APPEAL

An appeal to the Zoning Board of Appeals is available. If exercised, the appeal shall be taken within 60 days of the date of this Determination

Date: 9.18.18 Signed: _____

Town Clerk: Christine O'Reilly Leo

EXHIBIT A

I, Juliette Landi, owner of 18 Traver Road, Pleasant Valley, NY, Town of LaGrange do hereby state:

My home occupation will be incidental to the use of a dwelling unit for residential purposes.

The dwelling unit will be owner-occupied.

No more than 30% of the total floor area of the dwelling unit will be used in connection with my home occupation.

Sale of produce and consumer goods shall be prohibited except for the sales of products or goods produced or fabricated on the premises as a result of the home occupation.

Only the person or persons who own and occupy the dwelling and two additional persons shall be employed in the home occupation.

There shall be no outside evidence of the home occupation except that one sign shall be permitted as per § 240-43 of this chapter and Table 1[1] of that section.

In no case shall my home occupation be open to the public at times earlier than 8:00 a.m. nor later than 9:00 p.m.

There shall be no exterior storage of materials to be used in conjunction with a home occupation.

No alteration of the residential appearance of the premises to accommodate the home occupation will be done.

An existing accessory structure can be used for a home occupation, provided that there are no exterior modifications and that the use will not change the residential or agricultural character of the area.

The total number of home occupations conducted within a dwelling unit is not limited except that the cumulative impact of all home occupations conducted within the dwelling unit or on the premises shall not exceed the impact of a single, full-time home occupation.

Electrical or mechanical equipment that creates visible or audible interference in radio or television receivers or causes fluctuations in line voltage outside the dwelling unit or that creates noise not normally associated with residential uses is prohibited.

Signage will conform to § 240-43.

Furthermore our home business consists of processing maple syrup and honey and are therefore exempt from the licensing requirements of the Subchapter in circular 938 of the nYS Department of Ag & Markets, provided that the following conditions are met (we will meet all of the following requirements):
(1) Such establishments are maintained in a sanitary condition and manner, and to this end the following requirements shall be complied with:

(i) Every practicable precaution shall be taken to exclude birds, insects, rodents and other vermin and animals from the premises of the operation.
(ii) The use of insecticides, rodenticides and other pest control items in such establishments shall be permitted only under such precautions and restrictions as will prevent the contamination of the product.
(iii) Rooms, compartments, places, equipment and utensils used for preparing, storing or otherwise handling the product, and all other parts of the operating premises, shall be kept in a clean and sanitary condition.
(iv) There shall be no handling or storing of materials which may create insanitary conditions in any place or places where the product is prepared, stored or otherwise handled
(v) All equipment and utensils used in processing or handling of the product shall be maintained in good repair to assure sanitary conditions in the operation.
(vi) All finished product containers must be clean, sanitary and properly labeled in compliance with the requirements of Part 259 of this Title.

State of New York
County of Dutchess

Subscribed to and sworn before me this 16th day of February (month), 2017

Juliette Landi
(name of signer)

(signature of notary)
Commission expires on _____

CHRISTINE M. O'REILLY-RAO
NOTARY PUBLIC-STATE OF NEW YORK
No. 01OR6169917
Qualified in Dutchess County
My Commission Expires July 02, 201

(seal of notary)

EXHIBIT A

EXHIBIT A

TOWN OF LAGRANGE

120 Stringham Road, LaGrangeville, New York 12540
Tel. No. (845) 452-2046

USE PERMIT APPLICATION

NAME OF BUSINESS: Remsburger Honey + Maple

APPLICANT'S NAME: Juliette Landi DATE: 2-24-17

MAILING ADDRESS: 18 Traver Road FEE: $100.— Poster

Pleasant Valley, NY TEL.NO. 845-891-6800

GRID # OF PROPERTY: 13540C-646-03 17200 1-0000 ACREAGE OF PARCEL 2.1

LOCATION (if different from above) N/A

SUITE ADDRESS N/A

ZONING DISTRICT: LOCATED ON: State road County road ✓ Town road

Type of Business (describe briefly): Maple syrup + honey

Retail: 0 Office: 0 Warehouse: 1,000 Other: 432

Total square footage to be occupied by above business 1,446 sq.ft.

Total Number of Employees: 0 Hours of Operation: NOT OPEN TO PUBLIC

Number of parking spaces available to your business: 0

Prior use of Building (if any): garage

Describe any proposed changes to: Exterior of bldg: Interior of bldg.

Parking area Landscaping Signage

I certify that the above information is true and correct to the best of my knowledge.

Applicant's Signature Juliette Landi

18 Traver Road
PO Box 223
Pleasant Valley, NY 12569
February 24, 2017

Dear Mr. & Mrs. Recchia;

In accordance with the Town of LaGrange Zoning Code, Chapter 240-54, I am applying for a Use Permit for a Home Occupation for processing maple syrup and honey from my home. This is a use that is permitted provided I comply with the conditions set forth in the code.

One of the conditions is that all neighboring property owners within 150' of my property be notified of my intentions. If you have any questions or comments with respect to my application, please call the Department of Planning, Zoning and Building and Building at 452-1830 x 115.

We are Remsburger Honey & Maple, have been in business for over a decade and have relocated from Town of Peasant Valley to the Town of LaGrange.

We are a wholesale company and you may have seen our products in Adams Fairacre Farms, Pleasant Valley Department Store, Miller Hardware, The Branch Health Food Store, Meadowbrook Farm and Barton Orchard to name a few and look forward to continuing our operation here.

We are not open to the public and therefore will not congest the area with traffic.

Sincerely,

Juliette Landi
Manager
Remsburger Honey & Maple

EXHIBIT A

Dear

In accordance with the Town of LaGrange Zoning Code, Chapter 240-54, I am applying for a Use Permit for a Home Occupation for processing maple syrup and honey from my home. This is a use that is permitted provided I comply with the conditions set forth in the Code.

One of the conditions is that all neighboring property owners within 150' of my property be notified of my intentions. If you have any questions or comments with respect to my application, please call the Department of Planning, Zoning and Building at 452-1830 x115.

Sincerely,

EXHIBIT A

EXHIBIT B

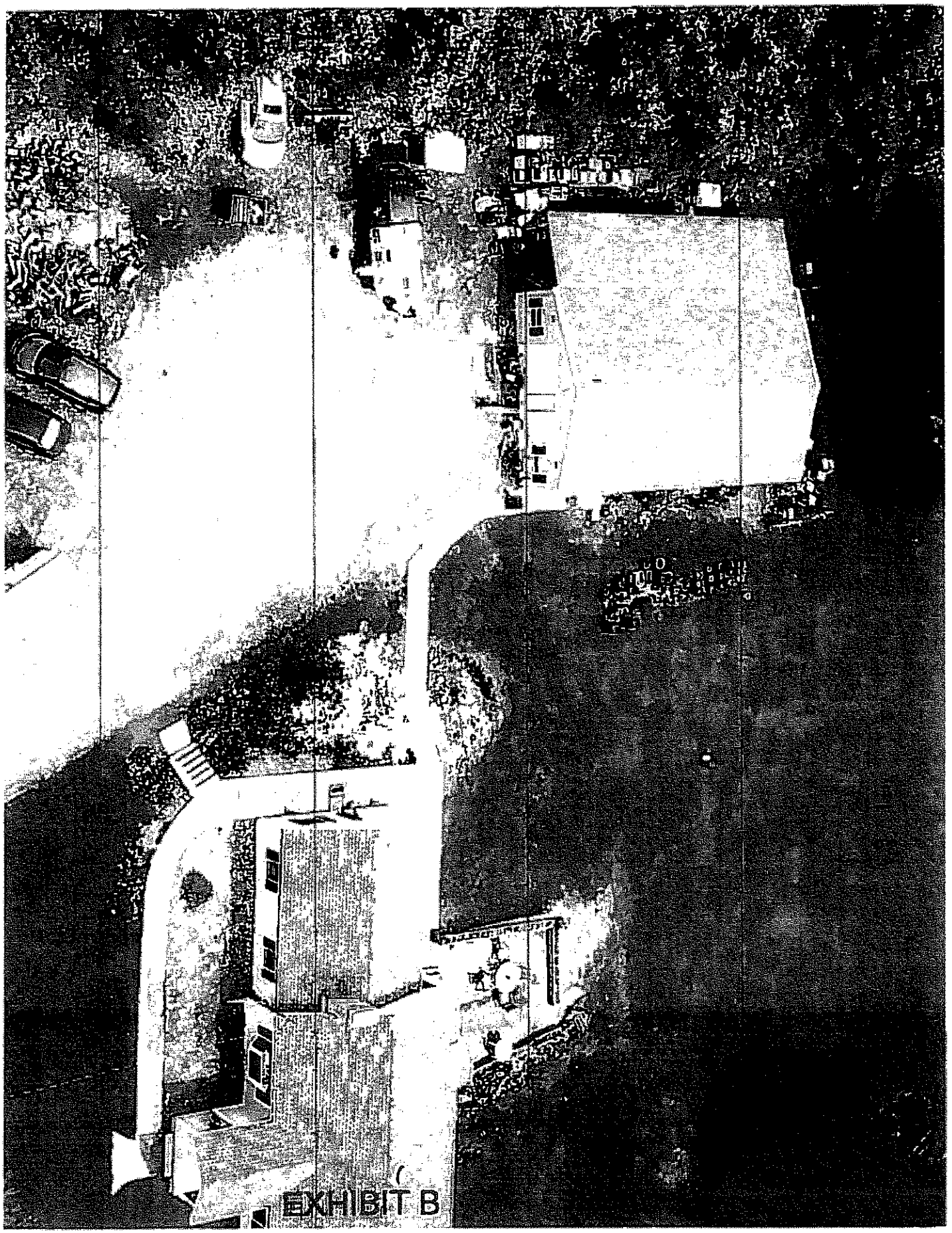

EXHIBIT B

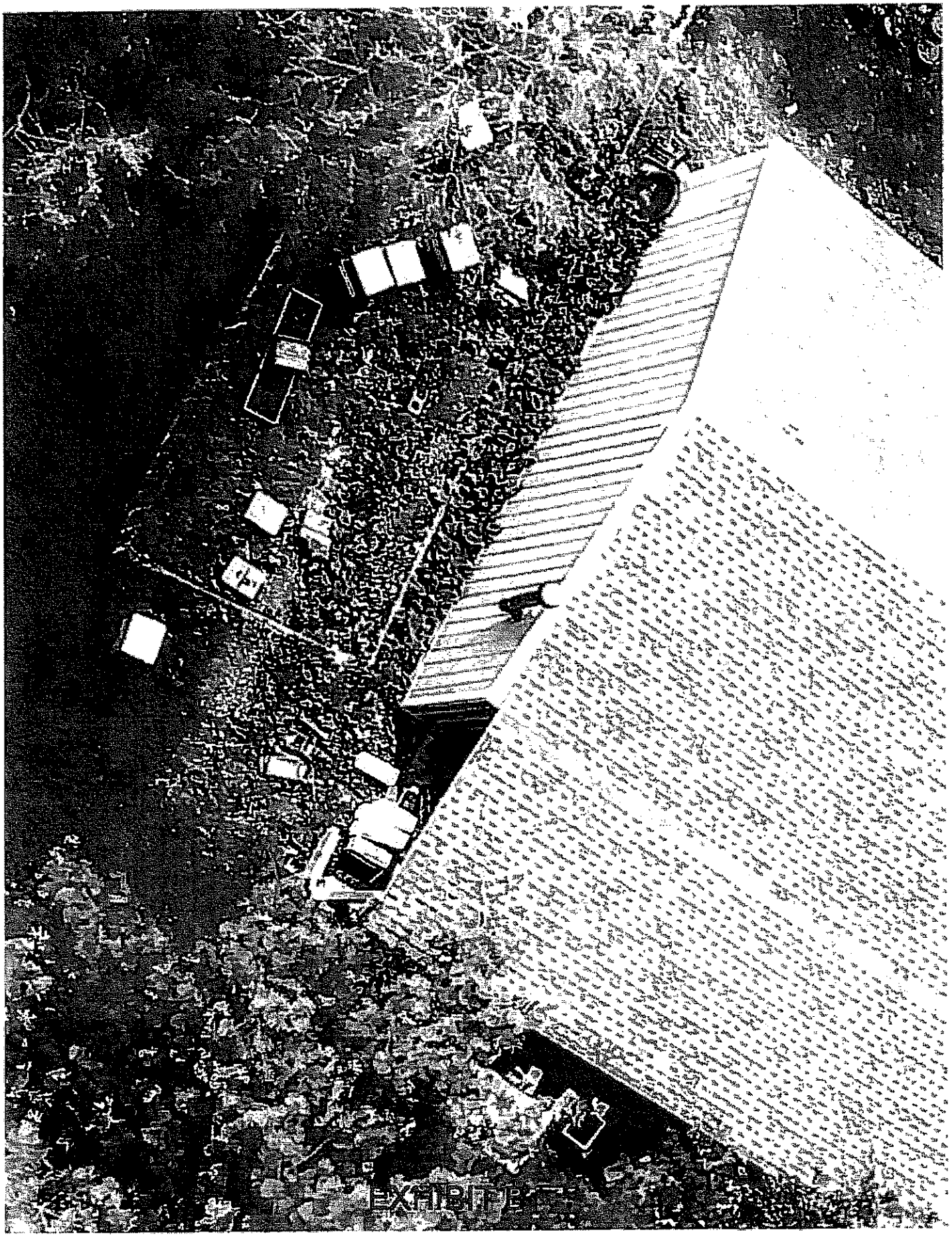

EXHIBIT B

If she could justify the $50k income from pollen and queen bees that may be another discussion? I have cc'd you both on a email sent to her today.

Thank You
Robert Taft
Assessor Lagrange
845-206-6883

Hi Robert,
We do indeed make well over $50,000 (nearly $300,000 is more accurate) producing crops on our parcel.
All of the bee (apiary) products are produced here on the property.
Honey is extracted here, and then bottled for sale, stored until sold.
We sell Nucleus 'nuc' colonies every spring, which are taken care of on the property until sold.
We also raise Queen Honey Bees here.
Beeswax is harvested and processed here for our manufacture of candles, and associated products all done on the property.
Pollen is produced and processed here then packaged for sale, etc.

It is clearly "LAND USED TO SUPPORT AN APIARY PRODUCTS OPERATION"

So, to be clear - when I apply next year - I will be approved?

Juliette

Robert Taft
LaGrange Assessor
(845) 206-6883
www.taftappraisal.com

EXHIBIT C

Outlook Web App

Type here to search | Entire Mailbox | Options | Sign out

Mail

Calendar

Contacts

Deleted Items (1117)
Drafts [4]
Inbox (1006)
Junk E-Mail [50]
Sent Items

Click to view all folders

Manage Folders

Reply | Reply All | Forward | Junk | Close

FW: AG District Inclusions 2018

Alan Bell

You forwarded this message on 5/21/2018 9:21 AM.

Sent: Friday, May 18, 2018 1:02 PM
To: Ken McLaughlin

Ken, Can you please respond? Thanks.

Alan Bell
Town of LaGrange Supervisor
845-452-9064

From: AG and Farmland Protection Board <dutchessafpb@gmail.com>
Sent: Friday, May 18, 2018 12:53 PM
To: Alan Bell <abell@lagrangeny.gov>
Subject: AG District Inclusions 2018

Good afternoon

The AG and Farmland Protection Board with be reviewing parcels that have applied for property inclusions in the Agricultural District. We are advised that the following properties have made applications for inclusion:

Juliette Landi parcel # 6462-03-172062
Thomas Sanford parcel # 6560-01-060861

The Board would like to inquire if any zoning or code violations associated with this property are outstanding, as these could potentially preclude the parcel from this inclusion.

Please advise.

EXHIBIT D

TOWN OF LAGRANGE
OFFICE OF THE BUILDING INSPECTOR
120 Stringham Road, LaGrangeville, NY 12540
845-452-1830, Fax 845-452 7692

May 30, 2018

Agriculture and Farmland Protection Board
Amy M. Cross, Secretary
2715 Route 44, Suite 3
Millbrook, New York 12545

Re: Town of LaGrange (Remsburger Honey & Maple)

Dear Ms. Cross

You have asked for land use violations, if any, from the Town of LaGrange regarding the application of Juliette Landi to include tax parcel # 6462-03-172062 in an Agricultural District.

The owner was engaged in making bees available to pollenate crops on properties other than their residence. At start up, hives and queen bees were removed from the fields to harvest honey in a large butler building on the parcel. The hives were then returned to the field. Based on that activity, the owner was classified as a home occupation and a use permit for such activity was issued by the Town.

The owner has begun a practice of bringing hives back to 18 Traver Road as an apiary and staging area, rather than leaving the hives on the outlying properties. Land has been cleared to this end. To the best of my knowledge, bees are in an agitated state, and more aggressive, as a result of such relocations. The Landi property is located in the Residential Low Density zoning district. And, the parcel has several residential neighbors. They have expressed concern about exposure to agitated bees.

The request for inclusion in the Agricultural District is based on activity which is a zoning violation.

18 Traver Road is approximately 2.1 acres in size located in the RLD zone. Farming is a permitted use in all zones, subject to the definition of farming in the Local Zoning Law. The definition of farm, to which the table of uses refers at footnote 37, requires a minimum of 7 acres. The Landi parcel falls almost 5 acres short.

The intensity of the production of honey at 18 Traver Road raises the additional question as to whether the activity, now including an advertised apiary, is subordinate to the residence, or the residence is subordinate to the commercial activity which provides honey to several markets. The expanded activity differs markedly from representations made to obtain the use permit for home occupation.

EXHIBIT E

The application for home occupation represented that no insects would be kept on the property. Bees fall within the category of insects. The current activity contravenes representations made in the application. There is a good case to be made that the commercial activity on site, with coming and going of box trucks and the apiary and staging area for hives, is now a predominate use of the residential property. A home occupation requires that the activity be subordinate to the residence. (LaGrange Town Code 240-54.) I conclude that the residence is now subordinate to the commercial apiary use. The owner will be given a due process opportunity to comment in writing before the home occupation permit is vacated.

In conclusion, it appears that:

1. Farming activity on less than 7 acres is not permitted in the zoning district.

2. The farming activity, in this case the production of honeys and apiary activity, has become predominate over the residential use.

3. Representations in the home occupation application are being contravened.

4. The Town will consider revoking the home occupation permit, after providing written notice, and opportunity to be heard in writing, to the owner.

The Municipal Code Enforcement Inspector, under the direct supervision of The Zoning Administrator is empowered to issue a ruling as to zoning violations.

TOWN OF LAGRANGE

By: _____

JUSTIN NOYES,

MUNICIPAL CODE ENFORCEMENT INSPECTOR

EXHIBIT E

EXHIBIT G

TOWN OF LAGRANGE
OFFICE OF THE BUILDING INSPECTOR
120 Stringham Road, LaGrangeville, NY 12540
845-452-1830; Fax 845-452 7692

May 30, 2018

Agriculture and Farmland Protection Board
Amy M. Cross, Secretary
2715 Route 44, Suite 3
Millbrook, New York 12545

Re: Town of LaGrange (Remsburger Honey & Maple)

Dear Ms. Cross:

You have asked for land use violations, if any, from the Town of LaGrange regarding the application of Juliette Landi to include tax parcel # 6462-03-172062 in an Agricultural District.

The owner was engaged in making bees available to pollenate crops on properties other than their residence. At start up, hives and queen bees were removed from the fields to harvest honey in a large butler building on the parcel. The hives were then returned to the field. Based on that activity, the owner was classified as a home occupation and a use permit for such activity was issued by the Town.

The owner has begun a practice of bringing hives back to 18 Traver Road as an apiary and staging area, rather than leaving the hives on the outlying properties. Land has been cleared to this end. To the best of my knowledge, bees are in an agitated state, and more aggressive, as a result of such relocations. The Landi property is located in the Residential Low Density zoning district. And, the parcel has several residential neighbors. They have expressed concern about exposure to agitated bees.

The request for inclusion in the Agricultural District is based on activity which is a zoning violation.

18 Traver Road is approximately 2.1 acres in size located in the RLD zone. Farming is a permitted use in all zones, subject to the definition of farming in the Local Zoning Law. The definition of farm, to which the table of uses refers at footnote 37, requires a minimum of 7 acres. The Landi parcel falls almost 5 acres short.

The intensity of the production of honey at 18 Traver Road raises the additional question as to whether the activity, now including an advertised apiary, is subordinate to the residence, or the residence is subordinate to the commercial activity which provides honey to several markets. The expanded activity differs markedly from representations made to obtain the use permit for home occupation.

The application for home occupation represented that no insects would be kept on the property. Bees fall within the category of insects. The current activity contravenes representations made in the application. There is a good case to be made that the commercial activity on site, with coming and going of box trucks and the apiary and staging area for hives, is now a predominate use of the residential property. A home occupation requires that the activity be subordinate to the residence. (LaGrange Town Code 240-54.) I conclude that the residence is now subordinate to the commercial apiary use. The owner will be given a due process opportunity to comment in writing before the home occupation permit is vacated.

In conclusion, it appears that:

1. Farming activity on less than 7 acres is not permitted in the zoning district.
2. The farming activity, in this case the production of honeys and apiary activity, has become predominate over the residential use.
3. Representations in the home occupation application are being contravened.
4. The Town will consider revoking the home occupation permit, after providing written notice, and opportunity to be heard in writing, to the owner.

The Municipal Code Enforcement Inspector, under the direct supervision of The Zoning Administrator is empowered to issue a ruling as to zoning violations.

TOWN OF LAGRANGE

By: _____

JUSTIN NOYES,

MUNICIPAL CODE ENFORCEMENT INSPECTOR

EXHIBIT H

VIA CERTIFIED AND REGULAR MAIL

PO Box 223
Pleasant Valley, NY 12569
845-891-6800
June 11, 2018

RECEIVED
JUN 13 2018

Town of LaGrange
Office of the Zoning Administrator
120 Stringham Rd
LaGrangeville, NY 12540

Attn: Building Inspector

To whom it may concern;

I am in receipt of your Notice of Intended Revocation. In response to your determination, I would argue that the Home Occupation is indeed subordinate to the residential use of the property and follows all of the Town's criteria for a home business and therefore is in compliance.

- It is incidental to the use of a dwelling unit for residential purposes.
- It is owner-occupied
- No more than 30% of the total floor area of the dwelling unit is used
- We are not open to the public
- We do not have employees

I am not sure what you are basing your 'alternative' facts on.

We have spoken at length to our immediate neighbors and not one is questioning their peace, quiet or domestic tranquility.

The reference to 'insects' in my application was derived from NYS Agriculture & Markets Regulations - it has nothing to do with bees on the property, it has to do with sanitary conditions during packaging (Ag & Markets - Section 276.4). It was not a condition directed by town code to qualify for our permit.

In our approved permit application it was made very clear that we produce honey. It is impossible to produce honey without honey bees. Let's face it, there are bees everywhere - with or without honey production. Any reasonable person would understand that in order to produce honey that honey bees would be required. We consider our bees livestock, they are an intricate part of the production of agriculture, they contribute to the farm industry across the county, they are not a pest or vermin that should be exterminated.

In the correspondence between Bob Somers and Robert Taft - your EXHIBIT D - Mr. Taft makes various quotes (hearsay) supposedly coming from Mr. Paul Cappy. During Mr. Taft's phone call, he conveniently failed to inform Mr. Cappy that the beekeeper in this operation is Dennis Remsburger, with whom Mr. Cappy has had a 20 year professional relationship with. Mr. Cappy is well aware that our bees are very well taken care of, and have been inspected numerous times over the years. Mr. Remsburger is registered with the state and has been inspected as required. Queen bees are not nuisance bees, and they are contained their entire lives until placed in a colony of their own - and Mr. Cappy would never state anything to the contrary. There are no laws/ordinances against us raising our own Queen Bees. For your information, nuisance bees by their very definition are either sick, contagious or africanized. We do not have nuisance bees on our property or anywhere else for that matter.

When we first moved into LaGrange, Mr. Taft had told us verbally that he was willing to give us the Ag assessment after our first year of living here, he would work with us he said, he

VIA CERTIFIED AND REGULAR MAIL

would help us in any way he could. Instead of being helpful he has tried at every twist and turn to put us out of business. Not sure what his motivation is, but perhaps it should be addressed by the powers that be.

The bee boxes mentioned in the determination that are periodically outside the building come and go very quickly and they are part of the process of honey extraction. They do not contain colonies of bees. They are not storage. If it would please the town and the neighbors we can certainly erect a fence along the side of the property so that no one has to see boxes coming off the truck and back onto the truck.

Regarding the accusation that I provided contradicting information, or alternate information on applications, that is a total falsehood. I take an incredible offense at the insinuation that I am lying or trying to manipulate. I mentioned Queen Bee rearing and Nucleus colony creation. As mentioned before that does NOT fall into the exclusion of insects. Nucleus colonies are created and sold within days, there are no local ordinances that preclude anyone in LaGrange from having bee hives on their property. It is weak minded people that will simply state someone is a liar based on others falsified information. You should all think twice and do your research before accusing anyone of lying. Your actions are considered defamation (in written form as libel) and are punishable by law.

In addition, I would also like to address the fact that you sent a letter to the Agriculture and Farmland Protection Board stating that we have land use violations. They apparently received this information before we had any knowledge of it.

You state that we are clearing land to bring bee boxes to our property?? - that is not the truth! We have removed two trees which were dead and two trees needed to be removed for our solar installation. Neither instance has anything to do with bee boxes - or our business for that matter. Are there local ordinances stating that I cannot remove a tree or trees from my property? Please advise.

We have spoken to our neighbors, no one has any concern for the bees, yet you tell the Ag Board that our residential neighbors have concerns about agitated bees. There are no agitated bees here.

You state to them that, "The request for inclusion in the Agricultural District is based on activity which is a zoning violation." What exactly is the activity/zoning violation you speak of?

You speak of an "advertised apiary," Again, I'm not sure what you are talking about, I would appreciate clarification.

We currently have one honey bee colony on our property. There are no ordinances that say I can't have a beehive on my property. If anyone in your office would like a lesson in beekeeping, Dennis teaches hundreds of people every year how to keep bees and he is more than willing to educate you also.

We do not have nuisance bees on our property or elsewhere.

We have complied with your Home Occupation definition in its' entirety.

Based on the true facts, we should not have our permit taken away.

Juliette Landi

Juliette Landi
Owner
18 Traver Rd, Pleasant Valley, NY

EXHIBIT I

NEW YORK STATE OF OPPORTUNITY. | Agriculture and Markets

ANDREW M. CUOMO
Governor

RICHARD A. BALL
Commissioner

June 8, 2018

Juliette Landi
Dennis Remsburger
18 Traver Road
Pleasant Valley, NY 12569

To Whom it may concern,

Dennis Remsburger buys his queens from a queen producer. The queen producing operation is certified to be disease free. Dennis does not need to have his operation certified to raise queens for his own personal use. However, if he did raise queens for sale in the future, he would require a certificate from Agriculture and Markets to do just that activity. The queen's whole purpose is to lay the eggs in a colony. She is attended by her nurse bees and these bees that feed and groom her. Queen bees are not considered a "nuisance bee." There is only one queen in a colony and she stays mainly in the colony to lay the eggs.

Dennis Remsburger is a registered beekeeper in NYS apiary inspection program. When talking with Robert Taft, I did not realize Dennis was part of Juliette Landi in their beekeeping activities. I have known Dennis as a beekeeper for about twenty years as a good and knowledgeable beekeeper. If I had known Dennis was working with Juliette keeping colonies of bees, I would have had a better perspective and knowledge for what Robert Taft was indicating to me in our phone conversation.

NYS has for the past two years been inspecting beekeepers that sell starter colonies called "Nucs." Nucs is short for nucleus colonies. The apiary inspection program has been reaching out to beekeepers who produce and sell nucleus colonies locally. Dennis's name was added this year to the growing list of beekeepers. The plan is to inspect the colonies and provide him with a certificate to sell "Nucs."

The basic regulations for packaging honey or maple syrup by Agrriculture and Markets law says honey bees as an <u>insect</u> can be present at the time of extracting honey from the frames of honey. However, birds, other rodents, other vermin and animals should be excluded from the premises of the operation during extracting the honey.

If there are any further questions, I would be glad to answer them.

Sincerely,

Paul Cappy
Apiculturist

EXHIBIT J

RESOLUTION
BY THE
TOWN OF LAGRANGE TOWN BOARD

Councilman Luna introduced the following resolution which was seconded by Councilwoman Wagner:

WHEREAS, the Town Board of the Town of LaGrange has been advised by the Building Inspector that Juliette Landi is making use of 18 Traver Road in contravention of a home occupation permit and home occupation standards under Section 240-54 of the Town Code; and

WHEREAS, the Town Board has been requested to approve a commencement of an injunction action to enforce municipal codes.

BE IT RESOLVED THAT, the Town Board approves commencement of an action to enjoin code violations by Juliette Landi at 18 Traver Road, Town of LaGrange, New York.

The foregoing resolution was duly put to a vote at a regular meeting of the Town Board which vote resulted as follows:

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

DATED: LaGrangeville, New York
September 26, 2018

Christine O'Reilly-Rao
CHRISTINE O'REILLY-RAO, TOWN CLERK

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF DUTCHESS
----------X
TOWN OF LAGRANGE,

Plaintiff - Petitioner,

-against-

DUTCHESS COUNTY LEGISLATURE AND
JULIETTE LANDI,

Defendants - Respondents.
----------X

MEMORANDUM OF LAW

Index No. 2018-53053

(_____, J.)

PRELIMINARY STATEMENT

In this hybrid proceeding for declaratory relief and Article 78 relief, the Town of LaGrange seeks judgment vacating an August 20, 2018 resolution of the Dutchess County Legislature. The resolution added the 2.1 acre parcel of Juliette Landi to a county agricultural district. The property is at 18 Traver Road, LaGrange, New York. (See Exhibit "A" annexed to the Complaint/Petition.)

The property has enjoyed a home occupation permit issued to defendant Landi on March 6, 2017 for the production of honey and maple syrup. Representations and limitations on the home occupation were contravened by defendant Landi. It became a zoning violation. (See Exhibit "E" annexed to the Complaint/Petition.)

The Dutchess County Legislature arbitrarily and capriciously elected to include approximately 2.1 acres of improved real property at 18 Traver Road within a county agricultural district ("the Real Property" or "Landi property"). On July 18, 2017, the County Legislature followed the recommendation of the County Farmland Protection Board to reject inclusion of the Landi property in the agricultural district. (See Exhibit "C" annexed to the Complaint/Petition.) There has been no favorable change of circumstances. The change of circumstances were

adverse to inclusion, given the zoning violations attaching to the home occupation permit. (See Exhibits "F" and "G" annexed to the Complaint/Petition.)

In making this determination, the County Legislature failed to assess whether the Real Property constitutes viable agricultural land within the meaning of Section 301(7) of the Agriculture and Markets Law ("AML"), thereby violating the often stated statutory standard present in Section 303-b of the AML governing the inclusion of land in agriculture districts.

The County Legislature also made this determination in contravention to the Dutchess County Farmland Protection Board's report recommending the Real Property be rejected for inclusion in the Agricultural District. (See Exhibit "B" annexed to the Complaint/Petition.) The Dutchess County Farmland Protection Board's report was based on, in part, information provided by the Town of LaGrange Zoning Enforcement Officer indicating the Real Property was in violation of the land use policies of the Town. The function of the Farmland Protection Board is statutory. (AML 303-b[2][a]).

Despite the adverse recommendation of the Farmland Protection Board, the County Legislature falsely represented in its Resolution that the Landi Property was recommended for inclusion in an Agricultural District by the Farmland Protection Board. The County Legislature's arbitrary and capricious action, made in violation of lawful procedure, and in complete disregard of the facts, must be vacated pursuant to CPLR 7803(3). It should also be declared to be invalid.

Additionally. the arbitrary and capricious determination of the County Legislature, made in violation of lawful procedure, has effectively institutionalized land use violations of the LaGrange Town Code. The Town of LaGrange is entitled to the following injunctive relief for the land use violations on the subject Real Property:

a) Revocation of the Landi Home Occupation Permit due to change of occupation;
b) Judgment enjoining the keeping of beehives at 18 Traver Road for the purpose of breeding bees as insects;
c) Judgment enjoining the maintaining of outdoor deposit at 18 Traver Road related to the home occupation of producing honey and maple syrup;
d) Judgment compelling Landi to replant the trees which were removed to expand the home occupation;
e) Judgment compelling Landi to restore the driveway configuration at 18 Traver Road; and
f) Judgment enjoining Landi and Dennis Remsburger from use of box trucks to transport beehives to and from 18 Traver Road.

STATEMENT OF FACTS

On January 5, 2017 Juliette Landi purchased 18 Traver Road located at Grid No. 6462-03-172062 in an RLD zoning district containing 2.1 acres. The undersized parcel containing 2.1 acres is a legal nonconforming lot as to bulk and area requirements. Specifically the RLD zoning district requires 2.75 acres.

On February 24, 2017, Juliette Landi submitted an application and statement of use on forms provided by the Zoning Administrator. She was seeking to operate a home occupation in order to process maple syrup and honey in a residential zoning district. Notably, the application represented that there would be "no insects" kept at the Real Property. Landi was issued a Use Permit on March 6, 2017 after a public notice was circulated to all neighbors within 150 feet; pursuant to the requirements set forth in the zoning code §240-54 Home Occupation.

On July 10, 2017, the Dutchess County Legislature adopted a resolution rejecting the inclusion of the subject Real Property at 18 Traver Road in an Agricultural District. This action was consistent with the 2017 recommendation of the Dutchess County Farmland Protection Board.

On February 14, 2018, the permit holder submitted an independent application for an agricultural assessment on form NO. RP-305; provided by the state of New York Department of Taxation and Finance Office of Real Property Tax Services.

On April 26, 2018, the permit holder submitted an independent application requesting placement into an agriculture district on forms provided by the New York State Department of

Agriculture and Markets The application was received by the Farmland Protection Board for Dutchess County established under Section 303-b(2)(a) of the AML. In connection with this application, the owner stated an e-mail to the Town Assessor, the following:

> *We sell Nucleus 'nuc' colonies [of bees] every spring, which are taken care of on the property until sold. We also raise Queen Honey Bees here.* In the same email, the permit holder also stated that the commercial business earns nearly $300,000 producing agricultural product on their parcel, including the raising of bees.

In early spring of 2018, a resident brought to the Town's attention a concern that there were numerous bees on the property at 18 Traver Road. The complaint required the Town's Code Enforcement Officer to investigate.

In connection with Landi's independent application requesting placement into an agriculture district, the Town of LaGrange received a request from the Dutchess County Farmland Protection Board, as part of its statutorily required due diligence. The Farmland Protection Board inquired if the subject Real Property was in violation of any local laws. On May 30, 2018, the Municipal Code Enforcement Officer noted the findings from the investigation:

> The owner has begun a practice of bringing hives back to 18 Traver Road as an apiary and staging area, rather than leaving the hives on the outlying properties. Land has been cleared to this end. To the best of my knowledge, bees are in an agitated state, and more aggressive, as a result of such relocations. The Landi property is located in the Residential Low Density zoning district. And, the parcel has several residential neighbors. They have expressed concern about exposure to agitated bees.

The Municipal Code Enforcement Officer noted the following violations existed: (1) farming of land, outside of an agricultural district, less than 7 acres in size; (2) despite representations in the application, the maintaining of insects [bees] at the property; (3) the coming and going of box trucks to the property in violation of Section 240-54 of Town Code;

(4) the subordination of residential use to the commercial activity in violation of Section 240-54 of Town Code; and (5) areas of outdoor deposit in violation of Section 240-54 of Town Code.

On June 5, 2018, a majority of the Dutchess County Agricultural and Farmland Protection Board recommended that the Landi property be rejected for inclusion in the Agricultural District. The Farmland Protection Board made its determination by considering the merits of each parcel in relation to the standards established by Section 303-b of the AML.

On August 20, 2018, the Dutchess County Legislature, in derogation of the requirements of AML Section 303-b, and in spite of the adverse recommendation of the Dutchess County Farmland Protection Board, adopted the contested resolution including 18 Traver Road within an Agricultural District. Worst yet, the Legislative Resolution stated that the inclusion of the Landi property was recommended by the Dutchess County Farmland Protection Board.

POINT I
THE COUNTY FAILED TO FOLLOW THE LAWFUL PROCEDURE REQUIRED BY AML § 303-B

For inclusion of land in an Agricultural District, a County Legislature must: (1) refer requests to the county agricultural and farmland protection board, which shall, report to the legislative body its recommendations as to whether the land consists predominantly of "viable agricultural land" (AML 303-b[2][a]); and (2) publish notice of public hearing; and (3) hold a public hearing and then (4) adopt the inclusion of predominantly viable agricultural land or reject the inclusion of land in an Agricultural District. *See* generally AML § 303-b.

AML Section 301(7), Definitions, defines "viable agricultural land" as "land highly suitable for a farm operation." For property to be included in an Agricultural District pursuant to AML Section 303-b, it must consist of "predominately viable agricultural land" as defined in AML Section 301(7), and the inclusion of such land would serve the public interest in maintaining a viable agricultural industry within the district. Zoning violations do not serve the public interest. By nature they contravene community character.

Inclusion of land within an agricultural district bestows the protections, under AML 305(a), for the Department of Agriculture and Markets to declare local regulation to be an unreasonable restriction on agriculture. Consequently, the inclusion of 18 Traver Road has the additional affect of potentially institutionalizing land use violations.

Pursuant to AML § 303-b(2)(a), the County Legislature referred its request for inclusion of land in the Agricultural District to the Dutchess County Farmland Protection Board. In making its determination, the Dutchess County Farmland Protection Board consulted with the Dutchess County Soil and Water Conservation District. The Dutchess County Soil and Water Conservation District reviewed the agricultural characteristics of the Landi property, specifically

whether the land has a high percentage of viable farmland or large acreage as required by Section 303-b of AML.

In conjunction with the determinations received from the Dutchess County Soil and Water Conservation District, the Farmland Protection Board reviewed the merits of each parcel's application it received in the context of the standards established by Section 303-b of AML. Among the properties the Farmland Protection Board recommended be rejected from inclusion was the subject Real Property, 18 Traver Road, for its failure to "meet the criteria of viable farmland stipulated in Section 303-b". (See Exhibit "B", page 2.)

The Farmland Protection Board determined, pursuant to its duties in AML Section 303-b, that the Real Property does not consist of "viable agricultural land' as defined in Section 301(7) and recommended to the County Legislature that the Real Property's inclusion in the Agricultural District be rejected. Notwithstanding this recommendation, the Dutchess County Legislature included the Real Property in an Agricultural District. The Dutchess County Legislature did not make findings on whether the Landi property consists of predominately "viable agricultural land," in violation of the lawful procedure codified in AML Section 303-b.

The County Legislature violated the statutory procedure in AML Section 303-b by adopting a resolution to include land in an Agricultural District that is not predominantly viable agricultural land. The Legislature did not make any of its own findings to negate the recommendations of the Dutchess County Farmland Protection Board or the Dutchess County Soil and Water Conservation District. The Legislature simply ignored the recommendations required to be made by statute and ignored the procedure in the statute requiring it to include only that is predominantly viable agricultural land in an Agricultural District. A respondent's violation of lawful procedure "requires the court to annul respondent's determination and remand

the proceeding for a new hearing to be conducted in compliance with those procedures." Matter of Brower v NY City Dept. of Educ., 38 Misc 3d 291, 954 N.Y.S.2d 404 (Sup Ct, NY County 2012); CPLR 7803(3); *See also* Matter of Kunik v NY City Dept. of Educ., 142 A.D.3d 616, 37 N.Y.S.3d 22 (2d Dept 2016).

Accordingly, the Dutchess County Legislature's failure to make findings, and its ignorance of the statutorily prescribed recommendations made to it by the Farmland Protection Board, constitutes a blatant violation of the lawful procedure required by AML Section 303-b, and must be vacated pursuant to CPLR 7803(3). The Resolution should also be declared invalid for contravention of lawful procedure and standards.

POINT II
THE COUNTY'S FAILURE TO FIND THE REAL PROPERTY CONSISTS OF "VIABLE AGRICULTURAL LAND" RENDERS ITS DECISION ARBITRARY AND CAPRICIOUS

The failure of the Dutchess County Legislature to adopt the findings of the Farmland Protection Board, or to make independent findings regarding the existence of "viable agricultural land" renders their decision to include the Real Property in the Agricultural District arbitrary and capricious. It also presents grounds for a declaration vacating the determination.

As noted, under AML Section 301(7), "viable agricultural land" is defined as "land highly suitable for a farm operation as defined." As defined by statute, farm operation is:

> The land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a "commercial horse boarding operation" as defined in subdivision thirteen of this section, a "timber operation" as defined in subdivision fourteen of this section, "compost, mulch or other biomass crops" as defined in subdivision seventeen of this section and "commercial equine operation" as defined in subdivision eighteen of this section. Such farm operation may consist of one or more parcels of owned or rented land, which parcels may be contiguous or noncontiguous to each other.

AML Section 301(11).

Accordingly, the statutory definition of "farm operation" is quite broad, and does not require minimum acreage and income thresholds for most operations. Thus, the determination turns on whether "the inclusion of the land would serve the public interest by assisting in maintaining a viable agriculture industry within the district." As a local advisory body, the Dutchess County Farmland Protection Board was designed to and is capable of understanding the agricultural industry within the county and are well suited to evaluate requests to be included in Agricultural Districts. Assessing whether a piece of land is suitable for inclusion in an Agricultural District is no easy task, and within the confines of the statutory requirements, an elective County Legislature is not suited to evaluate these requests, and it is certainly not more suited than the Dutchess County Farmland Protection Board to overrule its recommendations. Determinations of a County Legislature are primarily political. *See* August 22, 2018 Memorandum from NYS Agriculture and Markets Director Michael Latham to County Agricultural and Farmland Protection Boards. (Annexed as Appendix "A" to this Memorandum of Law.) Notwithstanding this, the Dutchess County Legislature set forth no reasons whatsoever as to why it determined that the subject Real Property constitutes "viable agricultural land."

It is arguable that Mr. Latham's memo overlooked AML §301(4)(k) which reads as follows:

> k. Land used to support an apiary products operation which is owned by the operation and consists of (i) not less than seven acres nor more than ten acres used as a single operation in the preceding two years for the production for sale of crops, livestock or livestock products of an average gross sales value of ten thousand dollars or more or (ii) less than seven acres used as a single operation in the preceding two years for the production for sale of crops, livestock or livestock products of an average gross sales value of fifty thousand dollars or more. The land used to support an apiary products operation shall include, but not be limited to, the land under a structure within which apiary products are produced, harvested and stored for sale; and a buffer area maintained by the operation

> between the operation and adjacent landowners. Notwithstanding any other provision of this subdivision, rented land associated with an apiary products operation is not eligible for an agricultural assessment based on this paragraph.

Even so, defendant Landi acquired 18 Traver Road on January 5, 2017 which is a date less than two years ago. The apiary use of 18 Traver Road is predicated on breach of the zoning standards pertaining to home occupations in a residential zoning district. (See Second Cause of Action in the Complaint/Petition to enforce this zoning violation by injunction.) Also, §301(4)(k) requires a suitable buffer. None was claimed to exist by defendant Landi on the application for inclusion in the agricultural district. (See Appendix "B" to this Memorandum of Law --- this is the Landi application for inclusion in the agricultural district.)

As explained by the Court of Appeals in Pell v. Board of Education of Union Free School No. 1, 34 N.Y.2d 222, 231, 356 N.Y.S.2d 833, 839 (1974),

> The arbitrary or capricious test chiefly "relates to whether a particular action should have been taken or is justified . . . and whether the administrative action is without foundation in fact." Arbitrary action is without sound basis in reason and is generally taken without regard to the facts. . . . "[T]he proper test is whether there is a rational basis for the administrative orders."

An action is arbitrary and capricious, or an abuse of discretion when the action is taken "without sound basis in reason and . . . without regard to the facts." Id. at 231. Rationality is the key in determining whether an action is arbitrary and capricious or an abuse of discretion. Id. at 231.

The County Legislature's determination was made without sound basis in reason and without regard to the facts presented by the Dutchess County Farmland Protection Board, which included reason and facts deducted by its consultant, the Dutchess County Soil and Water Conservation District. In fact, there was no basis in reason provided by

the County Legislature for its erroneous conclusion that the subject Real Property consisted predominantly of "viable agricultural land."

Further, the County Legislature completely disregarded the fact that the Farmland Protection Board recommended against inclusion. The Legislature represented in its resolution that the inclusion of the subject Real Property in the Agricultural District was on the recommendation of the Dutchess County Farmland Protection Board, a patently false fact. It reads:

> RESOLVED, that the Dutchess County Legislature hereby adopts the recommendations of the Agricultural and Farmland Protection Board and adopts the requests of landowners to include their land within an existing Agricultural District as set forth below.

Arbitrary action is without sound basis in reason and is generally taken without regard to the facts." Matter of Natasha W. v NY State Off. of Children & Family Servs., ___NY3d___, 2018 NY Slip Op 04379, *1 [2018].) Clearly, the Legislature completely disregarded the facts and made representations in its resolution that were not based in fact. Thus, the Legislature's decision is arbitrary and irrational.

The determination of a governmental body is not arbitrary and capricious if the determination has a rational basis supported by substantial evidence, which is "such relevant proof as a reasonable mind may accept as adequate to support a conclusion of fact." Matter of Rockbottom Stores v. ZBA of the Town of Clarkstown, 237 A.D.2d 611, 655 N.Y.S.2d 1001 (2d Dept. 1997); *see also* It is well settled that " '[s]ubstantial evidence consists of proof within the whole record of such quality and quantity as to generate conviction in and persuade a fair and detached fact finder that, from that proof as a premise, a conclusion or ultimate fact may be extracted reasonably—probatively and logically' " Matter of Yoga Vida NYC, Inc. [Commissioner of Labor], 28 N.Y.3d 1013,

1015, 41 N.Y.S.3d 456 (2016), quoting 300 Gramatan Ave. Assoc. v State Div. of Human Rights, 45 N.Y.2d 176, 181, 379 N.E.2d 1183 (1978). Matter of Kelly v DiNapoli, 30 N.Y.3d 674, 684 (2018).

There is simply no substantial evidence to provide justification for the County Legislature's determination. A "fair and detached fact finder" cannot conclude that the Legislature's determination, which defies logic and is in contravention to the evaluation of the agency charged with making these determinations, is rationally based on evidence of "such quality and quantity" that the same conclusion can be extracted reasonably and logically.

Furthermore, the same piece of Real Property was rejected by the County Legislature for inclusion in an Agricultural District at the recommendation of the Dutchess County Farmland Protection Board in July 2017. There is no rational basis for the Legislature to ignore the advice of the Dutchess County Farmland Protection Board, when it adopted its recommendation to reject a year prior. There is no evidence that any meaningful changed occurred to the characteristics or nature of the subject Real Property between July 2017 and the present to warrant inclusion in an Agricultural District, which is further supported by the Dutchess County Farmland Protection Board's unwavering position. All changed circumstances were adverse to inclusion of 18 Traver Road. The changes consisted of the owner's exceeding of representations for the home occupation permit. The changes consisted of the owner's exceeding of home occupation limitations found within Section 250-54 of the Town's land use regulations.

POINT III
THE TOWN IS ENTITLED TO INJUNCTIVE RELIEF

As noted, 18 Traver Road is situated within a Residential Low Density ("RLD") zoning district according to the Zoning Map of the Town of LaGrange. Commercial uses are not allowed in the RLD zoning districts.

Section 240-54 of the Town Code addresses the procedure for establishment of a home occupation in a residential district which does not allow for commercial uses.

The central purpose of Section 240-54 is to preserve:

> "...peace, quiet, and domestic tranquility with all residential neighborhoods while recognizing that limited home occupational use can be useful to the general community as well as the resident-proprietor."

1. The processes under Section 250-54(B) calls for the applicant for a home occupation to circulate its business plan to all neighbors who reside within 150 feet. Pursuant to Section 240-54(B) the home occupation permit expires <u>when the occupation changes</u> or the property is sold. The home occupation may not include the following under Section 240-54(B):There shall be no outside evidence of the home occupation. (Section 240-54[B][6].)
2. There shall be no exterior storage of materials for the home occupation. (Section 240-54[B][8].)
3. There shall be no alteration of residential appearance to accommodate the home occupation. (Section 240-54[B][9].)
4. The cumulative impact of all home occupation activity shall not exceed the impact of a single, full-time home occupation. (Section 240-54[B][10].)

Because of outdoor parking, the following uses are prohibited as home occupations: ambulance service; automobile repair; churches; restaurants and taverns; and parking of construction equipment.

After the March 6, 2017 Use Permit was issued, Landi altered the home occupation. Accordingly, the Town issued a Notice of Determination Revoking Home Occupation Permit on September 18, 2018.

The Town is entitled to injunctive relief to prevent unlawful uses. *See* Code of the Town of LaGrange Section 240-86. As a municipality, the Town is not required to establish irreparable harm or balancing of the equities in its favor in order to enforce the violation of Town Code by injunction. Establishing the violation is enough. Town of North East v. Vitiello, 2018 N.Y. App. Div. LEXIS 1426*; 2018 NY Slip Op 01497 (2d Dept 2018); Hasson v. S.B.J. Assoc., LLC, 117 A.D.3d 904, 905, N.Y.S.2d 905 (2d Dept 2014); Town of Brookhaven v. Mascia, 38 A,D.3d 758, 759, 833 N.Y.S.2d 519 (2d Dept 2007); Town of Islip v. Clark 90 A.D.2d, 500, 454 N.Y.S.2d 893 (2d Dept 1982).

The Real Property owner, Landi, is in violation of several conditions of the Home Occupation regulations in order to conduct business in a residentially zoned area as is numerated.

1. 240-54 Home Occupation (1) A home occupation must be incidental to the use of a dwelling unit for residential purposes.
2. 240-54 Home Occupation (D) (5) Parking, storage and servicing of equipment, including trucks larger than a pickup truck.
3. 240-54 Home Occupation (6) There shall be no outside evidence of the home occupation
4. 240-54 Home Occupation (8) There shall be no exterior storage of materials to be used in conjunction with a home occupation
5. 240-54 Home Occupation (10) An existing accessory structure can be used for a home occupation, provided that there are no exterior modifications and that the use will not change the residential or agricultural character of the area
6. Change of occupation ends the home occupation permit.

Other violations were triggered by the home owner defendant's conduct.

1. 240-26 General Regulations (A) Lot for every building. Every building hereafter erected shall be located on a lot as herein defined, and there shall be not more than one principal building on one lot, except as specifically permitted elsewhere in this chapter.
2. 240-112 Definitions An area of land consisting of not less than seven acres, unless the parcel is located in a state-certified agriculture district.

In accordance with the above established violations, the Town is entitled to the following injunctive relief:

a) Revocation of the Landi Home Occupation Permit due to change of occupation;
b) Judgment enjoining the keeping of beehives at 18 Traver Road for the purpose of breeding bees as insects;
c) Judgment enjoining the maintaining of outdoor deposit at 18 Traver Road related to the home occupation of producing honey and maple syrup;
d) Judgment compelling Landi to replant the trees which were removed to expand the home occupation;
e) Judgment compelling Landi to restore the driveway configuration at 18 Traver Road; and
f) Judgment enjoining Landi and Dennis Remsburger from use of box trucks to transport beehives to and from 18 Traver Road.

In the event the Town prevails in this injunction action, the Town is entitled to an award of actual and reasonable attorneys fees by this Court, and entry of judgment in such amount. Town of LaGrange Code Section 240-86.

POINT IV
THE COURT CAN CONVERT THIS ARTICLE 78 TO A DECLARATORY JUDGMENT ACTION.

Despite there being sufficient violations of CPLR 7803(3) to warrant relief pursuant to Article 78, the Court also has the authority to award declaratory relief to the Petitioner based upon the invalidity of the Legislature's action. *See* CPLR 103(c); Amerada Hess v. Lefkowitz, 82 A.D.2d 882, 440 N.Y.S.2d 306 (2nd Dept; 1981); Ajamian v Town Bd. of Oyster Bay, 38 A.D.2d 551, 328 N.Y.S.2d 268 (2d Dept 1971). The Article 78 proceeding maybe converted to a declaratory judgment.

The dispute is ripe. The Court, in exercising its authority to entertain this application for declaratory relief, will be determining the controversy at hand. In vacating the determination of the County Legislature as to the Landi property, the Court will not be issuing an advisory opinion - the Court's action would have a legal and practical effect on the conduct of the parties.

Falk v Chittenden, 11 N.Y.3d 73, 893 N.E.2d 116 (2008); NY Pub. Interest Research Group, Inc. v Carey, 42 N.Y.2d 527, 396 N.E.2d 1155 (1977).

POINT V
INJURY BESPEAKS FINALITY

The Court of Appeals explained in Town of Orangetown v Magee, 88 N.Y.2d 41, 51, 643 N.Y.S.2d 21 (1996) that the finality requirement in Article 78 proceedings is "concerned with whether an official authorized to make the determination has arrived at a decision that inflicts injury." The determination of the County Legislature shattered the land use plan of the Town. It institutionalized zoning violations.

The injury to the Town involves its interest in the potential adverse impacts upon the Town's land use policies. Municipalities have standing to challenge determinations where a specific municipal interest is articulated. This includes the potential adverse impacts of a determination upon community character, which is assured by land use policies. Village of Chestnut Ridge v. Town of Ramapo, 45 A.D.3d 74, 841 N.Y.S.2d 321 (2007); Town of Pleasant Val. v Town of Poughkeepsie Planning Bd., 289 A.D.2d 583, 736 N.Y.S.2d 70 (2d Dept 2001).

POINT VI
ADMINISTRATIVE REMEDIES ARE EXHAUSTED

On September 11, 2018 and September 20, 2018, the Town sent correspondence to the Commissioner of the Department of Agriculture and Markets opposing the Commissioner's certification of the August 20, 2018 determination of the County Legislature. (*See* Appendices "C" and "D" to this Memorandum of Law). Pursuant to AML 303-b(5), the Commissioner must certify "to the county legislative body whether the inclusion of predominantly viable agricultural land as proposed is feasible and shall serve the public interest by assisting in maintaining a viable

agriculture industry within the district of districts." The requirement that the Town exhaust all administrative remedies before judicial review has been met. *See* Town of Orangetown v Magee, 88 N.Y.2d 41, 643 N.Y.S.2d 21 (1996). Defendants' departure from the Town's home occupation regulations is contrary to the public interest. The public interest is best defined by preservation of residential community character at Traver Road, consistent with zoning district designations.

Further, "there are exceptions to the exhaustion rule, which include situations in which resort to administrative remedies would be futile (*see* Bankers Trust Corp. v New York City Dept. of Fin., 1 N.Y.3d 315, 773 N.Y.S.2d 1 (2003); Watergate II Apts. v Buffalo Sewer Auth., 46 N.Y.2d 52, 412 N.Y.S.2d 821 (1978). Matter of Klein v NY State Off. of Temporary & Disability Assistance, 84 A.D.3d 1378, 924 N.Y.S.2d 521 (2d Dept 2011). It would be futile for the Town to wait for the Commissioner's certification because, upon information and belief, documents requested from the Department of Agriculture and Markets and the County Legislature, pursuant to the Freedom of Information Law ("FOIL"), will reveal that the Commissioner "rubber stamps" county resolutions of this nature. The Department of Agriculture and Markets due date for FOIL response is October 10, 2018. In violation of FOIL, the County has not yet provided a date for response.

Moreover, based on the content of the June 8, 2018 letter of Paul Cappy, an apiculturist with the Department of Agriculture and Markets, it would be futile for the Town to oppose or to challenge certification by the Commissioner of Agriculture and Markets. (See Exhibit "I" to the Complaint/Petition). In the next to last paragraph of his letter, Mr. Cappy goes so far as to pre-certify Dennis Remsburger for authorization to raise "Nucs" bee colonies. Mr. Cappy does not

address the fact that Nucs bee colonies contravene self-imposed limitations in the application for home occupation.

CONCLUSION

The County Legislature's decision to include the subject Real Property in the Agricultural District was arbitrary, capricious, in violation of lawful procedure and in complete disregard of the facts. The August 20, 2018 Resolution must be vacated pursuant to judgment under Article 78 of the CPLR or by way of declaratory judgment.

Further, the Town is entitled to judgment for the injunctive relief requested above for Defendant Landi's violations of the land use policies of the Town, together with an award of attorneys' fees.

Dated: Poughkeepsie, NY
September 26, 2018

VAN DE WATER & VAN DE WATER, LLP

By: _____
ERIN L. O'DEA
Attorneys for Plaintiff-Petitioner
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Telephone: (845) 452-5900

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APPENDIX "A"

NEW YORK STATE | Agriculture and Markets

MEMORANDUM

TO: County Agricultural and Farmland Protection Boards

FROM: Michael Latham, Director

DATE: August 22, 2018

SUBJECT: Agriculture and Markets Law (AML) §303-b – Inclusion of Viable Agricultural Land

Under AML §303-b (2)(a) County Agricultural and Farmland Protection Boards (AFPBs) are charged with making recommendations to County Legislative Bodies (CLBs) *"as to whether the land to be included in the agricultural district consists predominantly of 'viable agricultural land' as defined in [AML §301(7)] and the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the district."*

AFPBs provide important advice and recommendations to CLBs on the creation, review and inclusion of land within county-adopted, State certified agricultural districts. AFPBs have a diverse membership, including at least four active farmers and six members that are county residents, and offer CLBs a unique, local perspective when making recommendations concerning requests for inclusion of land which is predominantly viable agricultural land within a certified agricultural district. AFPBs are well-suited to evaluate these requests, which are submitted on a parcel-by-parcel basis.

Evaluation Factors

AFPBs evaluate two factors when making recommendations: 1) Whether the parcel of land consist predominantly of "viable agricultural land" and 2) Whether the inclusion of the land serve the public interest by assisting in maintaining a viable agricultural industry within the district.

Viable Agricultural Land

Under AML §301(7), "viable agricultural land" is defined as "land *highly suitable for* a farm operation as defined in [§301(11)]" (emphasis added). Therefore, land need not be actively farmed to be considered for inclusion in an agricultural district. The term "farm operation"[1] is broadly defined to include land and on-farm buildings, equipment, manure

[1] "Farm operation" was first defined in 1997 as part of a package of amendments to the Agricultural Districts Law (AML Article 25-AA) that removed language which required farms to meet the agricultural assessment acreage and income thresholds to be eligible for protection from unreasonably restrictive

processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise. Commercial horse boarding operations, timber operations, compost, mulch or other biomass crops and commercial equine operations [defined in §301(13), (14), (16) and (17), respectively] are also included. A farm operation may consist of one or more parcels of owned or rented land; and such parcels may be contiguous or noncontiguous to each other.

The statutory definition of "farm operation" does not require minimum acreage and income thresholds for most operations.[2] Many viable farm operations are conducted on limited acreage (e.g., greenhouses, poultry and aquaculture); as well as on marginal lands (e.g., farmed deer on steep slopes and non-prime soils, etc.). Much of the land in a county could, therefore, be considered "highly suitable for a farm operation." Farm operations are much more than their land base, however; they rely on their owners and operators, including the ideas, skills and investment they bring, to become and remain viable.

Inclusion Assists in Maintaining a Viable Agricultural Industry

In light of the statutory definition of "farm operation," the more difficult task for AFPBs when making recommendations to CLBs is whether *"the inclusion of the land would serve the public interest by assisting in maintaining a viable agricultural industry within the district."* AFPBs, as a local advisory body, understand the agricultural industry within their county. AFPBs still need information about the land proposed to be included in a district, as well as the farm operation or start-up farm involved.

- Existing Farms - If an existing farm operation seeks inclusion in an agricultural district, certain information may make the AFPB's task easier, such as whether or not the farm is eligible for or receives an agricultural assessment; the farm's land base and sales; whether the land is subject to a conservation easement which includes agricultural uses as allowed uses; etc.

- Start-up Farm Operations - Start-ups may be more difficult to evaluate as they may have no, or limited, sales history. Therefore, information sought from these applicants may include land base, sales (if any), investment/planned investment, equipment, ideas/expertise/plans to become viable, whether subject to conservation easement, etc.

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local laws under AML §305-a [and the former §305(2)]. These amendments allowed start-up farm operations to qualify for such protection. Prior to the amendments, some farms could not start up and begin to meet the agricultural assessment thresholds because farming was not allowed within the zoning district in which the land was located.

[2] "Commercial horse boarding operation" (CHB), "timber operation" and "commercial equine operation" (CEO) do have thresholds. CHBs and CEOs can qualify as farm operations during start-up, however.

APPENDIX "B"

NY State Department of Agriculture and Markets

APPLICATION OF VIABLE FARM LAND FOR INCLUSION IN DUTCHESS COUNTY AGRICULTURAL DISTRICTS

Please complete this form if you are an agricultural or non-agricultural landowner. The information obtained from this form will be utilized by Dutchess County to modify agricultural district boundaries (if necessary) and determine the viability of the agricultural district as a whole.

AS PER NYS AG & MARKETS LAW 25AA SECTION 303-b

APPLICATION PERIOD IS APRIL 15 TO MAY 14

APPLICATIONS RECEIVED AFTER MAY 14 WILL NOT BE ACCEPTED

NO EXCEPTIONS

To be completed by the Landowner

LANDOWNER INFORMATION *(Please check if the landowner is the farmer)*

First Name	Juliette	Last Name	Landi	Corporation/Farm Name	Remsburger Honey + maple		
Street Address	18 Traver Rd.	City	Pleasant Valley	State	NY	Zip	12569
Mailing Address		City		State		Zip	
Phone #	845-891-6800	Email	Juldemar13@aol.com				

PRIMARY FARMER INFORMATION

First Name	Dennis	Last Name	Remsburger	Corporation/Farm Name	Same		
Street Address	18 Traver Rd	City	Pleasant Valley	State	NY	Zip	12569
Mailing Address		City		State		Zip	
Phone #	845-392-5038	Email	Same				

Please check one for each parcel listed

Tax Parcel Number (ex. 132000-6257-01-987436) List tax parcel identification numbers for all Parcels within the farm unit. (Complete number)	FARMER OWNED	RENTED TO A FARMER	RENTED FROM ANOTHER LANDOWNER	NOT FARMED
133400 - 6462 - 03 - 172062 # of Acres: 2.1	✓			
____ - ____ - ____ - ____ # of Acres: ____				

Please include my properties into the Dutchess County Agricultural District

Owner Name (PRINT): Juliette Landi

Signature: Juliette Landi

OFFICIAL USE ONLY

DATE RECEIVED: APR 26 2019 APPROVED: ____ DISAPPROVED: ✓

AG DISTRICT: 22 AFPB SIGNATURE: ____

Revised 4/201

APPENDIX "C"

VAN DEWATER AND VAN DEWATER, LLP

COUNSELORS AT LAW

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Ronald C. Blass, Jr.
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Edward vK Cunningham, Jr. (1935-2018)
John K. Gifford
Jeffrey S. Battistoni
Janis M. Gomez Anderson
Counsel

September 11, 2018

Richard A. Ball, Commissioner
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Counsel's Office
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Dr. Robert Somers
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Re: Town of LaGrange (Remsburger - Landi)
Our File No. 70-1100

Dear Commissioner, et al:

The Town of LaGrange, Dutchess County, State of New York contemplates a legal challenge to the August 20, 2018 determination of the Dutchess County Legislature to include approximately 1.43 acres of improved real property at 18 Traver Road within a County Agricultural District. The area of inclusion is too small to constitute viable agricultural land. No assessment of soils was performed. The site is too tight for legitimate home occupation use in a residential zone, infra.

Agriculture and Markets Law 303(3) vests the Dutchess County Agricultural and Farmland Protection Board with a vital role in assessing whether the real property constitutes viable

agricultural land within the meaning of Section 301(7) of the Agriculture and Markets Law.

On May 21, 2018, the County Farmland Protection Board solicited comment from the Town of LaGrange, in particular, as to whether there were any open land use violations regarding use of the property for apiary purposes.

On May 30, 2018, the Town's Municipal Code Enforcement Officer responded to the Farmland Protection Board. (Copy attached.) He noted the following violations of record:

a) The apiary farming activity fell below the legislative seven (7) acre minimum necessary for farming in the Town;

b) The site was exceeding thresholds for a home occupation for the production of honey and maple syrup;

c) In effect, the home occupation had eclipsed the residential use of the site due to outdoor storage, trucking activity centering on a large commercial flatbed truck used for the transport of beehives and related activity, removal of trees from the parcels front yard to expand the driveway for easier access to commercial vehicles. All of these activities are precluded for home occupations; and

d) The home occupation has become a second principal use on the same lot --- giving rise to a violation of 240-26 of the Town Code which prescribes that there shall be a separate lot for every building.

On or about June 25, 2018, the County Farmland Protection Board issued a report which recommended that the Landi property be rejected for inclusion in the Agricultural District.

Despite this recommendation, the County Legislature voted to include the Landi property in the Agricultural District on August 20, 2018 --- thereby institutionalizing the aforesaid violations of local zoning law. This action followed a public hearing held on July 9, 2018.

Pending before the Town is the potential revocation of the home occupation approval for the Landi property. The owner was afforded the procedural due process right to comment on this

potential revocation. A copy of the response is attached hereto. The response does not address the expansion of the home occupation as summarized above in terms of outdoor storage and commercial vehicles. By exclusion, these aspects are admitted.

A determination of the revocation of the home occupation awaits review and approval of the Building Inspector/Zoning Administrator of the Town.

Upon information and belief, Commissioner's certification of the addition of land to an Agricultural District is a pro forma exercise under Ag and Markets Law Section 303(7) and (8).

The Town of LaGrange has issued a FOIL request to the County Legislature and to the Office of the Commissioner to determine whether, over the proceeding ten (10) years, the Commissioner has ever withheld certification of land in an Ag District after inclusion by the Dutchess County Legislature.

The Town of LaGrange respectfully requests that the Commissioner withholds certification of the Landi property pending the Town's exhaustion of legal remedies for review of the substantive determination of the County Legislature. The Town's pleadings should be factored into the certification determination of the Commissioner.

Very truly yours,

VAN DEWATER & VAN DEWATER, LLP

By: _____
RONALD C. BLASS, JR.

RCB/jbo
Enclosures: 2
Cc: Juilette Landi
Scott Volkman, Esq.
A. Gregg Pulver, Legislative Chairman
Carolyn Morris, Clerk of the Legislature

U:\DOCS\00070\01100\CORRES\24F9688.DOCX

TOWN OF LAGRANGE

OFFICE OF THE BUILDING INSPECTOR

120 Stringham Road, LaGrangeville, NY 12540

845-452-1830; Fax 845-452 7692

May 30, 2018

Agriculture and Farmland Protection Board
Amy M. Cross, Secretary
2715 Route 44, Suite 3
Millbrook, New York 12545

Re: Town of LaGrange (Remsburger Honey & Maple)

Dear Ms. Cross:

You have asked for land use violations, if any, from the Town of LaGrange regarding the application of Juliette Landi to include tax parcel # 6462-03-172062 in an Agricultural District.

The owner was engaged in making bees available to pollenate crops on properties other than their residence. At start up, hives and queen bees were removed from the fields to harvest honey in a large butler building on the parcel. The hives were then returned to the field. Based on that activity, the owner was classified as a home occupation and a use permit for such activity was issued by the Town.

The owner has begun a practice of bringing hives back to 18 Traver Road as an apiary and staging area, rather than leaving the hives on the outlying properties. Land has been cleared to this end. To the best of my knowledge, bees are in an agitated state, and more aggressive, as a result of such relocations. The Landi property is located in the Residential Low Density zoning district. And, the parcel has several residential neighbors. They have expressed concern about exposure to agitated bees.

The request for inclusion in the Agricultural District is based on activity which is a zoning violation.

18 Traver Road is approximately 2.1 acres in size located in the RLD zone. Farming is a permitted use in all zones, subject to the definition of farming in the Local Zoning Law. The definition of farm, to which the table of uses refers at footnote 37, requires a minimum of 7 acres. The Landi parcel falls almost 5 acres short.

The intensity of the production of honey at 18 Traver Road raises the additional question as to whether the activity, now including an advertised apiary, is subordinate to the residence, or the residence is subordinate to the commercial activity which provides honey to several markets. The expanded activity differs markedly from representations made to obtain the use permit for home occupation.

The application for home occupation represented that no insects would be kept on the property. Bees fall within the category of insects. The current activity contravenes representations made in the application. There is a good case to be made that the commercial activity on site, with coming and going of box trucks and the apiary and staging area for hives, is now a predominate use of the residential property. A home occupation requires that the activity be subordinate to the residence. (LaGrange Town Code 240-54.) I conclude that the residence is now subordinate to the commercial apiary use. The owner will be given a due process opportunity to comment in writing before the home occupation permit is vacated.

In conclusion, it appears that:

1. Farming activity on less than 7 acres is not permitted in the zoning district.

2. The farming activity, in this case the production of honeys and apiary activity, has become predominate over the residential use.

3. Representations in the home occupation application are being contravened.

4. The Town will consider revoking the home occupation permit, after providing written notice, and opportunity to be heard in writing, to the owner.

The Municipal Code Enforcement Inspector, under the direct supervision of The Zoning Administrator is empowered to issue a ruling as to zoning violations.

TOWN OF LAGRANGE

By: _____

JUSTIN NOYES,

MUNICIPAL CODE ENFORCEMENT INSPECTOR

EXHIBIT E

VIA CERTIFIED AND REGULAR MAIL

PO Box 223
Pleasant Valley, NY 12569
845-891-6800
June 11, 2018

RECEIVED
JUN 13 2018

Town of LaGrange
Office of the Zoning Administrator
120 Stringham Rd
LaGrangeville, NY 12540

Attn: Building Inspector

To whom it may concern;

I am in receipt of your Notice of Intended Revocation. In response to your determination, I would argue that the Home Occupation is indeed subordinate to the residential use of the property and follows all of the Town's criteria for a home business and therefore is in compliance.

- It is incidental to the use of a dwelling unit for residential purposes.
- It is owner-occupied
- No more than 30% of the total floor area of the dwelling unit is used
- We are not open to the public
- We do not have employees

I am not sure what you are basing your 'alternative' facts on.

We have spoken at length to our immediate neighbors and not one is questioning their peace, quiet or domestic tranquility.

The reference to 'insects' in my application was derived from NYS Agriculture & Markets Regulations - it has nothing to do with bees on the property, it has to do with sanitary conditions during packaging (Ag & Markets - Section 276.4). It was not a condition directed by town code to qualify for our permit.

In our approved permit application it was made very clear that we produce honey. It is impossible to produce honey without honey bees. Let's face it, there are bees everywhere - with or without honey production. Any reasonable person would understand that in order to produce honey that honey bees would be required. We consider our bees livestock, they are an intricate part of the production of agriculture, they contribute to the farm industry across the county, they are not a pest or vermin that should be exterminated.

In the correspondence between Bob Somers and Robert Taft - your EXHIBIT D - Mr. Taft makes various quotes (hearsay) supposedly coming from Mr. Paul Cappy. During Mr. Taft's phone call, he conveniently failed to inform Mr. Cappy that the beekeeper in this operation is Dennis Remsburger, with whom Mr. Cappy has had a 20 year professional relationship with. Mr. Cappy is well aware that our bees are very well taken care of, and have been inspected numerous times over the years. Mr. Remsburger is registered with the state and has been inspected as required. Queen bees are not nuisance bees, and they are contained their entire lives until placed in a colony of their own - and Mr. Cappy would never state anything to the contrary. There are no laws/ordinances against us raising our own Queen Bees. For your information, nuisance bees by their very definition are either sick, contagious or africanized. We do not have nuisance bees on our property or anywhere else for that matter.

When we first moved into LaGrange, Mr. Taft had told us verbally that he was willing to give us the Ag assessment after our first year of living here, he would work with us he said, he

VIA CERTIFIED AND REGULAR MAIL

would help us in any way he could. Instead of being helpful he has tried at every twist and turn to put us out of business. Not sure what his motivation is, but perhaps it should be addressed by the powers that be.

The bee boxes mentioned in the determination that are periodically outside the building come and go very quickly and they are part of the process of honey extraction. They do not contain colonies of bees. They are not storage. If it would please the town and the neighbors we can certainly erect a fence along the side of the property so that no one has to see boxes coming off the truck and back onto the truck.

Regarding the accusation that I provided contradicting information, or alternate information on applications, that is a total falsehood. I take an incredible offense at the insinuation that I am lying or trying to manipulate. I mentioned Queen Bee rearing and Nucleus colony creation. As mentioned before that does NOT fall into the exclusion of insects. Nucleus colonies are created and sold within days, there are no local ordinances that preclude anyone in LaGrange from having bee hives on their property. It is weak minded people that will simply state someone is a liar based on others falsified information. You should all think twice and do your research before accusing anyone of lying. Your actions are considered defamation (in written form as libel) and are punishable by law.

In addition, I would also like to address the fact that you sent a letter to the Agriculture and Farmland Protection Board stating that we have land use violations. They apparently received this information before we had any knowledge of it.

You state that we are clearing land to bring bee boxes to our property?? - that is not the truth! We have removed two trees which were dead and two trees needed to be removed for our solar installation. Neither instance has anything to do with bee boxes - or our business for that matter. Are there local ordinances stating that I cannot remove a tree or trees from my property? Please advise.

We have spoken to our neighbors, no one has any concern for the bees, yet you tell the Ag Board that our residential neighbors have concerns about agitated bees. There are no agitated bees here.

You state to them that, "The request for inclusion in the Agricultural District is based on activity which is a zoning violation." What exactly is the activity/zoning violation you speak of?

You speak of an "advertised aplary," Again, I'm not sure what you are talking about, I would appreciate clarification.

We currently have one honey bee colony on our property. There are no ordinances that say I can't have a beehive on my property. If anyone in your office would like a lesson in beekeeping, Dennis teaches hundreds of people every year how to keep bees and he is more than willing to educate you also.

We do not have nuisance bees on our property or elsewhere.

We have complied with your Home Occupation definition in its' entirety.

Based on the true facts, we should not have our permit taken away.

Juliette Landi

Juliette Landi
Owner
18 Traver Rd, Pleasant Valley, NY

APPENDIX "D"

VAN DEWATER AND VAN DEWATER, LLP

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Jeffrey S. Battistoni
Janis M. Gomez Anderson
Counsel

September 20, 2018

Richard A. Ball, Commissioner
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Counsel's Office
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Dr. Robert Somers
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Re: Town of LaGrange (Remsburger - Landi)
Our File No. 70-1100

Dear Commissioner, et al:

This supplements our letter of September 11, 2018.

At that time, we did not possess the County Legislature's resolution of August 20, 2018. We have it now. It is attached or enclosed.

We also attach or enclose the June 14, 2018 recommendation of the Dutchess County Farmland Protection Board to reject the Landi property at 18 Traver Road, LaGrange, New York from inclusion.

We also provide the July 10, 2017 resolution of the County Legislature which excluded the Landi property from the county agriculture district.

We note the following with respect to the County Legislature's resolution:

a) Despite what the resolution says, the Dutchess County Farmland Protection Board did not recommend the inclusion of the Landi property at 18 Traver Road;

b) The Legislature ignored the statutory adverse recommendation of the Dutchess County Farmland Protection Board;

c) The Legislature did not make a finding that the Landi property at 18 Traver Road consisted predominately of "viable agricultural land"; and

d) Without a meaningful change of circumstances, the Legislature included 18 Traver Road in the agricultural district despite rejecting its inclusion during the annual review process which culminated on July 10, 2017 --- consistent with the recommendation of the Dutchess County Farmland Protection Board.

The only changes of circumstances were adverse to inclusion. They included precise allegations (of the Town to the Farmland Protection Board) of the property owners exceeding of standards limiting home occupation activity.

All of these points will be included in a hybrid proceeding challenging the County Legislature's resolution of August 20, 2018.

Lastly, on September 18, 2018, the Town of LaGrange issued a determination vacating the home occupation permit at 18 Traver Road for activity which exceeded limits on home occupations. Commissioner certification will continue to institutionalize land use violations under Town Code.

Very truly yours,

VAN DEWATER & VAN DEWATER, LLP

By: _____
RONALD C. BLASS, JR.

RCB/jbo

Enclosures: 3
Cc: Juliette Landi
Scott Volkman, Esq.
A. Gregg Pulver, Legislative Chairman
Carolyn Morris, Clerk of the Legislature

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Environment
Tabled on floor 7/9/18
Amended on floor 8/20/18

RESOLUTION NO. 2018190

RE: PROPERTY OWNER REQUESTS TO BE INCLUDED WITHIN DUTCHESS COUNTY'S CERTIFIED AGRICULTURAL DISTRICTS 20, 21, 22, AND 23

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

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law establishes a mechanism on an annual basis for parcels of land comprised of predominately viable agricultural land to be included within the state's Agricultural Districts, and

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law sets forth the requirement that the Legislative Body in every county in New York State with existing Agricultural Districts must designate an annual 30-day period during which landowners may apply for inclusion of their agriculturally viable land in the Agricultural Districts, and

WHEREAS, Dutchess County Legislative Resolution 204098 established an annual thirty-day period extending from April 15 to May 14 during which landowners may summit such requests to the Legislature to include their properties in the Agricultural Districts, and

WHEREAS, during the one-month period extending from April 15, 2018, to May 14, 2018, the Dutchess County Farmland Protection Board received such applications on behalf of the Legislature, and

WHEREAS, subsequently the Agricultural and Farmland Protection Board submitted its report with recommendation as to those requests to the Legislature, and

WHEREAS, after proper Notice of Public Hearing, this Legislature held a public hearing on July 9, 2018, with respect to the above and heard all those wishing to address the matter at said public hearing, and

WHEREAS, New York State Agriculture and Markets Law Section 303-b requires the County Legislature, following such public hearing to adopt or reject the proposed requests for inclusion of land within an existing Agricultural District, and

WHEREAS, the report and recommendations of the Agricultural Farmland Protection Board are on file with the Clerk of the Dutchess County Legislature, and

WHEREAS, the Legislature has considered the matter including the report and recommendation of the Agricultural Farmland Protection Board at the public hearing, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby adopts the recommendations of the Agricultural and Farmland Protection Board and adopts the requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Landowner	Town	SWIS Code	Parcel Number	Acres	District
James Enkler	Clinton	132400	6267-00-820205	3.7	20
James Enkler	Clinton	132400	6267-00-865205	3.1	20
James Vitiello	Clinton	132400	6267-00-787124	13.44	20
Heidi Myers	Washington	135889	6765-00-048708	21.1	21
Robert Behring	LaGrange	133400	6462-02-675824	31	22
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-167790	1.3	23
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-062777	60.4	23
Sally Raphael	Pawling	134089	7156-00-400973	25.5	23
Heidi Myers	UnionVale	135400	6663-00-653092	10.58	23
Juliette Landi	LaGrange	133400	6462-03-172062	2.1	22

and, be it further

RESOLVED, that the Dutchess County Legislature herby adopts the recommendations of the Agricultural and Farmland Protection Board and rejects the requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Maria Fitzgibbon	Milan	133800	6671-00-042265	140.2	20
Kerrie Abela	Rhinebeck	135089	6371-00-600224	50.55	20
Michael Lancto	Rhinebeck	135089	6269-00-232404	40.74	20
Edward Russell	Rhinebeck	135089	6371-00-423606	5.93	20
Thomas Sanford	LaGrange	133400	6560-01-060861	13.03	22

and, be it further

RESOLVED, that the Clerk of the Legislature shall submit a copy of this Resolution together with the report of the Dutchess Agricultural and Farmland Protection Board, and the tax map identification numbers and tax maps for each parcel of land to be included in an Agricultural District, to the New York State Commissioner of Agriculture and Markets.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date _____

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 20th day of August 2018, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 20th day of August 2018.

Carolyn Morris
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Agriculture and Farmland Protection Board of Dutchess County

Gregg Pulver
Chairman
914-474-0908

Art Collings
Vice Chairman
Dutchess Land Conservancy
845/677-3002 Ext. 100

Peter Coon
Coon Brothers Partnership
845/373-8328

Doug Giles
Walbridge Farm

Ken Migliorelli
Migliorelli Farm

Agri-business
Edward C. Hackett
Hackett Farm Supply, Inc.
845/266-3494

Brian Scoralick
DC Soil & Water
Conservation District
845/677-8011 ext.3

Will Truitt
Dutchess County
Legislature

Eric Axelsen
DC Real Property Tax
845/486-2140

Eoin Wrafter
DC Acting Commissioner of
Planning and Development
845/486-3600

Jennifer Fimbel
Cornell Cooperative
Extension
845/677-8223

Harry Baldwin
Ex-Officio
845/266-5378

Resolution of the Dutchess County Farmland Protection Board

At a meeting of the Dutchess County Farmland Protection Board ("Board") held on the 5th day of June, 2015 in Millbrook, NY, the following resolution was adopted by a vote of the entire Board, to wit:

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law establishes a mechanism on an annual basis for parcels of land comprised of predominately viable agricultural land to be included within the state's Agricultural Districts; and

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law sets forth the requirement that the Legislative Body in every county in New York State with existing Agricultural Districts must designate an annual 30-day period during which landowners may apply for inclusion of their agriculturally viable land in the Agricultural Districts; and

WHEREAS, Dutchess County Legislative Resolution 204098 established an annual thirty-day period extending from April 15 to May 14 during which Landowners may summit such requests to the legislature to include their properties in the Agricultural Districts; and

WHEREAS, During the one month period extending from April 15, 2018 to May 14, 2018, the Dutchess County Farmland Protection Board received such applications on behalf of the Legislature; and

WHEREAS, The Dutchess County Soil and Water Conservation District, acting as a consultant to the Board, conducted a review of the agricultural characteristics of all such applications received by the Board; and

WHEREAS, the same Dutchess County Soil and Water Conservation District, found in the process of conducting the aforementioned review that the certain parcels itemized below are located within one of the Dutchess County's four Agricultural Districts and have present a high percentage or large acreage of viable farmland as required by Section 303-b of the Agricultural Districts Law; and

WHEREAS, the same Dutchess County Soil and Water Conservation District specifically recommended that certain parcels itemized below qualify for inclusion in the Agricultural Districts due

to the character of viable farmland found to be present on these properties; and

WHEREAS, the Board, in the context of the standards established by Section 303-b of the Agriculture Districts Law, has duly considered the merits of the each and every parcel application it has received; therefore be it

RESOLVED by a majority vote of the Dutchess County Agriculture and Farmland Protection Board on June 5th, 2018, that the Board recommends to the Dutchess County Legislature that the following nine parcels constituting a total of 170.12 acres of land to be added to the respective Agriculture Districts pursuant to Section 303-b, including three parcels comprising 20.24 acres in Agricultural District 20, one parcel comprising 21.1 acres in Agricultural District 21, one parcel comprising 31 acres in Agricultural District 22, and four parcels comprising 97.78 acres in Agricultural District 23:

Landowner	Town	SWIS Code	Parcel Number	Acres	District
James Enkler	Clinton	132400	6267-00-820205	3.7	20
James Enkler	Clinton	132400	6267-00-865205	3.1	20
James Vitiello	Clinton	132400	6267-00-787124	13.44	20
Heidi Myers	Washington	135889	6765-00-048708	21.1	21
Robert Behring	LaGrange	133400	6462-02-675824	31	22
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-167790	1.3	23
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-062777	60.4	23
Sally Raphael	Pawling	134089	7156-00-400973	25.5	23
Heidi Myers	UnionVale	135400	6663-00-653092	10.58	23

these said parcels being recommended due to the character of viable farmland documented to be present on said parcels; and be it further

RESOLVED that the Board recommends to the Dutchess County Legislature that the following six parcels totaling 252.55 acres, for which an application was received, be rejected for inclusion in the Agricultural Districts:

Maria Fitzgibbon	Milan	133800	6671-00-042265	140.2	20
Kerrie Ahela	Rhinebeck	135089	6371-00-600224	50.55	20
Michael Lancto	Rhinebeck	135089	6269-00-232404	40.74	20
Edward Russell	Rhinebeck	135089	6371-00-423606	5.93	20
Juliette Landi	LaGrange	133400	6462-03-172062	2.1	22
Thomas Sanford	LaGrange	133400	6560-01-060861	13.03	22

these said parcels being recommended for rejection rather than inclusion due to fact that the character of land on said parcels does not meet the criteria of viable farmland stipulated in Section 303-b of the Agricultural Districts Law; and be it further

RESOLVED that for four parcels totaling 72.107 acres an application was received for parcels that had already been enrolled in an Agricultural District prior to April 15, 2018:

William Holman	Clinton	132400	6466-00-631439	10.007	20
William Holman	Clinton	132400	6466-00-619485	29.03	20
James Vitiello	Clinton	132400	6267-00-780038	14.07	20
Michael Wolfe	Fishkill	133089	6054-00-790825	20	22

these said parcels therefore requiring no further action by the Legislature due to their status as parcels already included in Agriculture Districts 20, 22, or 23; and be it further

RESOLVED that in support of the above recommendations, the Board shall submit to the Legislature the following materials: 1) copies of all applications received, 2) copies of the review materials prepared by the Dutchess County Soil and Water Conservation District in association with all applications received, 3) copies of the minutes of the June 5th, 2018 meeting of the Board.

IN WITNESS WHEREOF, **I, Gregg Pulver, Chairman of the Dutchess County Farmland Protection Board, certify that the foregoing resolution was adopted by Board at its June 5th, 2018 meeting.**

Date June 14th 2018

Environment

RESOLUTION NO. 2017136

RE: PROPERTY OWNER REQUESTS TO BE INCLUDED WITHIN DUTCHESS COUNTY'S CERTIFIED AGRICULTURAL DISTRICTS 20, 21, 22, AND 23

Legislators FORMAN, MICCIO, BOLNER, PULVER, WASHBURN, TRUITT, SAGLIANO, STRAWINSKI, LANDISI and HORTON offer the following and move its adoption:

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law establishes a mechanism on an annual basis for parcels of land comprised of predominately viable agricultural land to be included within the state's Agricultural Districts, and

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law sets forth the requirement that the Legislative Body in every county in New York State with existing Agricultural Districts must designate an annual 30-day period during which landowners may apply for inclusion of their agriculturally viable land in the Agricultural Districts, and

WHEREAS, Dutchess County Legislative Resolution 204098 established an annual thirty-day period extending from April 15 to May 14 during which landowners may summit such requests to the Legislature to include their properties in the Agricultural Districts, and

WHEREAS, during the one-month period extending from April 15, 2017, to May 14, 2017, the Dutchess County Farmland Protection Board received such applications on behalf of the Legislature, and

WHEREAS, subsequently the Agricultural and Farmland Protection Board submitted its report with recommendation as to those requests to the Legislature, and

WHEREAS, after proper Notice of Public Hearing, this Legislature held a public hearing on July 10, 2017, with respect to the above and heard all those wishing to address the matter at said public hearing, and

WHEREAS, New York State Agriculture and Markets Law Section 303-b requires the County Legislature, following such public hearing to adopt or reject the proposed requests for inclusion of land within an existing Agricultural District, and

WHEREAS, the report and recommendations of the Agricultural Farmland Protection Board are on file with the Clerk of the Dutchess County Legislature, and

WHEREAS, the Legislature has considered the matter including the report and recommendation of the Agricultural Farmland Protection Board at the public hearing, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby adopts the recommendations of the Agricultural and Farmland Protection Board and adopts the

requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Landowner	Town	SWIS Code	Parcel Number	Acres	District
Stoudemire Farms Holdings LLC	Hyde Park	133200	6264-01-364904	37.47	20
Stoudemire Farms Holdings LLC	Hyde Park	133200	6265-03-395040	141.4	20
Sharon Sherrod	Rhinebeck	135089	6169-00-022744	3.2	20
Lloyd Hicks	North East	133889	7070-00-751718	6.75	21
Dwaine Lee	Dover	132600	7260-00-015023	3.711	23
Mara Shelby	Dover	132600	7161-00-875395	34.49	23
Mara Shelby	Dover	132600	7161-00-803354	5.51	23

and, be it further

RESOLVED, that the Dutchess County Legislature herby adopts the recommendations of the Agricultural and Farmland Protection Board and rejects the requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Kerrie Abelea	Rhinebeck	135089	6371-00-600224	50.55	20
Edward Russell	Rhinebeck	135089	6371-00-423606	5.93	20
Drew Kessler	East Fishkill	132800	6355-00-328959	3.16	22
Drew Kessler	East Fishkill	132800	6355-00-320931	0.98	22
Juliette Landi	LaGrange	133400	6462-03-172062	2.1	22
Organic Outpost Inc.	East Fishkill	132800	6556-01-195790	13.66	22
Dwaine Lee	Dover	132600	7160-00-941061	43.23	23

and, be it further

RESOLVED, that the Clerk of the Legislature shall submit a copy of this Resolution together with the report of the Dutchess Agricultural and Farmland Protection Board, and the tax map identification numbers and tax maps for each parcel of land to be included in an Agricultural District, to the New York State Commissioner of Agriculture and Markets.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/18/2017

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of July 2017, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of July 2017.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

STATE OF NEW YORK, COUNTY OF ss:

I, the undersigned, am an attorney admitted to practice in the courts of New York, and

Check Applicable Box

☐ Attorney's Certification — certify that the annexed has been compared by me with the original and found to be a true and complete copy thereof.

☐ Attorney's Verification by Affirmation — say that: I am the attorney of record, or of counsel with the attorney(s) of record, for . I have read the annexed know the contents thereof and the same are true to my knowledge, except those matters therein which are stated to be alleged on informati and belief, and as to those matters I believe them to be true. My belief, as to those matters therein not stated up knowledge, is based upon the following.

The reason I make this affirmation instead of is

I affirm that the foregoing statements are true under penalties of perjury.
Dated: .....

(Print signer's name below signatu

STATE OF NEW YORK, COUNTY OF ss:

being sworn says: I am

Check Applicable Box

☐ Individual Verification — in the action herein; I have read the annexed know the contents thereof and the same are true to my knowledge, except those matters therein which are stated to be alleged information and belief, and as to those matters I believe them to be true.

☐ Corporate Verification — the of a corporation, one of the parties to the action; I have read the annexed know the contents thereof and the same are true to my knowledge, except those matters therein which are stated to be alleged information and belief, and as to those matters I believe them to be true.

My belief, as to those matters therein not stated upon knowledge, is based upon the following:

Sworn to before me on , 20 .....

(Print signer's name below signatu

.....

STATE OF NEW YORK, COUNTY OF ss:

being sworn says: I am not a party to the action, am over 18 years age and reside at

On , 20 , I served a true copy of the annexed in the following manner:

Check Applicable Box

☐ Service by Mail — by mailing the same in a sealed envelope, with postage prepaid thereon, in a post-office or official depository of the U.S. Postal Servic addressed to the address of the addressee(s) indicated below, which has been designated for service by the addressee(s) or, if no such addre has been designated, is the last-known address of the addressee(s):

☐ Personal Service — by delivering the same personally to the persons at the address indicated below:

☐ Service by Facsimile — by transmitting the same to the attorney by facsimile transmission to the facsimile telephone number designated by the attorney for th purpose. In doing so, I received a signal from the equipment of the attorney served indicating that the transmission was receive and mailed a copy of same to that attorney, in a sealed envelope, with postage prepaid thereon, in a post office or official depository of tl U.S. Postal Service, addressed to the address of the addressee(s) as indicated below, which has been designated for service by tl addressee(s) or, if no such address has been designated, is the last-known address of the addressee(s):

☐ Service by Electronic Means — by transmitting the same to the attorney by electronic means upon the party's written consent. In doing so, I indicated in the subject matt heading that the matter being transmitted electronically is related to a court proceeding:

☐ Overnight Delivery Service — by depositing the same with an overnight delivery service in a wrapper properly addressed, the address having been designated by tl addressee(s) for that purpose or, if none is designated, to the last-known address of addressee(s). Said delivery was made prior to the late time designated by the overnight delivery service for overnight delivery. The address and delivery service are indicated below:

ALL-STATE LEGAL®
07101 • 07102 • 07103 • 07104
800.222.0510 www.alslegal.com

Index No. *Year 20*

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF DUTCHESS

TOWN OF LAGRANGE,

Plaintiff - Petitioner,

- against -

DUTCHESS COUNTY LEGISLATURE AND JULIETTE LANDI,

Defendants - Respondents.

SUMMONS, NOTICE OF PETITION, VERIFIED COMPLAINT/PETITION

Attorneys for **VAN DE WATER & VAN DE WATER, LLP**
Plaintiff - Petitioner, Town of LaGrange
POST OFFICE BOX 112
POUGHKEEPSIE, N. Y. 12602
(845) 452-5900

Pursuant to 22 NYCRR 130-1.1-a, the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, (1) the contentions contained in the annexed document are not frivolous and that (2) if the annexed document is an initiating pleading, (i) the matter was not obtained through illegal conduct, or that if it was, the attorney or other persons responsible for the illegal conduct are not participating in the matter or sharing in any fee earned therefrom and that (ii) if the matter involves potential claims for personal injury or wrongful death, the matter was not obtained in violation of 22 NYCRR 1200.41-a.

Dated: ..... Signature .....

Print Signer's Name .....

Service of a copy of the within *is hereby admitted.*

Dated:

.....
Attorney(s) for

PLEASE TAKE NOTICE

Check Applicable Box

☐ NOTICE OF ENTRY *that the within is a (certified) true copy of a entered in the office of the clerk of the within-named Court on* *20*

☐ NOTICE OF SETTLEMENT *that an Order of which the within is a true copy will be presented for settlement to the Hon.* *, one of the judges of the within-named Court, at on* *20* *, at* *M.*

Dated:

Attorneys for **VAN DE WATER & VAN DE WATER, LLP**
POST OFFICE BOX 112
POUGHKEEPSIE, N. Y. 12602

To:

Attorney(s) for

VAN DEWATER AND VAN DEWATER, LLP

COUNSELORS AT LAW

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Robert B. Van DeWater (1921-1990)
James E. Nelson
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Edward vK Cunningham, Jr. (1935-2018)
John K. Gifford
Jeffrey S. Battistoni
Janis M. Gomez Anderson
Counsel

October 2, 2018

RECEIVED
OCT 04 2018
By 11:56am

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

Re: Town of LaGrange v. Dutchess County Legislature and Juliette Landi
Index No. 2018-53053
Our File No. 70-1100

Dear Ms. Morris:

For service upon you please find Affirmation of Erin L. O'Dea with appendices.

Thank you.

Very truly yours,

VAN DEWATER & VAN DEWATER, LLP

By: Jennifer Osterhoudt
Jennifer Osterhoudt, Secretary

/jbo
Enclosure
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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF DUTCHESS
----------X
TOWN OF LAGRANGE,

Plaintiff - Petitioner,

-against-

DUTCHESS COUNTY LEGISLATURE AND
JULIETTE LANDI,

Defendants - Respondents.
----------X

AFFIRMATION

Index No. 2018-53053

(Acker, J.)

Erin L. O'Dea, an attorney duly licensed to practice law before the Courts of the State of New York affirms upon information and belief and subject to the penalties of perjury the following facts are true:

1. I am an associate of the law firm Van DeWater & Van DeWater, LLP, attorneys for Plaintiff-Petitioner Town of LaGrange.
2. This affirmation is submitted to supplement Plaintiff-Petitioner's Memorandum of Law, filed September 28, 2018.
3. The documents annexed hereto, and also annexed to Plaintiff-Petitioner's Memorandum of Law, Appendices "A", "B", "C" and "D", are authentic copies of the following:
    a. Appendix "A": A August 22, 2018 Memorandum from Michael Latham, Director of New York State Agriculture and Markets to County Agricultural and Farmland Protection Boards, available to the public at https://www.agriculture.ny.gov/ap/agservices/Guidance_Memo_Agricultural_and_Farmland_Protection_Boards.pdf; and
    b. Appendix "B": The 2017 application of Juliette Landi for inclusion of 18 Traver Road in a County Agricultural District, indicating that the application was not approved; and

c. Appendix "C": The September 11, 2018 letter from Plaintiff-Petitioner to the following at the New York State Department of Agriculture and Markets: Richard A. Ball, Commissioner, Counsel's Office and Dr. Robert Somers; and

d. Appendix "D": The September 20, 2018 supplemental letter from Plaintiff-Petitioner to the following at the New York State Department of Agriculture and Markets: Richard A. Ball, Commissioner, Counsel's Office and Dr. Robert Somers.

Dated: Poughkeepsie, New York
October 1, 2018

By: Erin L. O'Dea

ERIN L. O'DEA
Van DeWater & Van DeWater, LLP
Attorneys for Plaintiff-Petitioner
85 Civic Center Plaza, P.O. Box 112
Poughkeepsie, NY 12602
Telephone: (845) 452-5900

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APPENDIX "A"

NEW YORK STATE | Agriculture and Markets

MEMORANDUM

TO: County Agricultural and Farmland Protection Boards

FROM: Michael Latham, Director

DATE: August 22, 2018

SUBJECT: Agriculture and Markets Law (AML) §303-b – Inclusion of Viable Agricultural Land

Under AML §303-b (2)(a) County Agricultural and Farmland Protection Boards (AFPBs) are charged with making recommendations to County Legislative Bodies (CLBs) *"as to whether the land to be included in the agricultural district consists predominantly of 'viable agricultural land' as defined in [AML §301(7)] and the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the district."*

AFPBs provide important advice and recommendations to CLBs on the creation, review and inclusion of land within county-adopted, State certified agricultural districts. AFPBs have a diverse membership, including at least four active farmers and six members that are county residents, and offer CLBs a unique, local perspective when making recommendations concerning requests for inclusion of land which is predominantly viable agricultural land within a certified agricultural district. AFPBs are well-suited to evaluate these requests, which are submitted on a parcel-by-parcel basis.

Evaluation Factors

AFPBs evaluate two factors when making recommendations: 1) Whether the parcel of land consist predominantly of "viable agricultural land" and 2) Whether the inclusion of the land serve the public interest by assisting in maintaining a viable agricultural industry within the district.

Viable Agricultural Land

Under AML §301(7), "viable agricultural land" is defined as "land *highly suitable for* a farm operation as defined in [§301(11)]" (emphasis added). Therefore, land need not be actively farmed to be considered for inclusion in an agricultural district. The term "farm operation"[1] is broadly defined to include land and on-farm buildings, equipment, manure

[1] "Farm operation" was first defined in 1997 as part of a package of amendments to the Agricultural Districts Law (AML Article 25-AA) that removed language which required farms to meet the agricultural assessment acreage and income thresholds to be eligible for protection from unreasonably restrictive

processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise. Commercial horse boarding operations, timber operations, compost, mulch or other biomass crops and commercial equine operations [defined in §301(13), (14), (16) and (17), respectively] are also included. A farm operation may consist of one or more parcels of owned or rented land; and such parcels may be contiguous or noncontiguous to each other.

The statutory definition of "farm operation" does not require minimum acreage and income thresholds for most operations.[2] Many viable farm operations are conducted on limited acreage (e.g., greenhouses, poultry and aquaculture); as well as on marginal lands (e.g., farmed deer on steep slopes and non-prime soils, etc.). Much of the land in a county could, therefore, be considered "highly suitable for a farm operation." Farm operations are much more than their land base, however; they rely on their owners and operators, including the ideas, skills and investment they bring, to become and remain viable.

Inclusion Assists in Maintaining a Viable Agricultural Industry

In light of the statutory definition of "farm operation," the more difficult task for AFPBs when making recommendations to CLBs is whether *"the inclusion of the land would serve the public interest by assisting in maintaining a viable agricultural industry within the district."* AFPBs, as a local advisory body, understand the agricultural industry within their county. AFPBs still need information about the land proposed to be included in a district, as well as the farm operation or start-up farm involved.

- Existing Farms - If an existing farm operation seeks inclusion in an agricultural district, certain information may make the AFPB's task easier, such as whether or not the farm is eligible for or receives an agricultural assessment; the farm's land base and sales; whether the land is subject to a conservation easement which includes agricultural uses as allowed uses; etc.

- Start-up Farm Operations - Start-ups may be more difficult to evaluate as they may have no, or limited, sales history. Therefore, information sought from these applicants may include land base, sales (if any), investment/planned investment, equipment, ideas/expertise/plans to become viable, whether subject to conservation easement, etc.

---

local laws under AML §305-a [and the former §305(2)]. These amendments allowed start-up farm operations to qualify for such protection. Prior to the amendments, some farms could not start up and begin to meet the agricultural assessment thresholds because farming was not allowed within the zoning district in which the land was located.

[2] "Commercial horse boarding operation" (CHB), "timber operation" and "commercial equine operation" (CEO) do have thresholds. CHBs and CEOs can qualify as farm operations during start-up, however.

APPENDIX "B"

NY State Department of Agriculture and Markets
APPLICATION OF VIABLE FARM LAND FOR INCLUSION IN DUTCHESS COUNTY AGRICULTURAL DISTRICTS

Please complete this form if you are an agricultural or non-agricultural landowner. The information obtained from this form will be utilized by Dutchess County to modify agricultural district boundaries (if necessary) and determine the viability of the agricultural district as a whole.

AS PER NYS AG & MARKETS LAW 25AA SECTION 303-b

APPLICATION PERIOD IS APRIL 15 TO MAY 14

APPLICATIONS RECEIVED AFTER MAY 14 WILL NOT BE ACCEPTED

NO EXCEPTIONS

To be completed by the Landowner

LANDOWNER INFORMATION *(Please check if the landowner is the farmer)*

First Name	Juliette	Last Name	Landi	Corporation/Farm Name	Remsburger Honey + maple		
Street Address	18 Traver Rd.	City	Pleasant Valley	State	NY	Zip	12569
Mailing Address		City		State		Zip	
Phone #	845-891-6800	Email	Juldemar13@aol.com				

PRIMARY FARMER INFORMATION

First Name	Dennis	Last Name	Remsburger	Corporation/Farm Name	Same		
Street Address	18 Traver Rd	City	Pleasant Valley	State	NY	Zip	12569
Mailing Address		City		State		Zip	
Phone #	845-392-5038	Email	Same				

Please check one for each parcel listed

Tax Parcel Number (ex. 132000-6257-01-987436) List tax parcel identification numbers for all Parcels within the farm unit. (Complete number)	FARMER OWNED	RENTED TO A FARMER	RENTED FROM ANOTHER LANDOWNER	NOT FARMED
133400 - 6462 - 03 - 172062 # of Acres: 2.1	✓			
____ - ____ - ____ - ____ # of Acres: ____				

Please include my properties into the Dutchess County Agricultural District

Owner Name (PRINT): Juliette Landi

Signature: Juliette Landi

OFFICIAL USE ONLY

DATE RECEIVED: APR 26 2019 APPROVED: ____ DISAPPROVED: ✓

AG DISTRICT: 22 AFPB SIGNATURE: ____

Revised 4/201

APPENDIX "C"

VAN DEWATER AND VAN DEWATER, LLP

COUNSELORS AT LAW

John B. Van DeWater (1892-1968)
Robert B. Van DeWater (1921-1990)
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Gerard J. Comatos, Jr.
Ronald C. Blass, Jr.
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Edward vK Cunningham, Jr. (1935-2018)
John K. Gifford
Jeffrey S. Battistoni
Janis M. Gomez Anderson
Counsel

September 11, 2018

Richard A. Ball, Commissioner
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Counsel's Office
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Dr. Robert Somers
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Re: Town of LaGrange (Remsburger - Landi)
Our File No. 70-1100

Dear Commissioner, et al:

The Town of LaGrange, Dutchess County, State of New York contemplates a legal challenge to the August 20, 2018 determination of the Dutchess County Legislature to include approximately 1.43 acres of improved real property at 18 Traver Road within a County Agricultural District. The area of inclusion is too small to constitute viable agricultural land. No assessment of soils was performed. The site is too tight for legitimate home occupation use in a residential zone, infra.

Agriculture and Markets Law 303(3) vests the Dutchess County Agricultural and Farmland Protection Board with a vital role in assessing whether the real property constitutes viable

agricultural land within the meaning of Section 301(7) of the Agriculture and Markets Law.

On May 21, 2018, the County Farmland Protection Board solicited comment from the Town of LaGrange, in particular, as to whether there were any open land use violations regarding use of the property for apiary purposes.

On May 30, 2018, the Town's Municipal Code Enforcement Officer responded to the Farmland Protection Board. (Copy attached.) He noted the following violations of record:

a) The apiary farming activity fell below the legislative seven (7) acre minimum necessary for farming in the Town;

b) The site was exceeding thresholds for a home occupation for the production of honey and maple syrup;

c) In effect, the home occupation had eclipsed the residential use of the site due to outdoor storage, trucking activity centering on a large commercial flatbed truck used for the transport of beehives and related activity, removal of trees from the parcels front yard to expand the driveway for easier access to commercial vehicles. All of these activities are precluded for home occupations; and

d) The home occupation has become a second principal use on the same lot --- giving rise to a violation of 240-26 of the Town Code which prescribes that there shall be a separate lot for every building.

On or about June 25, 2018, the County Farmland Protection Board issued a report which recommended that the Landi property be rejected for inclusion in the Agricultural District.

Despite this recommendation, the County Legislature voted to include the Landi property in the Agricultural District on August 20, 2018 --- thereby institutionalizing the aforesaid violations of local zoning law. This action followed a public hearing held on July 9, 2018.

Pending before the Town is the potential revocation of the home occupation approval for the Landi property. The owner was afforded the procedural due process right to comment on this

potential revocation. A copy of the response is attached hereto. The response does not address the expansion of the home occupation as summarized above in terms of outdoor storage and commercial vehicles. By exclusion, these aspects are admitted.

A determination of the revocation of the home occupation awaits review and approval of the Building Inspector/Zoning Administrator of the Town.

Upon information and belief, Commissioner's certification of the addition of land to an Agricultural District is a pro forma exercise under Ag and Markets Law Section 303(7) and (8).

The Town of LaGrange has issued a FOIL request to the County Legislature and to the Office of the Commissioner to determine whether, over the proceeding ten (10) years, the Commissioner has ever withheld certification of land in an Ag District after inclusion by the Dutchess County Legislature.

The Town of LaGrange respectfully requests that the Commissioner withholds certification of the Landi property pending the Town's exhaustion of legal remedies for review of the substantive determination of the County Legislature. The Town's pleadings should be factored into the certification determination of the Commissioner.

Very truly yours,

VAN DEWATER & VAN DEWATER, LLP

By: _____
RONALD C. BLASS, JR.

RCB/jbo
Enclosures: 2
Cc: Juilette Landi
Scott Volkman, Esq.
A. Gregg Pulver, Legislative Chairman
Carolyn Morris, Clerk of the Legislature

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TOWN OF LAGRANGE
OFFICE OF THE BUILDING INSPECTOR
120 Stringham Road, LaGrangeville, NY 12540
845-452-1830; Fax 845-452 7692

May 30, 2018

Agriculture and Farmland Protection Board
Amy M. Cross, Secretary
2715 Route 44, Suite 3
Millbrook, New York 12545

Re: Town of LaGrange (Remsburger Honey & Maple)

Dear Ms. Cross:

You have asked for land use violations, if any, from the Town of LaGrange regarding the application of Juliette Landi to include tax parcel # 6462-03-172062 in an Agricultural District.

The owner was engaged in making bees available to pollenate crops on properties other than their residence. At start up, hives and queen bees were removed from the fields to harvest honey in a large butler building on the parcel. The hives were then returned to the field. Based on that activity, the owner was classified as a home occupation and a use permit for such activity was issued by the Town.

The owner has begun a practice of bringing hives back to 18 Traver Road as an apiary and staging area, rather than leaving the hives on the outlying properties. Land has been cleared to this end. To the best of my knowledge, bees are in an agitated state, and more aggressive, as a result of such relocations. The Landi property is located in the Residential Low Density zoning district. And, the parcel has several residential neighbors. They have expressed concern about exposure to agitated bees.

The request for inclusion in the Agricultural District is based on activity which is a zoning violation.

18 Traver Road is approximately 2.1 acres in size located in the RLD zone. Farming is a permitted use in all zones, subject to the definition of farming in the Local Zoning Law. The definition of farm, to which the table of uses refers at footnote 37, requires a minimum of 7 acres. The Landi parcel falls almost 5 acres short.

The intensity of the production of honey at 18 Traver Road raises the additional question as to whether the activity, now including an advertised apiary, is subordinate to the residence, or the residence is subordinate to the commercial activity which provides honey to several markets. The expanded activity differs markedly from representations made to obtain the use permit for home occupation.

The application for home occupation represented that no insects would be kept on the property. Bees fall within the category of insects. The current activity contravenes representations made in the application. There is a good case to be made that the commercial activity on site, with coming and going of box trucks and the apiary and staging area for hives, is now a predominate use of the residential property. A home occupation requires that the activity be subordinate to the residence. (LaGrange Town Code 240-54.) I conclude that the residence is now subordinate to the commercial apiary use. The owner will be given a due process opportunity to comment in writing before the home occupation permit is vacated.

In conclusion, it appears that:

1. Farming activity on less than 7 acres is not permitted in the zoning district.

2. The farming activity, in this case the production of honeys and apiary activity, has become predominate over the residential use.

3. Representations in the home occupation application are being contravened.

4. The Town will consider revoking the home occupation permit, after providing written notice, and opportunity to be heard in writing, to the owner.

The Municipal Code Enforcement Inspector, under the direct supervision of The Zoning Administrator is empowered to issue a ruling as to zoning violations.

TOWN OF LAGRANGE

By: _____

JUSTIN NOYES,

MUNICIPAL CODE ENFORCEMENT INSPECTOR

EXHIBIT E

VIA CERTIFIED AND REGULAR MAIL

PO Box 223
Pleasant Valley, NY 12569
845-891-6800
June 11, 2018

RECEIVED
JUN 13 2018

Town of LaGrange
Office of the Zoning Administrator
120 Stringham Rd
LaGrangeville, NY 12540

Attn: Building Inspector

To whom it may concern;

I am in receipt of your Notice of Intended Revocation. In response to your determination, I would argue that the Home Occupation is indeed subordinate to the residential use of the property and follows all of the Town's criteria for a home business and therefore is in compliance.

- It is incidental to the use of a dwelling unit for residential purposes.
- It is owner-occupied
- No more than 30% of the total floor area of the dwelling unit is used
- We are not open to the public
- We do not have employees

I am not sure what you are basing your 'alternative' facts on.

We have spoken at length to our immediate neighbors and not one is questioning their peace, quiet or domestic tranquility.

The reference to 'insects' in my application was derived from NYS Agriculture & Markets Regulations - it has nothing to do with bees on the property, it has to do with sanitary conditions during packaging (Ag & Markets - Section 276.4). It was not a condition directed by town code to qualify for our permit.

In our approved permit application it was made very clear that we produce honey. It is impossible to produce honey without honey bees. Let's face it, there are bees everywhere - with or without honey production. Any reasonable person would understand that in order to produce honey that honey bees would be required. We consider our bees livestock, they are an intricate part of the production of agriculture, they contribute to the farm industry across the county, they are not a pest or vermin that should be exterminated.

In the correspondence between Bob Somers and Robert Taft - your EXHIBIT D - Mr. Taft makes various quotes (hearsay) supposedly coming from Mr. Paul Cappy. During Mr. Taft's phone call, he conveniently failed to inform Mr. Cappy that the beekeeper in this operation is Dennis Remsburger, with whom Mr. Cappy has had a 20 year professional relationship with. Mr. Cappy is well aware that our bees are very well taken care of, and have been inspected numerous times over the years. Mr. Remsburger is registered with the state and has been inspected as required. Queen bees are not nuisance bees, and they are contained their entire lives until placed in a colony of their own - and Mr. Cappy would never state anything to the contrary. There are no laws/ordinances against us raising our own Queen Bees. For your information, nuisance bees by their very definition are either sick, contagious or africanized. We do not have nuisance bees on our property or anywhere else for that matter.

When we first moved into LaGrange, Mr. Taft had told us verbally that he was willing to give us the Ag assessment after our first year of living here, he would work with us he said, he

VIA CERTIFIED AND REGULAR MAIL

would help us in any way he could. Instead of being helpful he has tried at every twist and turn to put us out of business. Not sure what his motivation is, but perhaps it should be addressed by the powers that be.

The bee boxes mentioned in the determination that are periodically outside the building come and go very quickly and they are part of the process of honey extraction. They do not contain colonies of bees. They are not storage. If it would please the town and the neighbors we can certainly erect a fence along the side of the property so that no one has to see boxes coming off the truck and back onto the truck.

Regarding the accusation that I provided contradicting information, or alternate information on applications, that is a total falsehood. I take an incredible offense at the insinuation that I am lying or trying to manipulate. I mentioned Queen Bee rearing and Nucleus colony creation. As mentioned before that does NOT fall into the exclusion of insects. Nucleus colonies are created and sold within days, there are no local ordinances that preclude anyone in LaGrange from having bee hives on their property. It is weak minded people that will simply state someone is a liar based on others falsified information. You should all think twice and do your research before accusing anyone of lying. Your actions are considered defamation (in written form as libel) and are punishable by law.

In addition, I would also like to address the fact that you sent a letter to the Agriculture and Farmland Protection Board stating that we have land use violations. They apparently received this information before we had any knowledge of it.

You state that we are clearing land to bring bee boxes to our property?? - that is not the truth! We have removed two trees which were dead and two trees needed to be removed for our solar installation. Neither instance has anything to do with bee boxes - or our business for that matter. Are there local ordinances stating that I cannot remove a tree or trees from my property? Please advise.

We have spoken to our neighbors, no one has any concern for the bees, yet you tell the Ag Board that our residential neighbors have concerns about agitated bees. There are no agitated bees here.

You state to them that, "The request for inclusion in the Agricultural District is based on activity which is a zoning violation." What exactly is the activity/zoning violation you speak of?

You speak of an "advertised apiary," Again, I'm not sure what you are talking about, I would appreciate clarification.

We currently have one honey bee colony on our property. There are no ordinances that say I can't have a beehive on my property. If anyone in your office would like a lesson in beekeeping, Dennis teaches hundreds of people every year how to keep bees and he is more than willing to educate you also.

We do not have nuisance bees on our property or elsewhere.

We have complied with your Home Occupation definition in its' entirety.

Based on the true facts, we should not have our permit taken away.

Juliette Landi

Juliette Landi
Owner
18 Traver Rd, Pleasant Valley, NY

APPENDIX "D"

VAN DEWATER AND VAN DEWATER, LLP

COUNSELORS AT LAW

John B. Van DeWater (1892-1968)
Robert B. Van DeWater (1921-1990)
James E. Nelson
Gerard J. Comatos, Jr.
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Edward vK Cunningham, Jr. (1935-2018)
John K. Gifford
Jeffrey S. Battistoni
Janis M. Gomez Anderson
Counsel

September 20, 2018

Richard A. Ball, Commissioner
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Counsel's Office
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Dr. Robert Somers
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Re: Town of LaGrange (Remsburger - Landi)
Our File No. 70-1100

Dear Commissioner, et al:

This supplements our letter of September 11, 2018.

At that time, we did not possess the County Legislature's resolution of August 20, 2018. We have it now. It is attached or enclosed.

We also attach or enclose the June 14, 2018 recommendation of the Dutchess County Farmland Protection Board to reject the Landi property at 18 Traver Road, LaGrange, New York from inclusion.

We also provide the July 10, 2017 resolution of the County Legislature which excluded the Landi property from the county agriculture district.

We note the following with respect to the County Legislature's resolution:

a) Despite what the resolution says, the Dutchess County Farmland Protection Board did not recommend the inclusion of the Landi property at 18 Traver Road;

b) The Legislature ignored the statutory adverse recommendation of the Dutchess County Farmland Protection Board;

c) The Legislature did not make a finding that the Landi property at 18 Traver Road consisted predominately of "viable agricultural land"; and

d) Without a meaningful change of circumstances, the Legislature included 18 Traver Road in the agricultural district despite rejecting its inclusion during the annual review process which culminated on July 10, 2017 --- consistent with the recommendation of the Dutchess County Farmland Protection Board.

The only changes of circumstances were adverse to inclusion. They included precise allegations (of the Town to the Farmland Protection Board) of the property owners exceeding of standards limiting home occupation activity.

All of these points will be included in a hybrid proceeding challenging the County Legislature's resolution of August 20, 2018.

Lastly, on September 18, 2018, the Town of LaGrange issued a determination vacating the home occupation permit at 18 Traver Road for activity which exceeded limits on home occupations. Commissioner certification will continue to institutionalize land use violations under Town Code.

Very truly yours,

VAN DEWATER & VAN DEWATER, LLP

By: _____
RONALD C. BLASS, JR.

RCB/jbo

Enclosures: 3
Cc: Juliette Landi
Scott Volkman, Esq.
A. Gregg Pulver, Legislative Chairman
Carolyn Morris, Clerk of the Legislature

U:\DOCS\00070\01100\CORRES\24G6384.DOCX

Environment
Tabled on floor 7/9/18
Amended on floor 8/20/18

RESOLUTION NO. 2018190

RE: PROPERTY OWNER REQUESTS TO BE INCLUDED WITHIN DUTCHESS COUNTY'S CERTIFIED AGRICULTURAL DISTRICTS 20, 21, 22, AND 23

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

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law establishes a mechanism on an annual basis for parcels of land comprised of predominately viable agricultural land to be included within the state's Agricultural Districts, and

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law sets forth the requirement that the Legislative Body in every county in New York State with existing Agricultural Districts must designate an annual 30-day period during which landowners may apply for inclusion of their agriculturally viable land in the Agricultural Districts, and

WHEREAS, Dutchess County Legislative Resolution 204098 established an annual thirty-day period extending from April 15 to May 14 during which landowners may summit such requests to the Legislature to include their properties in the Agricultural Districts, and

WHEREAS, during the one-month period extending from April 15, 2018, to May 14, 2018, the Dutchess County Farmland Protection Board received such applications on behalf of the Legislature, and

WHEREAS, subsequently the Agricultural and Farmland Protection Board submitted its report with recommendation as to those requests to the Legislature, and

WHEREAS, after proper Notice of Public Hearing, this Legislature held a public hearing on July 9, 2018, with respect to the above and heard all those wishing to address the matter at said public hearing, and

WHEREAS, New York State Agriculture and Markets Law Section 303-b requires the County Legislature, following such public hearing to adopt or reject the proposed requests for inclusion of land within an existing Agricultural District, and

WHEREAS, the report and recommendations of the Agricultural Farmland Protection Board are on file with the Clerk of the Dutchess County Legislature, and

WHEREAS, the Legislature has considered the matter including the report and recommendation of the Agricultural Farmland Protection Board at the public hearing, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby adopts the recommendations of the Agricultural and Farmland Protection Board and adopts the requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Landowner	Town	SWIS Code	Parcel Number	Acres	District
James Enkler	Clinton	132400	6267-00-820205	3.7	20
James Enkler	Clinton	132400	6267-00-865205	3.1	20
James Vitiello	Clinton	132400	6267-00-787124	13.44	20
Heidi Myers	Washington	135889	6765-00-048708	21.1	21
Robert Behring	LaGrange	133400	6462-02-675824	31	22
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-167790	1.3	23
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-062777	60.4	23
Sally Raphael	Pawling	134089	7156-00-400973	25.5	23
Heidi Myers	UnionVale	135400	6663-00-653092	10.58	23
Juliette Landi	LaGrange	133400	6462-03-172062	2.1	22

and, be it further

RESOLVED, that the Dutchess County Legislature herby adopts the recommendations of the Agricultural and Farmland Protection Board and rejects the requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Maria Fitzgibbon	Milan	133800	6671-00-042265	140.2	20
Kerrie Abela	Rhinebeck	135089	6371-00-600224	50.55	20
Michael Lancto	Rhinebeck	135089	6269-00-232404	40.74	20
Edward Russell	Rhinebeck	135089	6371-00-423606	5.93	20
Thomas Sanford	LaGrange	133400	6560-01-060861	13.03	22

and, be it further

RESOLVED, that the Clerk of the Legislature shall submit a copy of this Resolution together with the report of the Dutchess Agricultural and Farmland Protection Board, and the tax map identification numbers and tax maps for each parcel of land to be included in an Agricultural District, to the New York State Commissioner of Agriculture and Markets.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date _____

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 20th day of August 2018, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 20th day of August 2018.

Carolyn Morris
CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Agriculture and Farmland Protection Board of Dutchess County

Gregg Pulver
Chairman
914-474-0908

Art Collings
Vice Chairman
Dutchess Land Conservancy
845/677-3002 Ext. 100

Peter Coon
Coon Brothers Partnership
845/373-8328

Doug Giles
Walbridge Farm

Ken Migliorelli
Migliorelli Farm

Agri-business
Edward C. Hackett
Hackett Farm Supply, Inc.
845/266-3494

Brian Scoralick
DC Soil & Water
Conservation District
845/677-8011 ext.3

Will Truitt
Dutchess County
Legislature

Eric Axelsen
DC Real Property Tax
845/486-2140

Eoin Wrafter
DC Acting Commissioner of
Planning and Development
845/486-3600

Jennifer Fimbel
Cornell Cooperative
Extension
845/677-8223

Harry Baldwin
Ex-Officio
845/266-5378

Resolution of the Dutchess County Farmland Protection Board

At a meeting of the Dutchess County Farmland Protection Board ("Board") held on the 5th day of June, 2015 in Millbrook, NY, the following resolution was adopted by a vote of the entire Board, to wit:

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law establishes a mechanism on an annual basis for parcels of land comprised of predominately viable agricultural land to be included within the state's Agricultural Districts; and

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law sets forth the requirement that the Legislative Body in every county in New York State with existing Agricultural Districts must designate an annual 30-day period during which landowners may apply for inclusion of their agriculturally viable land in the Agricultural Districts; and

WHEREAS, Dutchess County Legislative Resolution 204098 established an annual thirty-day period extending from April 15 to May 14 during which Landowners may summit such requests to the legislature to include their properties in the Agricultural Districts; and

WHEREAS, During the one month period extending from April 15, 2018 to May 14, 2018, the Dutchess County Farmland Protection Board received such applications on behalf of the Legislature; and

WHEREAS, The Dutchess County Soil and Water Conservation District, acting as a consultant to the Board, conducted a review of the agricultural characteristics of all such applications received by the Board; and

WHEREAS, the same Dutchess County Soil and Water Conservation District, found in the process of conducting the aforementioned review that the certain parcels itemized below are located within one of the Dutchess County's four Agricultural Districts and have present a high percentage or large acreage of viable farmland as required by Section 303-b of the Agricultural Districts Law; and

WHEREAS, the same Dutchess County Soil and Water Conservation District specifically recommended that certain parcels itemized below qualify for inclusion in the Agricultural Districts due

to the character of viable farmland found to be present on these properties; and

WHEREAS, the Board, in the context of the standards established by Section 303-b of the Agriculture Districts Law, has duly considered the merits of the each and every parcel application it has received; therefore be it

RESOLVED by a majority vote of the Dutchess County Agriculture and Farmland Protection Board on June 5th, 2018, that the Board recommends to the Dutchess County Legislature that the following nine parcels constituting a total of 170.12 acres of land to be added to the respective Agriculture Districts pursuant to Section 303-b, including three parcels comprising 20.24 acres in Agricultural District 20, one parcel comprising 21.1 acres in Agricultural District 21, one parcel comprising 31 acres in Agricultural District 22, and four parcels comprising 97.78 acres in Agricultural District 23:

Landowner	Town	SWIS Code	Parcel Number	Acres	District
James Enkler	Clinton	132400	6267-00-820205	3.7	20
James Enkler	Clinton	132400	6267-00-865205	3.1	20
James Vitiello	Clinton	132400	6267-00-787124	13.44	20
Heidi Myers	Washington	135889	6765-00-048708	21.1	21
Robert Behring	LaGrange	133400	6462-02-675824	31	22
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-167790	1.3	23
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-062777	60.4	23
Sally Raphael	Pawling	134089	7156-00-400973	25.5	23
Heidi Myers	UnionVale	135400	6663-00-653092	10.58	23

these said parcels being recommended due to the character of viable farmland documented to be present on said parcels; and be it further

RESOLVED that the Board recommends to the Dutchess County Legislature that the following six parcels totaling 252.55 acres, for which an application was received, be rejected for inclusion in the Agricultural Districts:

Maria Fitzgibbon	Milan	133800	6671-00-042265	140.2	20
Kerrie Abela	Rhinebeck	135089	6371-00-600224	50.55	20
Michael Lancto	Rhinebeck	135089	6269-00-232404	40.74	20
Edward Russell	Rhinebeck	135089	6371-00-423606	5.93	20
Juliette Landi	LaGrange	133400	6462-03-172062	2.1	22
Thomas Sanford	LaGrange	133400	6560-01-060861	13.03	22

these said parcels being recommended for rejection rather than inclusion due to fact that the character of land on said parcels does not meet the criteria of viable farmland stipulated in Section 303-b of the Agricultural Districts Law; and be it further

RESOLVED that for four parcels totaling 72.107 acres an application was received for parcels that had already been enrolled in an Agricultural District prior to April 15, 2018:

William Holman	Clinton	132400	6466-00-631439	10.007	20
William Holman	Clinton	132400	6466-00-619485	29.03	20
James Viticlio	Clinton	132400	6267-00-780038	14.07	20
Michael Wolfe	Fishkill	133089	6054-00-790825	20	22

these said parcels therefore requiring no further action by the Legislature due to their status as parcels already included in Agriculture Districts 20, 22, or 23; and be it further

RESOLVED that in support of the above recommendations, the Board shall submit to the Legislature the following materials: 1) copies of all applications received, 2) copies of the review materials prepared by the Dutchess County Soil and Water Conservation District in association with all applications received, 3) copies of the minutes of the June 5th, 2018 meeting of the Board.

IN WITNESS WHEREOF, **I, Gregg Pulver, Chairman of the Dutchess County Farmland Protection Board, certify that the foregoing resolution was adopted by Board at its June 5th, 2018 meeting.**

Date June 14th 2018

Environment

RESOLUTION NO. 2017136

RE: PROPERTY OWNER REQUESTS TO BE INCLUDED WITHIN DUTCHESS COUNTY'S CERTIFIED AGRICULTURAL DISTRICTS 20, 21, 22, AND 23

Legislators FORMAN, MICCIO, BOLNER, PULVER, WASHBURN, TRUITT, SAGLIANO, STRAWINSKI, LANDISI and HORTON offer the following and move its adoption:

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law establishes a mechanism on an annual basis for parcels of land comprised of predominately viable agricultural land to be included within the state's Agricultural Districts, and

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law sets forth the requirement that the Legislative Body in every county in New York State with existing Agricultural Districts must designate an annual 30-day period during which landowners may apply for inclusion of their agriculturally viable land in the Agricultural Districts, and

WHEREAS, Dutchess County Legislative Resolution 204098 established an annual thirty-day period extending from April 15 to May 14 during which landowners may summit such requests to the Legislature to include their properties in the Agricultural Districts, and

WHEREAS, during the one-month period extending from April 15, 2017, to May 14, 2017, the Dutchess County Farmland Protection Board received such applications on behalf of the Legislature, and

WHEREAS, subsequently the Agricultural and Farmland Protection Board submitted its report with recommendation as to those requests to the Legislature, and

WHEREAS, after proper Notice of Public Hearing, this Legislature held a public hearing on July 10, 2017, with respect to the above and heard all those wishing to address the matter at said public hearing, and

WHEREAS, New York State Agriculture and Markets Law Section 303-b requires the County Legislature, following such public hearing to adopt or reject the proposed requests for inclusion of land within an existing Agricultural District, and

WHEREAS, the report and recommendations of the Agricultural Farmland Protection Board are on file with the Clerk of the Dutchess County Legislature, and

WHEREAS, the Legislature has considered the matter including the report and recommendation of the Agricultural Farmland Protection Board at the public hearing, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby adopts the recommendations of the Agricultural and Farmland Protection Board and adopts the

requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Landowner	Town	SWIS Code	Parcel Number	Acres	District
Stoudemire Farms Holdings LLC	Hyde Park	133200	6264-01-364904	37.47	20
Stoudemire Farms Holdings LLC	Hyde Park	133200	6265-03-395040	141.4	20
Sharon Sherrod	Rhinebeck	135089	6169-00-022744	3.2	20
Lloyd Hicks	North East	133889	7070-00-751718	6.75	21
Dwaine Lee	Dover	132600	7260-00-015023	3.711	23
Mara Shelby	Dover	132600	7161-00-875395	34.49	23
Mara Shelby	Dover	132600	7161-00-803354	5.51	23

and, be it further

RESOLVED, that the Dutchess County Legislature herby adopts the recommendations of the Agricultural and Farmland Protection Board and rejects the requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Kerrie Abelea	Rhinebeck	135089	6371-00-600224	50.55	20
Edward Russell	Rhinebeck	135089	6371-00-423606	5.93	20
Drew Kessler	East Fishkill	132800	6355-00-328959	3.16	22
Drew Kessler	East Fishkill	132800	6355-00-320931	0.98	22
Juliette Landi	LaGrange	133400	6462-03-172062	2.1	22
Organic Outpost Inc.	East Fishkill	132800	6556-01-195790	13.66	22
Dwaine Lee	Dover	132600	7160-00-941061	43.23	23

and, be it further

RESOLVED, that the Clerk of the Legislature shall submit a copy of this Resolution together with the report of the Dutchess Agricultural and Farmland Protection Board, and the tax map identification numbers and tax maps for each parcel of land to be included in an Agricultural District, to the New York State Commissioner of Agriculture and Markets.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/18/2017

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of July 2017, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of July 2017.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

STATE OF NEW YORK, COUNTY OF ss:

I, the undersigned, am an attorney admitted to practice in the courts of New York, and

Check Applicable Box

☐ Attorney's Certification — certify that the annexed has been compared by me with the original and found to be a true and complete copy thereof.

☐ Attorney's Verification by Affirmation — say that: I am the attorney of record, or of counsel with the attorney(s) of record, for . I have read the annexed know the contents thereof and the same are true to my knowledge, except those matters therein which are stated to be alleged on information and belief, and as to those matters I believe them to be true. My belief, as to those matters therein not stated upon knowledge, is based upon the following.

The reason I make this affirmation instead of is

I affirm that the foregoing statements are true under penalties of perjury.
Dated: .....

(Print signer's name below signature)

STATE OF NEW YORK, COUNTY OF ss:

being sworn says: I am

Check Applicable Box

☐ Individual Verification — in the action herein; I have read the annexed know the contents thereof and the same are true to my knowledge, except those matters therein which are stated to be alleged on information and belief, and as to those matters I believe them to be true.

☐ Corporate Verification — the of a corporation, one of the parties to the action; I have read the annexed know the contents thereof and the same are true to my knowledge, except those matters therein which are stated to be alleged on information and belief, and as to those matters I believe them to be true.

My belief, as to those matters therein not stated upon knowledge, is based upon the following:

Sworn to before me on , 20 .....

(Print signer's name below signature)

.....

STATE OF NEW YORK, COUNTY OF ss:

being sworn says: I am not a party to the action, am over 18 years of age and reside at

On , 20 , I served a true copy of the annexed in the following manner:

Check Applicable Box

☐ Service by Mail — by mailing the same in a sealed envelope, with postage prepaid thereon, in a post-office or official depository of the U.S. Postal Service, addressed to the address of the addressee(s) indicated below, which has been designated for service by the addressee(s) or, if no such address has been designated, is the last-known address of the addressee(s):

☐ Personal Service — by delivering the same personally to the persons at the address indicated below:

☐ Service by Facsimile — by transmitting the same to the attorney by facsimile transmission to the facsimile telephone number designated by the attorney for that purpose. In doing so, I received a signal from the equipment of the attorney served indicating that the transmission was received, and mailed a copy of same to that attorney, in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service, addressed to the address of the addressee(s) as indicated below, which has been designated for service by the addressee(s) or, if no such address has been designated, is the last-known address of the addressee(s):

☐ Service by Electronic Means — by transmitting the same to the attorney by electronic means upon the party's written consent. In doing so, I indicated in the subject matter heading that the matter being transmitted electronically is related to a court proceeding:

☐ Overnight Delivery Service — by depositing the same with an overnight delivery service in a wrapper properly addressed, the address having been designated by the addressee(s) for that purpose or, if none is designated, to the last-known address of addressee(s). Said delivery was made prior to the latest time designated by the overnight delivery service for overnight delivery. The address and delivery service are indicated below:

Sworn to before me on , 20

.....

.....

(Print signer's name below signature)

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800.222.0510 www.aslegal.com

Index No. *Year 20*

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF DUTCHESS

TOWN OF LAGRANGE,

Plaintiff - Petitioner,

- against -

DUTCHESS COUNTY LEGISLATURE AND JULIETTE LANDI,

Defendants - Respondents.

AFFIRMATION OF ERIN L. O'DEA

Attorneys for **VAN DE WATER & VAN DE WATER, LLP**
Plaintiff - Petitioner, Town of LaGrange
POST OFFICE BOX 112
POUGHKEEPSIE, N. Y. 12602
(845) 452-5900

Pursuant to 22 NYCRR 130-1.1-a, the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, (1) the contentions contained in the annexed document are not frivolous and that (2) if the annexed document is an initiating pleading, (i) the matter was not obtained through illegal conduct, or that if it was, the attorney or other persons responsible for the illegal conduct are not participating in the matter or sharing in any fee earned therefrom and that (ii) if the matter involves potential claims for personal injury or wrongful death, the matter was not obtained in violation of 22 NYCRR 1200.41-a.

Dated:..... Signature .....

Print Signer's Name.....

Service of a copy of the within *is hereby admitted.*

Dated:

.....
Attorney(s) for

PLEASE TAKE NOTICE

Check Applicable Box

☐ NOTICE OF ENTRY *that the within is a (certified) true copy of a entered in the office of the clerk of the within-named Court on* *20*

☐ NOTICE OF SETTLEMENT *that an Order of which the within is a true copy will be presented for settlement to the Hon.* *, one of the judges of the within-named Court, at on* *20* *, at* *M.*

Dated:

Attorneys for **VAN DE WATER & VAN DE WATER, LLP**

POST OFFICE BOX 112
POUGHKEEPSIE, N. Y. 12602

To:

Attorney(s) for

VAN DEWATER AND VAN DEWATER, LLP

COUNSELORS AT LAW

John B. Van DeWater (1892-1968)
Robert B. Van DeWater (1921-1990)
James E. Nelson
Gerard J. Comatos, Jr.
Ronald C. Blass, Jr.
Kyle W. Barnett
Daniel F. Thomas, III

Rebecca S. Mensch

Danielle E. Strauch
Erin L. O'Dea
Amanda T. Ball

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Noel deCordova, Jr. (1929-2013)
Edward vK Cunningham, Jr. (1935-2018)
John K. Gifford
Jeffrey S. Battistoni
Janis M. Gomez Anderson
Counsel

RECEIVED
OCT 05 2018
By 2:00pm

October 2, 2018

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

Re: Town of LaGrange v. Dutchess County Legislature and Juliette Landi
Index No. 2018-53053
Our File No. 70-1100

Dear Ms. Morris:

For service upon you please find corrected Memorandum of Law at page 3 together with appendices.

Thank you.

Very truly yours,

VAN DEWATER & VAN DEWATER, LLP

By: Jennifer Osterhoudt
Jennifer Osterhoudt, Secretary

/jbo
Enclosure
U:\DOCS\00070\01100\CORRES\24H4113.DOCX

APPENDIX "A"

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF DUTCHESS
----------X
TOWN OF LAGRANGE,

Plaintiff - Petitioner,

-against-

DUTCHESS COUNTY LEGISLATURE AND
JULIETTE LANDI,

Defendants - Respondents.
----------X

MEMORANDUM OF LAW

Index No. 2018-53053

(Acker, J.)

PRELIMINARY STATEMENT

In this hybrid proceeding for declaratory relief and Article 78 relief, the Town of LaGrange seeks judgment vacating an August 20, 2018 resolution of the Dutchess County Legislature. The resolution added the 2.1 acre parcel of Juliette Landi to a county agricultural district. The property is at 18 Traver Road, LaGrange, New York. (See Exhibit "A" annexed to the Complaint/Petition.)

The property has enjoyed a home occupation permit issued to defendant Landi on March 6, 2017 for the production of honey and maple syrup. Representations and limitations on the home occupation were contravened by defendant Landi. It became a zoning violation. (See Exhibit "E" annexed to the Complaint/Petition.)

The Dutchess County Legislature arbitrarily and capriciously elected to include approximately 2.1 acres of improved real property at 18 Traver Road within a county agricultural district ("the Real Property" or "Landi property"). On July 18, 2017, the County Legislature followed the recommendation of the County Farmland Protection Board to reject inclusion of the Landi property in the agricultural district. (See Exhibit "C" annexed to the Complaint/Petition.) There has been no favorable change of circumstances. The change of circumstances were

adverse to inclusion, given the zoning violations attaching to the home occupation permit. (See Exhibits "F" and "G" annexed to the Complaint/Petition.)

In making this determination, the County Legislature failed to assess whether the Real Property constitutes viable agricultural land within the meaning of Section 301(7) of the Agriculture and Markets Law ("AML"), thereby violating the often stated statutory standard present in Section 303-b of the AML governing the inclusion of land in agriculture districts.

The County Legislature also made this determination in contravention to the Dutchess County Farmland Protection Board's report recommending the Real Property be rejected for inclusion in the Agricultural District. (See Exhibit "B" annexed to the Complaint/Petition.) The Dutchess County Farmland Protection Board's report was based on, in part, information provided by the Town of LaGrange Zoning Enforcement Officer indicating the Real Property was in violation of the land use policies of the Town. The function of the Farmland Protection Board is statutory. (AML 303-b[2][a]).

Despite the adverse recommendation of the Farmland Protection Board, the County Legislature falsely represented in its Resolution that the Landi Property was recommended for inclusion in an Agricultural District by the Farmland Protection Board. The County Legislature's arbitrary and capricious action, made in violation of lawful procedure, and in complete disregard of the facts, must be vacated pursuant to CPLR 7803(3). It should also be declared to be invalid.

Additionally, the arbitrary and capricious determination of the County Legislature, made in violation of lawful procedure, has effectively institutionalized land use violations of the LaGrange Town Code. The Town of LaGrange is entitled to the following injunctive relief for the land use violations on the subject Real Property:

a) Revocation of the Landi Home Occupation Permit due to change of occupation;
b) Judgment enjoining the keeping of beehives at 18 Traver Road for the purpose of breeding bees as insects;
c) Judgment enjoining the maintaining of outdoor deposit at 18 Traver Road related to the home occupation of producing honey and maple syrup;
d) Judgment compelling Landi to replant the trees which were removed to expand the home occupation;
e) Judgment compelling Landi to restore the driveway configuration at 18 Traver Road; and
f) Judgment enjoining Landi and Dennis Remsburger from use of box trucks to transport beehives to and from 18 Traver Road.

STATEMENT OF FACTS

On January 5, 2017 Juliette Landi purchased 18 Traver Road located at Grid No. 6462-03-172062 in an RLD zoning district containing 2.1 acres. The undersized parcel containing 2.1 acres is a legal nonconforming lot as to bulk and area requirements. Specifically the RLD zoning district requires 2.75 acres.

On February 24, 2017, Juliette Landi submitted an application and statement of use on forms provided by the Zoning Administrator. She was seeking to operate a home occupation in order to process maple syrup and honey in a residential zoning district. Notably, the application represented that there would be "no insects" kept at the Real Property. Landi was issued a Use Permit on March 6, 2017 after a public notice was circulated to all neighbors within 150 feet; pursuant to the requirements set forth in the zoning code §240-54 Home Occupation.

On July 10, 2017, the Dutchess County Legislature adopted a resolution rejecting the inclusion of the subject Real Property at 18 Traver Road in an Agricultural District. This action was consistent with the 2017 recommendation of the Dutchess County Farmland Protection Board.

On February 14, 2018, the permit holder submitted an independent application for an agricultural assessment on form NO. RP-305; provided by the state of New York Department of Taxation and Finance Office of Real Property Tax Services.

On April 26, 2018, the permit holder submitted an independent application requesting placement into an agriculture district on forms provided by the New York State Department of Agriculture and Markets The application was received by the Farmland Protection Board for Dutchess County established under Section 303-b(2)(a) of the AML. In connection with this application, the owner stated an e-mail to the Town Assessor, the following:

> *We sell Nucleus 'nuc' colonies [of bees] every spring, which are taken care of on the property until sold. We also raise Queen Honey Bees here.*

In the same email, the permit holder also stated that the commercial business earns nearly $300,000 producing agricultural product on their parcel, including the raising of bees.

In early spring of 2018, a resident brought to the Town's attention a concern that there were numerous bees on the property at 18 Traver Road. The complaint required the Town's Code Enforcement Officer to investigate.

In connection with Landi's independent application requesting placement into an agriculture district, the Town of LaGrange received a request from the Dutchess County Farmland Protection Board, as part of its statutorily required due diligence. The Farmland Protection Board inquired if the subject Real Property was in violation of any local laws. On May 30, 2018, the Municipal Code Enforcement Officer noted the findings from the investigation:

> The owner has begun a practice of bringing hives back to 18 Traver Road as an apiary and staging area, rather than leaving the hives on the outlying properties. Land has been cleared to this end. To the best of my knowledge, bees are in an agitated state, and more aggressive, as a result of such relocations. The Landi property is located in the Residential Low Density zoning district. And, the parcel has several residential neighbors. They have expressed concern about exposure to agitated bees.

The Municipal Code Enforcement Officer noted the following violations existed: (1) farming of land, outside of an agricultural district, less than 7 acres in size; (2) despite

representations in the application, the maintaining of insects [bees] at the property; (3) the coming and going of box trucks to the property in violation of Section 240-54 of Town Code; (4) the subordination of residential use to the commercial activity in violation of Section 240-54 of Town Code; and (5) areas of outdoor deposit in violation of Section 240-54 of Town Code.

On June 5, 2018, a majority of the Dutchess County Agricultural and Farmland Protection Board recommended that the Landi property be rejected for inclusion in the Agricultural District. The Farmland Protection Board made its determination by considering the merits of each parcel in relation to the standards established by Section 303-b of the AML.

On August 20, 2018, the Dutchess County Legislature, in derogation of the requirements of AML Section 303-b, and in spite of the adverse recommendation of the Dutchess County Farmland Protection Board, adopted the contested resolution including 18 Traver Road within an Agricultural District. Worst yet, the Legislative Resolution stated that the inclusion of the Landi property was recommended by the Dutchess County Farmland Protection Board.

POINT I
THE COUNTY FAILED TO FOLLOW THE LAWFUL PROCEDURE REQUIRED BY AML § 303-B

For inclusion of land in an Agricultural District, a County Legislature must: (1) refer requests to the county agricultural and farmland protection board, which shall, report to the legislative body its recommendations as to whether the land consists predominantly of "viable agricultural land" (AML 303-b[2][a]); and (2) publish notice of public hearing; and (3) hold a public hearing and then (4) adopt the inclusion of predominantly viable agricultural land or reject the inclusion of land in an Agricultural District. *See* generally AML § 303-b.

AML Section 301(7), Definitions, defines "viable agricultural land" as "land highly suitable for a farm operation." For property to be included in an Agricultural District pursuant to AML Section 303-b, it must consist of "predominately viable agricultural land" as defined in AML Section 301(7), and the inclusion of such land would serve the public interest in maintaining a viable agricultural industry within the district. Zoning violations do not serve the public interest. By nature they contravene community character.

Inclusion of land within an agricultural district bestows the protections, under AML 305(a), for the Department of Agriculture and Markets to declare local regulation to be an unreasonable restriction on agriculture. Consequently, the inclusion of 18 Traver Road has the additional affect of potentially institutionalizing land use violations.

Pursuant to AML § 303-b(2)(a), the County Legislature referred its request for inclusion of land in the Agricultural District to the Dutchess County Farmland Protection Board. In making its determination, the Dutchess County Farmland Protection Board consulted with the Dutchess County Soil and Water Conservation District. The Dutchess County Soil and Water Conservation District reviewed the agricultural characteristics of the Landi property, specifically

whether the land has a high percentage of viable farmland or large acreage as required by Section 303-b of AML.

In conjunction with the determinations received from the Dutchess County Soil and Water Conservation District, the Farmland Protection Board reviewed the merits of each parcel's application it received in the context of the standards established by Section 303-b of AML. Among the properties the Farmland Protection Board recommended be rejected from inclusion was the subject Real Property, 18 Traver Road, for its failure to "meet the criteria of viable farmland stipulated in Section 303-b". (See Exhibit "B", page 2.)

The Farmland Protection Board determined, pursuant to its duties in AML Section 303-b, that the Real Property does not consist of "viable agricultural land' as defined in Section 301(7) and recommended to the County Legislature that the Real Property's inclusion in the Agricultural District be rejected. Notwithstanding this recommendation, the Dutchess County Legislature included the Real Property in an Agricultural District. The Dutchess County Legislature did not make findings on whether the Landi property consists of predominately "viable agricultural land," in violation of the lawful procedure codified in AML Section 303-b.

The County Legislature violated the statutory procedure in AML Section 303-b by adopting a resolution to include land in an Agricultural District that is not predominantly viable agricultural land. The Legislature did not make any of its own findings to negate the recommendations of the Dutchess County Farmland Protection Board or the Dutchess County Soil and Water Conservation District. The Legislature simply ignored the recommendations required to be made by statute and ignored the procedure in the statute requiring it to include only that is predominantly viable agricultural land in an Agricultural District. A respondent's violation of lawful procedure "requires the court to annul respondent's determination and remand

the proceeding for a new hearing to be conducted in compliance with those procedures." Matter of Brower v NY City Dept. of Educ., 38 Misc 3d 291, 954 N.Y.S.2d 404 (Sup Ct, NY County 2012); CPLR 7803(3); *See also* Matter of Kunik v NY City Dept. of Educ., 142 A.D.3d 616, 37 N.Y.S.3d 22 (2d Dept 2016).

Accordingly, the Dutchess County Legislature's failure to make findings, and its ignorance of the statutorily prescribed recommendations made to it by the Farmland Protection Board, constitutes a blatant violation of the lawful procedure required by AML Section 303-b, and must be vacated pursuant to CPLR 7803(3). The Resolution should also be declared invalid for contravention of lawful procedure and standards.

POINT II
THE COUNTY'S FAILURE TO FIND THE REAL PROPERTY CONSISTS OF "VIABLE AGRICULTURAL LAND" RENDERS ITS DECISION ARBITRARY AND CAPRICIOUS

The failure of the Dutchess County Legislature to adopt the findings of the Farmland Protection Board, or to make independent findings regarding the existence of "viable agricultural land" renders their decision to include the Real Property in the Agricultural District arbitrary and capricious. It also presents grounds for a declaration vacating the determination.

As noted, under AML Section 301(7), "viable agricultural land" is defined as "land highly suitable for a farm operation as defined." As defined by statute, farm operation is:

> The land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a "commercial horse boarding operation" as defined in subdivision thirteen of this section, a "timber operation" as defined in subdivision fourteen of this section, "compost, mulch or other biomass crops" as defined in subdivision seventeen of this section and "commercial equine operation" as defined in subdivision eighteen of this section. Such farm operation may consist of one or more parcels of owned or rented land, which parcels may be contiguous or noncontiguous to each other.

AML Section 301(11).

Accordingly, the statutory definition of "farm operation" is quite broad, and does not require minimum acreage and income thresholds for most operations. Thus, the determination turns on whether "the inclusion of the land would serve the public interest by assisting in maintaining a viable agriculture industry within the district." As a local advisory body, the Dutchess County Farmland Protection Board was designed to and is capable of understanding the agricultural industry within the county and are well suited to evaluate requests to be included in Agricultural Districts. Assessing whether a piece of land is suitable for inclusion in an Agricultural District is no easy task, and within the confines of the statutory requirements, an elective County Legislature is not suited to evaluate these requests, and it is certainly not more suited than the Dutchess County Farmland Protection Board to overrule its recommendations. Determinations of a County Legislature are primarily political. *See* August 22, 2018 Memorandum from NYS Agriculture and Markets Director Michael Latham to County Agricultural and Farmland Protection Boards. (Annexed as Appendix "A" to this Memorandum of Law.) Notwithstanding this, the Dutchess County Legislature set forth no reasons whatsoever as to why it determined that the subject Real Property constitutes "viable agricultural land."

It is arguable that Mr. Latham's memo overlooked AML §301(4)(k) which reads as follows:

> k. Land used to support an apiary products operation which is owned by the operation and consists of (i) not less than seven acres nor more than ten acres used as a single operation in the preceding two years for the production for sale of crops, livestock or livestock products of an average gross sales value of ten thousand dollars or more or (ii) less than seven acres used as a single operation in the preceding two years for the production for sale of crops, livestock or livestock products of an average gross sales value of fifty thousand dollars or more. The land used to support an apiary products operation shall include, but not be limited to, the land under a structure within which apiary products are produced, harvested and stored for sale; and a buffer area maintained by the operation

> between the operation and adjacent landowners. Notwithstanding any other provision of this subdivision, rented land associated with an apiary products operation is not eligible for an agricultural assessment based on this paragraph.

Even so, defendant Landi acquired 18 Traver Road on January 5, 2017 which is a date less than two years ago. The apiary use of 18 Traver Road is predicated on breach of the zoning standards pertaining to home occupations in a residential zoning district. (See Second Cause of Action in the Complaint/Petition to enforce this zoning violation by injunction.) Also, §301(4)(k) requires a suitable buffer. None was claimed to exist by defendant Landi on the application for inclusion in the agricultural district. (See Appendix "B" to this Memorandum of Law --- this is the Landi application for inclusion in the agricultural district.)

As explained by the Court of Appeals in Pell v. Board of Education of Union Free School No. 1, 34 N.Y.2d 222, 231, 356 N.Y.S.2d 833, 839 (1974),

> The arbitrary or capricious test chiefly "relates to whether a particular action should have been taken or is justified . . . and whether the administrative action is without foundation in fact." Arbitrary action is without sound basis in reason and is generally taken without regard to the facts. . . . "[T]he proper test is whether there is a rational basis for the administrative orders."

An action is arbitrary and capricious, or an abuse of discretion when the action is taken "without sound basis in reason and . . . without regard to the facts." Id. at 231. Rationality is the key in determining whether an action is arbitrary and capricious or an abuse of discretion. Id. at 231.

The County Legislature's determination was made without sound basis in reason and without regard to the facts presented by the Dutchess County Farmland Protection Board, which included reason and facts deducted by its consultant, the Dutchess County Soil and Water Conservation District. In fact, there was no basis in reason provided by

the County Legislature for its erroneous conclusion that the subject Real Property consisted predominantly of "viable agricultural land."

Further, the County Legislature completely disregarded the fact that the Farmland Protection Board recommended against inclusion. The Legislature represented in its resolution that the inclusion of the subject Real Property in the Agricultural District was on the recommendation of the Dutchess County Farmland Protection Board, a patently false fact. It reads:

> RESOLVED, that the Dutchess County Legislature hereby adopts the recommendations of the Agricultural and Farmland Protection Board and adopts the requests of landowners to include their land within an existing Agricultural District as set forth below.

Arbitrary action is without sound basis in reason and is generally taken without regard to the facts." Matter of Natasha W. v NY State Off. of Children & Family Servs., ___NY3d___, 2018 NY Slip Op 04379, *1 [2018].) Clearly, the Legislature completely disregarded the facts and made representations in its resolution that were not based in fact. Thus, the Legislature's decision is arbitrary and irrational.

The determination of a governmental body is not arbitrary and capricious if the determination has a rational basis supported by substantial evidence, which is "such relevant proof as a reasonable mind may accept as adequate to support a conclusion of fact." Matter of Rockbottom Stores v. ZBA of the Town of Clarkstown, 237 A.D.2d 611, 655 N.Y.S.2d 1001 (2d Dept. 1997); *see also* It is well settled that " '[s]ubstantial evidence consists of proof within the whole record of such quality and quantity as to generate conviction in and persuade a fair and detached fact finder that, from that proof as a premise, a conclusion or ultimate fact may be extracted reasonably—probatively and logically' " Matter of Yoga Vida NYC, Inc. [Commissioner of Labor], 28 N.Y.3d 1013,

1015, 41 N.Y.S.3d 456 (2016), quoting 300 Gramatan Ave. Assoc. v State Div. of Human Rights, 45 N.Y.2d 176, 181, 379 N.E.2d 1183 (1978). Matter of Kelly v DiNapoli, 30 N.Y.3d 674, 684 (2018).

There is simply no substantial evidence to provide justification for the County Legislature's determination. A "fair and detached fact finder" cannot conclude that the Legislature's determination, which defies logic and is in contravention to the evaluation of the agency charged with making these determinations, is rationally based on evidence of "such quality and quantity" that the same conclusion can be extracted reasonably and logically.

Furthermore, the same piece of Real Property was rejected by the County Legislature for inclusion in an Agricultural District at the recommendation of the Dutchess County Farmland Protection Board in July 2017. There is no rational basis for the Legislature to ignore the advice of the Dutchess County Farmland Protection Board, when it adopted its recommendation to reject a year prior. There is no evidence that any meaningful changed occurred to the characteristics or nature of the subject Real Property between July 2017 and the present to warrant inclusion in an Agricultural District, which is further supported by the Dutchess County Farmland Protection Board's unwavering position. All changed circumstances were adverse to inclusion of 18 Traver Road. The changes consisted of the owner's exceeding of representations for the home occupation permit. The changes consisted of the owner's exceeding of home occupation limitations found within Section 250-54 of the Town's land use regulations.

POINT III
THE TOWN IS ENTITLED TO INJUNCTIVE RELIEF

As noted, 18 Traver Road is situated within a Residential Low Density ("RLD") zoning district according to the Zoning Map of the Town of LaGrange. Commercial uses are not allowed in the RLD zoning districts.

Section 240-54 of the Town Code addresses the procedure for establishment of a home occupation in a residential district which does not allow for commercial uses.

The central purpose of Section 240-54 is to preserve:

> "...peace, quiet, and domestic tranquility with all residential neighborhoods while recognizing that limited home occupational use can be useful to the general community as well as the resident-proprietor."

1. The processes under Section 250-54(B) calls for the applicant for a home occupation to circulate its business plan to all neighbors who reside within 150 feet. Pursuant to Section 240-54(B) the home occupation permit expires when the occupation changes or the property is sold. The home occupation may not include the following under Section 240-54(B):There shall be no outside evidence of the home occupation. (Section 240-54[B][6].)
2. There shall be no exterior storage of materials for the home occupation. (Section 240-54[B][8].)
3. There shall be no alteration of residential appearance to accommodate the home occupation. (Section 240-54[B][9].)
4. The cumulative impact of all home occupation activity shall not exceed the impact of a single, full-time home occupation. (Section 240-54[B][10].)

Because of outdoor parking, the following uses are prohibited as home occupations: ambulance service; automobile repair; churches; restaurants and taverns; and parking of construction equipment.

After the March 6, 2017 Use Permit was issued, Landi altered the home occupation. Accordingly, the Town issued a Notice of Determination Revoking Home Occupation Permit on September 18, 2018.

The Town is entitled to injunctive relief to prevent unlawful uses. *See* Code of the Town of LaGrange Section 240-86. As a municipality, the Town is not required to establish irreparable harm or balancing of the equities in its favor in order to enforce the violation of Town Code by injunction. Establishing the violation is enough. Town of North East v. Vitiello, 2018 N.Y. App. Div. LEXIS 1426*; 2018 NY Slip Op 01497 (2d Dept 2018); Hasson v. S.B.J. Assoc., LLC, 117 A.D.3d 904, 905, N.Y.S.2d 905 (2d Dept 2014); Town of Brookhaven v. Mascia, 38 A,D.3d 758, 759, 833 N.Y.S.2d 519 (2d Dept 2007); Town of Islip v. Clark 90 A.D.2d, 500, 454 N.Y.S.2d 893 (2d Dept 1982).

The Real Property owner, Landi, is in violation of several conditions of the Home Occupation regulations in order to conduct business in a residentially zoned area as is numerated.

1. 240-54 Home Occupation (1) A home occupation must be incidental to the use of a dwelling unit for residential purposes.
2. 240-54 Home Occupation (D) (5) Parking, storage and servicing of equipment, including trucks larger than a pickup truck.
3. 240-54 Home Occupation (6) There shall be no outside evidence of the home occupation
4. 240-54 Home Occupation (8) There shall be no exterior storage of materials to be used in conjunction with a home occupation
5. 240-54 Home Occupation (10) An existing accessory structure can be used for a home occupation, provided that there are no exterior modifications and that the use will not change the residential or agricultural character of the area
6. Change of occupation ends the home occupation permit.

Other violations were triggered by the home owner defendant's conduct.

1. 240-26 General Regulations (A) Lot for every building. Every building hereafter erected shall be located on a lot as herein defined, and there shall be not more than one principal building on one lot, except as specifically permitted elsewhere in this chapter.
2. 240-112 Definitions An area of land consisting of not less than seven acres, unless the parcel is located in a state-certified agriculture district.

In accordance with the above established violations, the Town is entitled to the following injunctive relief:

a) Revocation of the Landi Home Occupation Permit due to change of occupation;
b) Judgment enjoining the keeping of beehives at 18 Traver Road for the purpose of breeding bees as insects;
c) Judgment enjoining the maintaining of outdoor deposit at 18 Traver Road related to the home occupation of producing honey and maple syrup;
d) Judgment compelling Landi to replant the trees which were removed to expand the home occupation;
e) Judgment compelling Landi to restore the driveway configuration at 18 Traver Road; and
f) Judgment enjoining Landi and Dennis Remsburger from use of box trucks to transport beehives to and from 18 Traver Road.

In the event the Town prevails in this injunction action, the Town is entitled to an award of actual and reasonable attorneys fees by this Court, and entry of judgment in such amount. Town of LaGrange Code Section 240-86.

POINT IV
THE COURT CAN CONVERT THIS ARTICLE 78 TO A DECLARATORY JUDGMENT ACTION.

Despite there being sufficient violations of CPLR 7803(3) to warrant relief pursuant to Article 78, the Court also has the authority to award declaratory relief to the Petitioner based upon the invalidity of the Legislature's action. *See* CPLR 103(c); Amerada Hess v. Lefkowitz, 82 A.D.2d 882, 440 N.Y.S.2d 306 (2nd Dept; 1981); Ajamian v Town Bd. of Oyster Bay, 38 A.D.2d 551, 328 N.Y.S.2d 268 (2d Dept 1971). The Article 78 proceeding maybe converted to a declaratory judgment.

The dispute is ripe. The Court, in exercising its authority to entertain this application for declaratory relief, will be determining the controversy at hand. In vacating the determination of the County Legislature as to the Landi property, the Court will not be issuing an advisory opinion - the Court's action would have a legal and practical effect on the conduct of the parties.

Falk v Chittenden, 11 N.Y.3d 73, 893 N.E.2d 116 (2008); NY Pub. Interest Research Group, Inc. v Carey, 42 N.Y.2d 527, 396 N.E.2d 1155 (1977).

POINT V
INJURY BESPEAKS FINALITY

The Court of Appeals explained in Town of Orangetown v Magee, 88 N.Y.2d 41, 51, 643 N.Y.S.2d 21 (1996) that the finality requirement in Article 78 proceedings is "concerned with whether an official authorized to make the determination has arrived at a decision that inflicts injury." The determination of the County Legislature shattered the land use plan of the Town. It institutionalized zoning violations.

The injury to the Town involves its interest in the potential adverse impacts upon the Town's land use policies. Municipalities have standing to challenge determinations where a specific municipal interest is articulated. This includes the potential adverse impacts of a determination upon community character, which is assured by land use policies. Village of Chestnut Ridge v. Town of Ramapo, 45 A.D.3d 74, 841 N.Y.S.2d 321 (2007); Town of Pleasant Val. v Town of Poughkeepsie Planning Bd., 289 A.D.2d 583, 736 N.Y.S.2d 70 (2d Dept 2001).

POINT VI
ADMINISTRATIVE REMEDIES ARE EXHAUSTED

On September 11, 2018 and September 20, 2018, the Town sent correspondence to the Commissioner of the Department of Agriculture and Markets opposing the Commissioner's certification of the August 20, 2018 determination of the County Legislature. (*See* Appendices "C" and "D" to this Memorandum of Law). Pursuant to AML 303-b(5), the Commissioner must certify "to the county legislative body whether the inclusion of predominantly viable agricultural land as proposed is feasible and shall serve the public interest by assisting in maintaining a viable

agriculture industry within the district of districts." The requirement that the Town exhaust all administrative remedies before judicial review has been met. *See* Town of Orangetown v Magee, 88 N.Y.2d 41, 643 N.Y.S.2d 21 (1996). Defendants' departure from the Town's home occupation regulations is contrary to the public interest. The public interest is best defined by preservation of residential community character at Traver Road, consistent with zoning district designations.

Further, "there are exceptions to the exhaustion rule, which include situations in which resort to administrative remedies would be futile (*see* Bankers Trust Corp. v New York City Dept. of Fin., 1 N.Y.3d 315, 773 N.Y.S.2d 1 (2003); Watergate II Apts. v Buffalo Sewer Auth., 46 N.Y.2d 52, 412 N.Y.S.2d 821 (1978). Matter of Klein v NY State Off. of Temporary & Disability Assistance, 84 A.D.3d 1378, 924 N.Y.S.2d 521 (2d Dept 2011). It would be futile for the Town to wait for the Commissioner's certification because, upon information and belief, documents requested from the Department of Agriculture and Markets and the County Legislature, pursuant to the Freedom of Information Law ("FOIL"), will reveal that the Commissioner "rubber stamps" county resolutions of this nature. The Department of Agriculture and Markets due date for FOIL response is October 10, 2018. In violation of FOIL, the County has not yet provided a date for response.

Moreover, based on the content of the June 8, 2018 letter of Paul Cappy, an apiculturist with the Department of Agriculture and Markets, it would be futile for the Town to oppose or to challenge certification by the Commissioner of Agriculture and Markets. (See Exhibit "I" to the Complaint/Petition). In the next to last paragraph of his letter, Mr. Cappy goes so far as to pre-certify Dennis Remsburger for authorization to raise "Nucs" bee colonies. Mr. Cappy does not

address the fact that Nucs bee colonies contravene self-imposed limitations in the application for home occupation.

CONCLUSION

The County Legislature's decision to include the subject Real Property in the Agricultural District was arbitrary, capricious, in violation of lawful procedure and in complete disregard of the facts. The August 20, 2018 Resolution must be vacated pursuant to judgment under Article 78 of the CPLR or by way of declaratory judgment.

Further, the Town is entitled to judgment for the injunctive relief requested above for Defendant Landi's violations of the land use policies of the Town, together with an award of attorneys' fees.

Dated: Poughkeepsie, NY
September 26, 2018

VAN DE WATER & VAN DE WATER, LLP

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APPENDIX "B"

NEW YORK STATE | Agriculture and Markets

MEMORANDUM

TO: County Agricultural and Farmland Protection Boards

FROM: Michael Latham, Director

DATE: August 22, 2018

SUBJECT: Agriculture and Markets Law (AML) §303-b – Inclusion of Viable Agricultural Land

Under AML §303-b (2)(a) County Agricultural and Farmland Protection Boards (AFPBs) are charged with making recommendations to County Legislative Bodies (CLBs) *"as to whether the land to be included in the agricultural district consists predominantly of 'viable agricultural land' as defined in [AML §301(7)] and the inclusion of such land would serve the public interest by assisting in maintaining a viable agricultural industry within the district."*

AFPBs provide important advice and recommendations to CLBs on the creation, review and inclusion of land within county-adopted, State certified agricultural districts. AFPBs have a diverse membership, including at least four active farmers and six members that are county residents, and offer CLBs a unique, local perspective when making recommendations concerning requests for inclusion of land which is predominantly viable agricultural land within a certified agricultural district. AFPBs are well-suited to evaluate these requests, which are submitted on a parcel-by-parcel basis.

Evaluation Factors

AFPBs evaluate two factors when making recommendations: 1) Whether the parcel of land consist predominantly of "viable agricultural land" and 2) Whether the inclusion of the land serve the public interest by assisting in maintaining a viable agricultural industry within the district.

Viable Agricultural Land

Under AML §301(7), "viable agricultural land" is defined as "land *highly suitable for* a farm operation as defined in [§301(11)]" (emphasis added). Therefore, land need not be actively farmed to be considered for inclusion in an agricultural district. The term "farm operation"[1] is broadly defined to include land and on-farm buildings, equipment, manure

[1] "Farm operation" was first defined in 1997 as part of a package of amendments to the Agricultural Districts Law (AML Article 25-AA) that removed language which required farms to meet the agricultural assessment acreage and income thresholds to be eligible for protection from unreasonably restrictive

processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise. Commercial horse boarding operations, timber operations, compost, mulch or other biomass crops and commercial equine operations [defined in §301(13), (14), (16) and (17), respectively] are also included. A farm operation may consist of one or more parcels of owned or rented land; and such parcels may be contiguous or noncontiguous to each other.

The statutory definition of "farm operation" does not require minimum acreage and income thresholds for most operations.[2] Many viable farm operations are conducted on limited acreage (e.g., greenhouses, poultry and aquaculture); as well as on marginal lands (e.g., farmed deer on steep slopes and non-prime soils, etc.). Much of the land in a county could, therefore, be considered "highly suitable for a farm operation." Farm operations are much more than their land base, however; they rely on their owners and operators, including the ideas, skills and investment they bring, to become and remain viable.

Inclusion Assists in Maintaining a Viable Agricultural Industry

In light of the statutory definition of "farm operation," the more difficult task for AFPBs when making recommendations to CLBs is whether *"the inclusion of the land would serve the public interest by assisting in maintaining a viable agricultural industry within the district."* AFPBs, as a local advisory body, understand the agricultural industry within their county. AFPBs still need information about the land proposed to be included in a district, as well as the farm operation or start-up farm involved.

- Existing Farms - If an existing farm operation seeks inclusion in an agricultural district, certain information may make the AFPB's task easier, such as whether or not the farm is eligible for or receives an agricultural assessment; the farm's land base and sales; whether the land is subject to a conservation easement which includes agricultural uses as allowed uses; etc.

- Start-up Farm Operations - Start-ups may be more difficult to evaluate as they may have no, or limited, sales history. Therefore, information sought from these applicants may include land base, sales (if any), investment/planned investment, equipment, ideas/expertise/plans to become viable, whether subject to conservation easement, etc.

---

local laws under AML §305-a [and the former §305(2)]. These amendments allowed start-up farm operations to qualify for such protection. Prior to the amendments, some farms could not start up and begin to meet the agricultural assessment thresholds because farming was not allowed within the zoning district in which the land was located.

[2] "Commercial horse boarding operation" (CHB), "timber operation" and "commercial equine operation" (CEO) do have thresholds. CHBs and CEOs can qualify as farm operations during start-up, however.

APPENDIX "C"

NY State Department of Agriculture and Markets

APPLICATION OF VIABLE FARM LAND FOR INCLUSION IN DUTCHESS COUNTY AGRICULTURAL DISTRICTS

Please complete this form if you are an agricultural or non-agricultural landowner. The information obtained from this form will be utilized by Dutchess County to modify agricultural district boundaries (if necessary) and determine the viability of the agricultural district as a whole.

AS PER NYS AG & MARKETS LAW 25AA SECTION 303-b

APPLICATION PERIOD IS APRIL 15 TO MAY 14

APPLICATIONS RECEIVED AFTER MAY 14 WILL NOT BE ACCEPTED

NO EXCEPTIONS

To be completed by the Landowner

LANDOWNER INFORMATION *(Please check if the landowner is the farmer)*

First Name: Juliette Last Name: Landi Corporation/Farm Name: Remsburger Honey + maple

Street Address: 18 Traver Rd. City: Pleasant Valley State: NY Zip: 12569

Mailing Address: City: State: Zip:

Phone #: 845-891-6800 Email: Juldemar13@aol.com

PRIMARY FARMER INFORMATION

First Name: Dennis Last Name: Remsburger Corporation/Farm Name: Same

Street Address: 18 Traver Rd City: Pleasant Valley State: NY Zip: 12569

Mailing Address: City: State: Zip:

Phone #: 845-392-5038 Email: Same

Please check one for each parcel listed

Tax Parcel Number (ex. 132000-6257-01-987436) List tax parcel identification numbers for all Parcels within the farm unit. (Complete number)	FARMER OWNED	RENTED TO A FARMER	RENTED FROM ANOTHER LANDOWNER	NOT FARMED
133400 - 6462 - 03 - 172062 # of Acres: 2.1	✓			
____ - ____ - ____ - ____ # of Acres: ____				

Please include my properties into the Dutchess County Agricultural District

Owner Name (PRINT): Juliette Landi

Signature: Juliette Landi

OFFICIAL USE ONLY

DATE RECEIVED: APR 26 2019 APPROVED: DISAPPROVED: ✓

AG DISTRICT: 22 AFPB SIGNATURE:

Revised 4/201

APPENDIX "D"

VAN DEWATER AND VAN DEWATER, LLP

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John K. Gifford
Jeffrey S. Battistoni
Janis M. Gomez Anderson
Counsel

September 11, 2018

Richard A. Ball, Commissioner
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Counsel's Office
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Dr. Robert Somers
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Re: Town of LaGrange (Remsburger - Landi)
Our File No. 70-1100

Dear Commissioner, et al:

The Town of LaGrange, Dutchess County, State of New York contemplates a legal challenge to the August 20, 2018 determination of the Dutchess County Legislature to include approximately 1.43 acres of improved real property at 18 Traver Road within a County Agricultural District. The area of inclusion is too small to constitute viable agricultural land. No assessment of soils was performed. The site is too tight for legitimate home occupation use in a residential zone, infra.

Agriculture and Markets Law 303(3) vests the Dutchess County Agricultural and Farmland Protection Board with a vital role in assessing whether the real property constitutes viable

agricultural land within the meaning of Section 301(7) of the Agriculture and Markets Law.

On May 21, 2018, the County Farmland Protection Board solicited comment from the Town of LaGrange, in particular, as to whether there were any open land use violations regarding use of the property for apiary purposes.

On May 30, 2018, the Town's Municipal Code Enforcement Officer responded to the Farmland Protection Board. (Copy attached.) He noted the following violations of record:

a) The apiary farming activity fell below the legislative seven (7) acre minimum necessary for farming in the Town;

b) The site was exceeding thresholds for a home occupation for the production of honey and maple syrup;

c) In effect, the home occupation had eclipsed the residential use of the site due to outdoor storage, trucking activity centering on a large commercial flatbed truck used for the transport of beehives and related activity, removal of trees from the parcels front yard to expand the driveway for easier access to commercial vehicles. All of these activities are precluded for home occupations; and

d) The home occupation has become a second principal use on the same lot --- giving rise to a violation of 240-26 of the Town Code which prescribes that there shall be a separate lot for every building.

On or about June 25, 2018, the County Farmland Protection Board issued a report which recommended that the Landi property be rejected for inclusion in the Agricultural District.

Despite this recommendation, the County Legislature voted to include the Landi property in the Agricultural District on August 20, 2018 --- thereby institutionalizing the aforesaid violations of local zoning law. This action followed a public hearing held on July 9, 2018.

Pending before the Town is the potential revocation of the home occupation approval for the Landi property. The owner was afforded the procedural due process right to comment on this

potential revocation. A copy of the response is attached hereto. The response does not address the expansion of the home occupation as summarized above in terms of outdoor storage and commercial vehicles. By exclusion, these aspects are admitted.

A determination of the revocation of the home occupation awaits review and approval of the Building Inspector/Zoning Administrator of the Town.

Upon information and belief, Commissioner's certification of the addition of land to an Agricultural District is a pro forma exercise under Ag and Markets Law Section 303(7) and (8).

The Town of LaGrange has issued a FOIL request to the County Legislature and to the Office of the Commissioner to determine whether, over the proceeding ten (10) years, the Commissioner has ever withheld certification of land in an Ag District after inclusion by the Dutchess County Legislature.

The Town of LaGrange respectfully requests that the Commissioner withholds certification of the Landi property pending the Town's exhaustion of legal remedies for review of the substantive determination of the County Legislature. The Town's pleadings should be factored into the certification determination of the Commissioner.

Very truly yours,

VAN DEWATER & VAN DEWATER, LLP

By: _____
RONALD C. BLASS, JR.

RCB/jbo
Enclosures: 2
Cc: Juilette Landi
Scott Volkman, Esq.
A. Gregg Pulver, Legislative Chairman
Carolyn Morris, Clerk of the Legislature

U:\DOCS\00070\01100\CORRES\24F9688.DOCX

TOWN OF LAGRANGE
OFFICE OF THE BUILDING INSPECTOR
120 Stringham Road, LaGrangeville, NY 12540
845-452-1830; Fax 845-452 7692

May 30, 2018

Agriculture and Farmland Protection Board
Amy M. Cross, Secretary
2715 Route 44, Suite 3
Millbrook, New York 12545

Re: Town of LaGrange (Remsburger Honey & Maple)

Dear Ms. Cross:

You have asked for land use violations, if any, from the Town of LaGrange regarding the application of Juliette Landi to include tax parcel # 6462-03-172062 in an Agricultural District.

The owner was engaged in making bees available to pollenate crops on properties other than their residence. At start up, hives and queen bees were removed from the fields to harvest honey in a large butler building on the parcel. The hives were then returned to the field. Based on that activity, the owner was classified as a home occupation and a use permit for such activity was issued by the Town.

The owner has begun a practice of bringing hives back to 18 Traver Road as an apiary and staging area, rather than leaving the hives on the outlying properties. Land has been cleared to this end. To the best of my knowledge, bees are in an agitated state, and more aggressive, as a result of such relocations. The Landi property is located in the Residential Low Density zoning district. And, the parcel has several residential neighbors. They have expressed concern about exposure to agitated bees.

The request for inclusion in the Agricultural District is based on activity which is a zoning violation.

18 Traver Road is approximately 2.1 acres in size located in the RLD zone. Farming is a permitted use in all zones, subject to the definition of farming in the Local Zoning Law. The definition of farm, to which the table of uses refers at footnote 37, requires a minimum of 7 acres. The Landi parcel falls almost 5 acres short.

The intensity of the production of honey at 18 Traver Road raises the additional question as to whether the activity, now including an advertised apiary, is subordinate to the residence, or the residence is subordinate to the commercial activity which provides honey to several markets. The expanded activity differs markedly from representations made to obtain the use permit for home occupation.

The application for home occupation represented that no insects would be kept on the property. Bees fall within the category of insects. The current activity contravenes representations made in the application. There is a good case to be made that the commercial activity on site, with coming and going of box trucks and the apiary and staging area for hives, is now a predominate use of the residential property. A home occupation requires that the activity be subordinate to the residence. (LaGrange Town Code 240-54.) I conclude that the residence is now subordinate to the commercial apiary use. The owner will be given a due process opportunity to comment in writing before the home occupation permit is vacated.

In conclusion, it appears that:

1. Farming activity on less than 7 acres is not permitted in the zoning district.

2. The farming activity, in this case the production of honeys and apiary activity, has become predominate over the residential use.

3. Representations in the home occupation application are being contravened.

4. The Town will consider revoking the home occupation permit, after providing written notice, and opportunity to be heard in writing, to the owner.

The Municipal Code Enforcement Inspector, under the direct supervision of The Zoning Administrator is empowered to issue a ruling as to zoning violations.

TOWN OF LAGRANGE

By: _____

JUSTIN NOYES,

MUNICIPAL CODE ENFORCEMENT INSPECTOR

EXHIBIT E

VIA CERTIFIED AND REGULAR MAIL

PO Box 223
Pleasant Valley, NY 12569
845-891-6800
June 11, 2018

RECEIVED
JUN 13 2018

Town of LaGrange
Office of the Zoning Administrator
120 Stringham Rd
LaGrangeville, NY 12540

Attn: Building Inspector

To whom it may concern;

I am in receipt of your Notice of Intended Revocation. In response to your determination, I would argue that the Home Occupation is indeed subordinate to the residential use of the property and follows all of the Town's criteria for a home business and therefore is in compliance.

- It is incidental to the use of a dwelling unit for residential purposes.
- It is owner-occupied
- No more than 30% of the total floor area of the dwelling unit is used
- We are not open to the public
- We do not have employees

I am not sure what you are basing your 'alternative' facts on.

We have spoken at length to our immediate neighbors and not one is questioning their peace, quiet or domestic tranquility.

The reference to 'insects' in my application was derived from NYS Agriculture & Markets Regulations - it has nothing to do with bees on the property, it has to do with sanitary conditions during packaging (Ag & Markets - Section 276.4). It was not a condition directed by town code to qualify for our permit.

In our approved permit application it was made very clear that we produce honey. It is impossible to produce honey without honey bees. Let's face it, there are bees everywhere - with or without honey production. Any reasonable person would understand that in order to produce honey that honey bees would be required. We consider our bees livestock, they are an intricate part of the production of agriculture, they contribute to the farm industry across the county, they are not a pest or vermin that should be exterminated.

In the correspondence between Bob Somers and Robert Taft - your EXHIBIT D - Mr. Taft makes various quotes (hearsay) supposedly coming from Mr. Paul Cappy. During Mr. Taft's phone call, he conveniently failed to inform Mr. Cappy that the beekeeper in this operation is Dennis Remsburger, with whom Mr. Cappy has had a 20 year professional relationship with. Mr. Cappy is well aware that our bees are very well taken care of, and have been inspected numerous times over the years. Mr. Remsburger is registered with the state and has been inspected as required. Queen bees are not nuisance bees, and they are contained their entire lives until placed in a colony of their own - and Mr. Cappy would never state anything to the contrary. There are no laws/ordinances against us raising our own Queen Bees. For your information, nuisance bees by their very definition are either sick, contagious or africanized. We do not have nuisance bees on our property or anywhere else for that matter.

When we first moved into LaGrange, Mr. Taft had told us verbally that he was willing to give us the Ag assessment after our first year of living here, he would work with us he said, he

VIA CERTIFIED AND REGULAR MAIL

would help us in any way he could. Instead of being helpful he has tried at every twist and turn to put us out of business. Not sure what his motivation is, but perhaps it should be addressed by the powers that be.

The bee boxes mentioned in the determination that are periodically outside the building come and go very quickly and they are part of the process of honey extraction. They do not contain colonies of bees. They are not storage. If it would please the town and the neighbors we can certainly erect a fence along the side of the property so that no one has to see boxes coming off the truck and back onto the truck.

Regarding the accusation that I provided contradicting information, or alternate information on applications, that is a total falsehood. I take an incredible offense at the insinuation that I am lying or trying to manipulate. I mentioned Queen Bee rearing and Nucleus colony creation. As mentioned before that does NOT fall into the exclusion of insects. Nucleus colonies are created and sold within days, there are no local ordinances that preclude anyone in LaGrange from having bee hives on their property. It is weak minded people that will simply state someone is a liar based on others falsified information. You should all think twice and do your research before accusing anyone of lying. Your actions are considered defamation (in written form as libel) and are punishable by law.

In addition, I would also like to address the fact that you sent a letter to the Agriculture and Farmland Protection Board stating that we have land use violations. They apparently received this information before we had any knowledge of it.

You state that we are clearing land to bring bee boxes to our property?? - that is not the truth! We have removed two trees which were dead and two trees needed to be removed for our solar installation. Neither instance has anything to do with bee boxes - or our business for that matter. Are there local ordinances stating that I cannot remove a tree or trees from my property? Please advise.

We have spoken to our neighbors, no one has any concern for the bees, yet you tell the Ag Board that our residential neighbors have concerns about agitated bees. There are no agitated bees here.

You state to them that, "The request for inclusion in the Agricultural District is based on activity which is a zoning violation." What exactly is the activity/zoning violation you speak of?

You speak of an "advertised apiary," Again, I'm not sure what you are talking about, I would appreciate clarification.

We currently have one honey bee colony on our property. There are no ordinances that say I can't have a beehive on my property. If anyone in your office would like a lesson in beekeeping, Dennis teaches hundreds of people every year how to keep bees and he is more than willing to educate you also.

We do not have nuisance bees on our property or elsewhere.

We have complied with your Home Occupation definition in its' entirety.

Based on the true facts, we should not have our permit taken away.

Juliette Landi

Juliette Landi
Owner
18 Traver Rd, Pleasant Valley, NY

VAN DEWATER AND VAN DEWATER, LLP

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Robert B. Van DeWater (1921-1990)
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Gerard J. Comatos, Jr.
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Counsel

September 20, 2018

Richard A. Ball, Commissioner
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Counsel's Office
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Dr. Robert Somers
New York State Department of Agriculture and Markets
10B Airline Drive
Albany, New York 12235

Re: Town of LaGrange (Remsburger - Landi)
Our File No. 70-1100

Dear Commissioner, et al:

This supplements our letter of September 11, 2018.

At that time, we did not possess the County Legislature's resolution of August 20, 2018. We have it now. It is attached or enclosed.

We also attach or enclose the June 14, 2018 recommendation of the Dutchess County Farmland Protection Board to reject the Landi property at 18 Traver Road, LaGrange, New York from inclusion.

We also provide the July 10, 2017 resolution of the County Legislature which excluded the Landi property from the county agriculture district.

We note the following with respect to the County Legislature's resolution:

a) Despite what the resolution says, the Dutchess County Farmland Protection Board did not recommend the inclusion of the Landi property at 18 Traver Road;

b) The Legislature ignored the statutory adverse recommendation of the Dutchess County Farmland Protection Board;

c) The Legislature did not make a finding that the Landi property at 18 Traver Road consisted predominately of "viable agricultural land"; and

d) Without a meaningful change of circumstances, the Legislature included 18 Traver Road in the agricultural district despite rejecting its inclusion during the annual review process which culminated on July 10, 2017 --- consistent with the recommendation of the Dutchess County Farmland Protection Board.

The only changes of circumstances were adverse to inclusion. They included precise allegations (of the Town to the Farmland Protection Board) of the property owners exceeding of standards limiting home occupation activity.

All of these points will be included in a hybrid proceeding challenging the County Legislature's resolution of August 20, 2018.

Lastly, on September 18, 2018, the Town of LaGrange issued a determination vacating the home occupation permit at 18 Traver Road for activity which exceeded limits on home occupations. Commissioner certification will continue to institutionalize land use violations under Town Code.

Very truly yours,

VAN DEWATER & VAN DEWATER, LLP

By: _____
RONALD C. BLASS, JR.

RCB/jbo

Enclosures: 3
Cc: Juliette Landi
Scott Volkman, Esq.
A. Gregg Pulver, Legislative Chairman
Carolyn Morris, Clerk of the Legislature

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Environment
Tabled on floor 7/9/18
Amended on floor 8/20/18

RESOLUTION NO. 2018190

RE: PROPERTY OWNER REQUESTS TO BE INCLUDED WITHIN DUTCHESS COUNTY'S CERTIFIED AGRICULTURAL DISTRICTS 20, 21, 22, AND 23

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

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law establishes a mechanism on an annual basis for parcels of land comprised of predominately viable agricultural land to be included within the state's Agricultural Districts, and

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law sets forth the requirement that the Legislative Body in every county in New York State with existing Agricultural Districts must designate an annual 30-day period during which landowners may apply for inclusion of their agriculturally viable land in the Agricultural Districts, and

WHEREAS, Dutchess County Legislative Resolution 204098 established an annual thirty-day period extending from April 15 to May 14 during which landowners may summit such requests to the Legislature to include their properties in the Agricultural Districts, and

WHEREAS, during the one-month period extending from April 15, 2018, to May 14, 2018, the Dutchess County Farmland Protection Board received such applications on behalf of the Legislature, and

WHEREAS, subsequently the Agricultural and Farmland Protection Board submitted its report with recommendation as to those requests to the Legislature, and

WHEREAS, after proper Notice of Public Hearing, this Legislature held a public hearing on July 9, 2018, with respect to the above and heard all those wishing to address the matter at said public hearing, and

WHEREAS, New York State Agriculture and Markets Law Section 303-b requires the County Legislature, following such public hearing to adopt or reject the proposed requests for inclusion of land within an existing Agricultural District, and

WHEREAS, the report and recommendations of the Agricultural Farmland Protection Board are on file with the Clerk of the Dutchess County Legislature, and

WHEREAS, the Legislature has considered the matter including the report and recommendation of the Agricultural Farmland Protection Board at the public hearing, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby adopts the recommendations of the Agricultural and Farmland Protection Board and adopts the requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Landowner	Town	SWIS Code	Parcel Number	Acres	District
James Enkler	Clinton	132400	6267-00-820205	3.7	20
James Enkler	Clinton	132400	6267-00-865205	3.1	20
James Vitiello	Clinton	132400	6267-00-787124	13.44	20
Heidi Myers	Washington	135889	6765-00-048708	21.1	21
Robert Behring	LaGrange	133400	6462-02-675824	31	22
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-167790	1.3	23
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-062777	60.4	23
Sally Raphael	Pawling	134089	7156-00-400973	25.5	23
Heidi Myers	UnionVale	135400	6663-00-653092	10.58	23
Juliette Landi	LaGrange	133400	6462-03-172062	2.1	22

and, be it further

RESOLVED, that the Dutchess County Legislature herby adopts the recommendations of the Agricultural and Farmland Protection Board and rejects the requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Maria Fitzgibbon	Milan	133800	6671-00-042265	140.2	20
Kerrie Abela	Rhinebeck	135089	6371-00-600224	50.55	20
Michael Lancto	Rhinebeck	135089	6269-00-232404	40.74	20
Edward Russell	Rhinebeck	135089	6371-00-423606	5.93	20
Thomas Sanford	LaGrange	133400	6560-01-060861	13.03	22

and, be it further

RESOLVED, that the Clerk of the Legislature shall submit a copy of this Resolution together with the report of the Dutchess Agricultural and Farmland Protection Board, and the tax map identification numbers and tax maps for each parcel of land to be included in an Agricultural District, to the New York State Commissioner of Agriculture and Markets.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date _____

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 20th day of August 2018, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 20th day of August 2018.

Carolyn Morris

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Agriculture and Farmland Protection Board of Dutchess County

Gregg Pulver
Chairman
914-474-0908

Art Collings
Vice Chairman
Dutchess Land Conservancy
845/677-3002 Ext. 100

Peter Coon
Coon Brothers Partnership
845/373-8328

Doug Giles
Walbridge Farm

Ken Migliorelli
Migliorelli Farm

Agri-business
Edward C. Hackett
Hackett Farm Supply, Inc.
845/266-3494

Brian Scoralick
DC Soil & Water
Conservation District
845/677-8011 ext.3

Will Truitt
Dutchess County
Legislature

Eric Axelsen
DC Real Property Tax
845/486-2140

Eoin Wrafter
DC Acting Commissioner of
Planning and Development
845/486-3600

Jennifer Fimbel
Cornell Cooperative
Extension
845/677-8223

Harry Baldwin
Ex-Officio
845/266-5378

Resolution of the Dutchess County Farmland Protection Board

At a meeting of the Dutchess County Farmland Protection Board ("Board") held on the 5th day of June, 2015 in Millbrook, NY, the following resolution was adopted by a vote of the entire Board, to wit:

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law establishes a mechanism on an annual basis for parcels of land comprised of predominately viable agricultural land to be included within the state's Agricultural Districts; and

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law sets forth the requirement that the Legislative Body in every county in New York State with existing Agricultural Districts must designate an annual 30-day period during which landowners may apply for inclusion of their agriculturally viable land in the Agricultural Districts; and

WHEREAS, Dutchess County Legislative Resolution 204098 established an annual thirty-day period extending from April 15 to May 14 during which Landowners may summit such requests to the legislature to include their properties in the Agricultural Districts; and

WHEREAS, During the one month period extending from April 15, 2018 to May 14, 2018, the Dutchess County Farmland Protection Board received such applications on behalf of the Legislature; and

WHEREAS, The Dutchess County Soil and Water Conservation District, acting as a consultant to the Board, conducted a review of the agricultural characteristics of all such applications received by the Board; and

WHEREAS, the same Dutchess County Soil and Water Conservation District, found in the process of conducting the aforementioned review that the certain parcels itemized below are located within one of the Dutchess County's four Agricultural Districts and have present a high percentage or large acreage of viable farmland as required by Section 303-b of the Agricultural Districts Law; and

WHEREAS, the same Dutchess County Soil and Water Conservation District specifically recommended that certain parcels itemized below qualify for inclusion in the Agricultural Districts due

to the character of viable farmland found to be present on these properties; and

WHEREAS, the Board, in the context of the standards established by Section 303-b of the Agriculture Districts Law, has duly considered the merits of the each and every parcel application it has received; therefore be it

RESOLVED by a majority vote of the Dutchess County Agriculture and Farmland Protection Board on June 5th, 2018, that the Board recommends to the Dutchess County Legislature that the following nine parcels constituting a total of 170.12 acres of land to be added to the respective Agriculture Districts pursuant to Section 303-b, including three parcels comprising 20.24 acres in Agricultural District 20, one parcel comprising 21.1 acres in Agricultural District 21, one parcel comprising 31 acres in Agricultural District 22, and four parcels comprising 97.78 acres in Agricultural District 23:

Landowner	Town	SWIS Code	Parcel Number	Acres	District
James Enkler	Clinton	132400	6267-00-820205	3.7	20
James Enkler	Clinton	132400	6267-00-865205	3.1	20
James Vitiello	Clinton	132400	6267-00-787124	13.44	20
Heidi Myers	Washington	135889	6765-00-048708	21.1	21
Robert Behring	LaGrange	133400	6462-02-675824	31	22
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-167790	1.3	23
Josh Viertel, Nonno's Garden LLC	Dover	132600	7260-00-062777	60.4	23
Sally Raphael	Pawling	134089	7156-00-400973	25.5	23
Heidi Myers	UnionVale	135400	6663-00-653092	10.58	23

these said parcels being recommended due to the character of viable farmland documented to be present on said parcels; and be it further

RESOLVED that the Board recommends to the Dutchess County Legislature that the following six parcels totaling 252.55 acres, for which an application was received, be rejected for inclusion in the Agricultural Districts:

Maria Fitzgibbon	Milan	133800	6671-00-042265	140.2	20
Kerrie Abela	Rhinebeck	135089	6371-00-600224	50.55	20
Michael Lancto	Rhinebeck	135089	6269-00-232404	40.74	20
Edward Russell	Rhinebeck	135089	6371-00-423606	5.93	20
Juliette Landi	LaGrange	133400	6462-03-172062	2.1	22
Thomas Sanford	LaGrange	133400	6560-01-060861	13.03	22

these said parcels being recommended for rejection rather than inclusion due to fact that the character of land on said parcels does not meet the criteria of viable farmland stipulated in Section 303-b of the Agricultural Districts Law; and be it further

RESOLVED that for four parcels totaling 72.107 acres an application was received for parcels that had already been enrolled in an Agricultural District prior to April 15, 2018:

William Holman	Clinton	132400	6466-00-631439	10.007	20
William Holman	Clinton	132400	6466-00-619485	29.03	20
James Vitiello	Clinton	132400	6267-00-780038	14.07	20
Michael Wolfe	Fishkill	133089	6054-00-790825	20	22

these said parcels therefore requiring no further action by the Legislature due to their status as parcels already included in Agriculture Districts 20, 22, or 23; and be it further

RESOLVED that in support of the above recommendations, the Board shall submit to the Legislature the following materials: 1) copies of all applications received, 2) copies of the review materials prepared by the Dutchess County Soil and Water Conservation District in association with all applications received, 3) copies of the minutes of the June 5th, 2018 meeting of the Board.

IN WITNESS WHEREOF, **I, Gregg Pulver, Chairman of the Dutchess County Farmland Protection Board, certify that the foregoing resolution was adopted by Board at its June 5th, 2018 meeting.**

Date June 14th 2018

Environment

RESOLUTION NO. 2017136

RE: PROPERTY OWNER REQUESTS TO BE INCLUDED WITHIN DUTCHESS COUNTY'S CERTIFIED AGRICULTURAL DISTRICTS 20, 21, 22, AND 23

Legislators FORMAN, MICCIO, BOLNER, PULVER, WASHBURN, TRUITT, SAGLIANO, STRAWINSKI, LANDISI and HORTON offer the following and move its adoption:

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law establishes a mechanism on an annual basis for parcels of land comprised of predominately viable agricultural land to be included within the state's Agricultural Districts, and

WHEREAS, Section 303-b of the New York State Agriculture and Markets Law sets forth the requirement that the Legislative Body in every county in New York State with existing Agricultural Districts must designate an annual 30-day period during which landowners may apply for inclusion of their agriculturally viable land in the Agricultural Districts, and

WHEREAS, Dutchess County Legislative Resolution 204098 established an annual thirty-day period extending from April 15 to May 14 during which landowners may summit such requests to the Legislature to include their properties in the Agricultural Districts, and

WHEREAS, during the one-month period extending from April 15, 2017, to May 14, 2017, the Dutchess County Farmland Protection Board received such applications on behalf of the Legislature, and

WHEREAS, subsequently the Agricultural and Farmland Protection Board submitted its report with recommendation as to those requests to the Legislature, and

WHEREAS, after proper Notice of Public Hearing, this Legislature held a public hearing on July 10, 2017, with respect to the above and heard all those wishing to address the matter at said public hearing, and

WHEREAS, New York State Agriculture and Markets Law Section 303-b requires the County Legislature, following such public hearing to adopt or reject the proposed requests for inclusion of land within an existing Agricultural District, and

WHEREAS, the report and recommendations of the Agricultural Farmland Protection Board are on file with the Clerk of the Dutchess County Legislature, and

WHEREAS, the Legislature has considered the matter including the report and recommendation of the Agricultural Farmland Protection Board at the public hearing, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby adopts the recommendations of the Agricultural and Farmland Protection Board and adopts the

requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Landowner	Town	SWIS Code	Parcel Number	Acres	District
Stoudemire Farms Holdings LLC	Hyde Park	133200	6264-01-364904	37.47	20
Stoudemire Farms Holdings LLC	Hyde Park	133200	6265-03-395040	141.4	20
Sharon Sherrod	Rhinebeck	135089	6169-00-022744	3.2	20
Lloyd Hicks	North East	133889	7070-00-751718	6.75	21
Dwaine Lee	Dover	132600	7260-00-015023	3.711	23
Mara Shelby	Dover	132600	7161-00-875395	34.49	23
Mara Shelby	Dover	132600	7161-00-803354	5.51	23

and, be it further

RESOLVED, that the Dutchess County Legislature herby adopts the recommendations of the Agricultural and Farmland Protection Board and rejects the requests of landowners to include their land within an existing certified Agricultural District as set forth below:

Kerrie Abelea	Rhinebeck	135089	6371-00-600224	50.55	20
Edward Russell	Rhinebeck	135089	6371-00-423606	5.93	20
Drew Kessler	East Fishkill	132800	6355-00-328959	3.16	22
Drew Kessler	East Fishkill	132800	6355-00-320931	0.98	22
Juliette Landi	LaGrange	133400	6462-03-172062	2.1	22
Organic Outpost Inc.	East Fishkill	132800	6556-01-195790	13.66	22
Dwaine Lee	Dover	132600	7160-00-941061	43.23	23

and, be it further

RESOLVED, that the Clerk of the Legislature shall submit a copy of this Resolution together with the report of the Dutchess Agricultural and Farmland Protection Board, and the tax map identification numbers and tax maps for each parcel of land to be included in an Agricultural District, to the New York State Commissioner of Agriculture and Markets.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 7/18/2017

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 10th day of July 2017, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 10th day of July 2017.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

DUTCHESS COUNTY
WATER AND
WASTEWATER AUTHORITY

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

Authority Board Members

Thomas LeGrand
Chairperson

Vincent DiMaso
Vice-Chairperson

Rudy Vavra
Treasurer

Lawrence R. Knapp
Secretary

Ex officio Members

Brian Scoralick
Acting Executive Director
Soil and Water Conservation District

Eoin Wrafter
Commissioner
D.C. Dept. of Planning & Development

Staff

Bridget Barclay
Executive Director

Mary C. Morris
Deputy Director

TO: Carolyn Morris, Clerk of the Legislature
FROM: Bridget Barclay, Executive Director
DATE: September 17, 2018
RE: Year 2019 Tentative Assessment Levy
Dutchess County Water District
Dutchess County Part County Sewer District 1
Dutchess County Part County Sewer District 2
Dutchess County Part County Sewer District 3
Dutchess County Part County Sewer District 10

Attached please find the Tentative Estimate of 2019 Debt Service Expenditures and Revenue Needs, and the Tentative Assessment Rolls for Zones of Assessment A, B, C, D, H, J, K, L and Q in the Dutchess County Water District, and for Part County Sewer Districts 1, 2, 3 and 10.

cc w/out Assessment Rolls:
James Fedorchak, County Attorney
Heidi Seelbach, Commissioner of Finance
Jessica White, Budget Director

ESTIMATE OF 2019 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
ZONES OF ASSESSMENT A and B
IN THE DUTCHESS COUNTY WATER DISTRICT

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

EXPENSES:

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

Principal and Interest	$1,415,021.67	
Repayment of County Service Fee	$140,143.75	
Repay Chargeback	$29,861.00	
Administrative Expenses:		
Trustee Fees	$12,326.22	
DCWWA Admin.	$44,820.70	
TOTAL EXPENSES FOR ZONES A & B		**$1,642,173.34**

REVENUES:

Zone A Benefit Assessment Levy	$986,532.34	
Zone B Benefit Assessment Levy	$593,626.56	
Total Zones A & B	$1,580,158.90	
Capital Contribution from Zone of Assessment D and L	$62,014.44	
TOTAL REVENUES FROM ZONES A & B		**$1,642,173.34**

ESTIMATE OF 2019 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
ZONE OF ASSESSMENT C
IN THE DUTCHESS COUNTY WATER DISTRICT

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

EXPENSES:

Debt service and other expenses for Zone C (Towns of Hyde Park and Rhinebeck)			
Principal and Interest	$361,478.75		
Administrative Expenses:			
Trustee Fees	$2,509.90		
DCWWA Admin.	$7,110.35		
TOTAL EXPENSES FOR ZONE C			**$371,099.00**

REVENUES:

Benefit Assessment Levy - Hyde Park	$307,016.73	
Benefit Assessment Levy - Rhinebeck	$55,125.41	
Total Zone C Levy	$362,142.14	
Capital Charges Against District Tenants	$8,956.86	
TOTAL REVENUES FROM ZONE C		**$371,099.00**

ESTIMATE OF 2019 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
ZONE OF ASSESSMENT D
IN THE DUTCHESS COUNTY WATER DISTRICT

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

EXPENSES:

Debt Service and other expenses for Zone D

Principal and Interest	$246,689.43	
Hyde Park Plant Capital Payment	$ 45,985.28	
Administrative Expenses:		
Trustee Fees	$ 4,092.26	
DCWWA Admin.	$ 5,109.05	
TOTAL EXPENSES FOR ZONE D		**$301,876.02**

REVENUES:

Zone D Assessment Levy	$301,268.99
Capital Charges Against District Tenants	$607.03
TOTAL REVENUES FROM ZONE D	**$301,876.02**

ESTIMATE OF 2019 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
ZONE OF ASSESSMENT H
IN THE DUTCHESS COUNTY WATER DISTRICT

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

EXPENSES:

Debt Service and other expenses for Zone H

Principal and Interest	$154,425.00	
Administrative Expenses:		
Trustee Fees	$ 2,175.00	
DCWWA Admin.	$ 4,250.90	
TOTAL EXPENSES FOR ZONE H		**$160,850.90**

REVENUES:

Zone H Assessment Levy	$160,850.90
TOTAL REVENUES FROM ZONE H	**$160,850.90**

ESTIMATE OF 2019 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
ZONE OF ASSESSMENT J
IN THE DUTCHESS COUNTY WATER DISTRICT

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

EXPENSES:

Debt Service and other expenses for Zone J

Principal and Interest	$176,053.32	
Administrative Expenses:		
Trustee Fees	$ 2,925.00	
DCWWA Admin.	$ 1,894.46	
TOTAL EXPENSES FOR ZONE J		**$180,872.78**

REVENUES:

Zone J Assessment Levy	$180,872.78
TOTAL REVENUES FROM ZONE J	**$180,872.78**

ESTIMATE OF 2019 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
ZONE OF ASSESSMENT K
IN THE DUTCHESS COUNTY WATER DISTRICT

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

EXPENSES:

Debt Service and other expenses for Zone K

Principal and Interest	$68,930.83	
Administrative Expenses:		
Trustee Fees	$ 887.31	
DCWWA Admin.	$ 1,117.73	
TOTAL EXPENSES FOR ZONE K		**$70,935.87**

REVENUES:

Zone K Assessment Levy	$70,935.87
TOTAL REVENUES FROM ZONE K	**$70,935.87**

ESTIMATE OF 2019 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
ZONE OF ASSESSMENT L
IN THE DUTCHESS COUNTY WATER DISTRICT

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

EXPENSES:

Debt Service and other expenses for Zone L

Principal and Interest	$70,751.51	
Hyde Park Plant Capital Payment	$16,029.16	
Administrative Expenses:		
Trustee Fees	$ 721.81	
DCWWA Admin.	$ 1,321.83	
TOTAL EXPENSES FOR ZONE L		**$88,824.31**

REVENUES:

Zone L Assessment Levy	$88,824.31
TOTAL REVENUES FROM ZONE L	**$88,824.31**

ESTIMATE OF 2019 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
ZONE OF ASSESSMENT Q
IN THE DUTCHESS COUNTY WATER DISTRICT

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

EXPENSES:

Debt Service and other expenses for Zone Q

Principal and Interest	$150,718.26	
Administrative Expenses:		
Trustee Fees	$ 1,925.00	
DCWWA Admin.	$ 3,532.78	
TOTAL EXPENSES FOR ZONE Q		**$156,176.04**

REVENUES:

Zone Q Assessment Levy	$156,176.04
TOTAL REVENUES FROM ZONE Q	**$156,176.04**

ESTIMATE OF 2019 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
DUTCHESS COUNTY
PART COUNTY SEWER DISTRICT #1

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

EXPENSES:

Debt Service and other expenses for Sewer District #1

Principal and Interest	$223,982.97	
Administrative Expenses:		
Trustee Fees	$ 2,750.00	
DCWWA Admin.	$ 7,573.97	
TOTAL EXPENSES FOR SEWER DISTRICT #1		**$234,306.94**

REVENUES:

District #1:

Zone A Benefit Assessment Levy	$232,411.60	
Zone B Benefit Assessment Levy	$ 1,895.34	
Total Zones A & B	$234,306.94	
TOTAL REVENUES FROM SEWER DISTRICT #1		**$234,306.94**

ESTIMATE OF 2019 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
DUTCHESS COUNTY
PART COUNTY SEWER DISTRICT #2

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

EXPENSES:

Debt Service and other expenses for Sewer District #2

Principal and Interest	$88,904.90	
Administrative Expenses:		
Trustee Fees	$ 2,750.00	
DCWWA Admin.	$ 1,700.35	
TOTAL EXPENSES FOR SEWER DISTRICT #2		**$93,355.25**

REVENUES:

District #2 Assessment Levy	$93,355.25
TOTAL REVENUES FROM SEWER DISTRICT #2	**$93,355.25**

ESTIMATE OF 2019 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
DUTCHESS COUNTY
PART COUNTY SEWER DISTRICT #3

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

EXPENSES:

Debt Service and other expenses for Sewer District #3

Principal and Interest	$165,273.14	
Administrative Expenses:		
Trustee Fees	$ 2,175.00	
DCWWA Admin.	$ 3,967.13	
TOTAL EXPENSES FOR SEWER DISTRICT #3		**$171,415.26**

REVENUES:

District #3 Assessment Levy	$171,415.26
TOTAL REVENUES FROM SEWER DISTRICT #3	**$171,415.26**

ESTIMATE OF 2019 DEBT SERVICE EXPENDITURES
AND REVENUE NEEDS FOR
DUTCHESS COUNTY
PART COUNTY SEWER DISTRICT #10

The following is a summary of the installments of principal, interest and other expenditures, estimated revenues and benefit assessments to be levied in Part County Sewer District #10.

EXPENSES:

Debt Service and other expenses for Sewer District #10

Principal and Interest	$16,660.00	
Administrative Expenses:		
Trustee Fees	$ 1,500.00	
DCWWA Admin.	$ 717.17	
TOTAL EXPENSES FOR SEWER DISTRICT #10		**$18,877.17**

REVENUES:

District #10 Assessment Levy	$18,877.17
TOTAL REVENUES FROM SEWER DISTRICT #10	**$18,877.17**

CERTIFICATION

The undersigned, Executive Director of the Dutchess County Water and Wastewater Authority, hereby certifies that the foregoing estimates of the 2019 Debt Service Expenditures for Zones of Assessment A, B, C, D, H, J, K, L and Q in the Dutchess County Water District, and Part County Sewer Districts #1, 2, 3 and 10 accurately state the debt service and other expense requirements and projected revenues required to satisfy those requirements in the service areas covered by said Zones and said Part-County Districts.

Dated: Poughkeepsie, NY
September 17, 2018

Bridget Barclay, Executive Director
Dutchess County Water and
Wastewater Authority

Morris, Carolyn

From: O'Brien, Carey C (TAX) <Carey.OBrien@tax.ny.gov>
Sent: Wednesday, September 19, 2018 12:18 PM
To: Axelsen, Eric
Cc: Morris, Carolyn
Subject: rates
Attachments: 13 Dutchess County.pdf

Carey O'Brien

Real Property Analyst 1

New York State Department of Taxation and Finance
Office of Real Property Tax Services
W A Harriman Campus Albany, NY 12227

518 591-5187 | carey.obrien@tax.ny.gov

This communication may contain confidential and/or legally privileged information. It is intended only for the individuals named as recipients. If you are not an intended recipient you are not authorized to disseminate, distribute or copy this communication. If you've received this communication by mistake, please notify the sender immediately and delete or destroy it, as appropriate.

eptember 18, 2018

State of New York
Office of Real Property Tax Services
Building 8A - Special Rates Unit
WA Harriman State Campus
Albany, New York 12227

Certificate of County Equalization Rates
For 2018 Assessment Rolls for Municipalities in the
County of Dutchess

Ms. Carolyn Morris , Clerk
Dutchess County Legislature
County Office Building
22 Market Street
Poughkeepsie, NY 12601

On September 18, 2018 the Commissioner established the county equalization rates listed below. These county equalization rates are to be used in the apportionment of the 2019 county tax levy pursuant to Title 2 of Article 8 of the Real Property Tax Law.

Municipal Code / Municipality			2018 County Equalization Rate
130200	City of	Beacon	100.00
131300	City of	Poughkeepsie	100.00
132000	Town of	Amenia	100.00
132200	Town of	Beekman	100.00
132400	Town of	Clinton	100.00
132600	Town of	Dover	53.00
132800	Town of	East Fishkill	100.00
133000	Town of	Fishkill	100.00
133200	Town of	Hyde Park	57.00
133400	Town of	La Grange	100.00
133600	Town of	Milan	100.00
133800	Town of	Northeast	100.00
134000	Town of	Pawling	49.00
134200	Town of	Pine Plains	100.00
134400	Town of	Pleasant Valley	100.00
134600	Town of	Poughkeepsie	100.00
134800	Town of	Red Hook	100.00
135000	Town of	Rhinebeck	92.00
135200	Town of	Stanford	100.00
135400	Town of	Union Vale	100.00
135600	Town of	Wappinger	100.00
135800	Town of	Washington	100.00

If you have any questions you may email orpts.ess.sprates@tax.ny.gov or phone (518) 474-5666.

CC: Mr. Eric Axelsen , County Director
Dutchess County RPTS Office
22 Market Street
Poughkeepsie NY 12601

TOWN OF LAGRANGE

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

RECEIVED
OCT 01 2018
12:40 pm

September 27, 2018

Clerk
Dutchess County Legislature
22 Market Street
Poughkeepsie, New York 12601

Re: Town of LaGrange Proposed Local Law

A LOCAL LAW OF THE TOWN OF LAGRANGE, DUTCHESS COUNTY, NEW YORK, AMENDING THE ZONING MAP ESTABLISHED IN 240-22 OF CHAPTER 240, "ZONING", OF THE LAGRANGE TOWN CODE IN ORDER TO CORRECT DUTCHESS COUNTY MAPPING ERRORS

To Whom It May Concern:

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

Should you have any comments please provide them to the Town Board by the time of the scheduled public hearing of **November 7, 2018.**

Sincerely,

Christine O'Reilly-Rao
Town Clerk

COR/eo
Enclosure

NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of LaGrange will hold a public hearing at the Town Hall, 120 Stringham Road, LaGrangeville, New York on Nov. 7, 2018, at 7:00 o'clock p.m. prevailing time, on Local Law No. ___ of 2018, a local law of the Town of LaGrange, Dutchess County, New York, amending the Zoning Map established by Section 240-22 of Chapter 240, "Zoning", of the LaGrange Town Code in order to correct Dutchess County mapping errors as follows:

The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from the RFD District to the I District. (LaGrange Tax Parcel Number 133400-6261-04-947393 at 417 Manchester Road)

The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from the RFD District to the I District. (LaGrange Tax Parcel Number 133400-6261-04-959388 at 421 Manchester Road)

The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from the RFD District to the MGH District. (LaGrange Tax Parcel Number 133400-6261-04-938367 at 419 Manchester Road)

The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from the C District to the RFD District. (LaGrange Tax Parcel Number 133400-6360-02-608822 at 754 Freedom Plains Road)

The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from the C District to the RFD District. (LaGrange Tax Parcel Number 133400-6360-02-637830 at 756 Freedom Plains Road)

The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from partially within the RLD District and partially within the GH District to the GH District entirely: (LaGrange Tax Parcel Number 133400-6559-03-405465 at 41 Emans Road)

The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from partially within the RLD District and partially within the GH District to the GH District entirely: (LaGrange Tax Parcel Number 133400-6559-03-372392 at 1644 Route 82)

The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from partially within the RLD District and partially within the GH District to the GH District entirely: (LaGrange Tax Parcel Number 133400-6559-03-382417 at 1652 Route 82)

The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from partially within the RLD District and partially within the GH District to the GH District entirely: (LaGrange Tax Parcel Number 133400-6559-03-387436 at 1660 Route 82)

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

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

DATED: LaGrangeville, New York
September 26, 2018

Christine O'Reilly-Rao
CHRISTINE O'REILLY-RAO
TOWN CLERK

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

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

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

Part 1 - Project and Sponsor Information

Name of Action or Project:
Local Law amending the Zoning Map with respect to nine (9) parcels. (Copy of Local Law attached)

Project Location (describe, and attach a location map):
See Local Law attached

Brief Description of Proposed Action:
The total acreage of the nine (9) parcels is less than 25 acres, and several different zoning district designations are involved. The action is an unlisted action for which several zoning districts are involved. The purpose of the legislation is to correct mapping errors which occurred at prior legislative amendments of the Zoning Map due to errors of the County of Dutchess. See Local Law attached. This constitutes the narrative description of the action required within Part 1, question 1 of this SEAF.

Name of Applicant or Sponsor:	Telephone: (845) 452-1830
Town of LaGrange Town Board	E-Mail:

Address:
120 Stringham Road

City/PO:	State:	Zip Code:
LaGrangeville	NY	12540

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☐	☑
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:	☐	☐

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

4. Check all land uses that occur on, adjoining and near the proposed action.
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☐	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO ☐	YES ☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO ☐	YES ☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☐	☐	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO ☐	YES ☐	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO ☐	YES ☐	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO ☐	YES ☐	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO ☐	YES ☐	
b. Is the proposed action located in an archeological sensitive area?	☐	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO ☐	YES ☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☐	☐	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO ☐	YES ☐	
16. Is the project site located in the 100 year flood plain?	NO ☐	YES ☐	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☐ NO ☐ YES	NO ☐	YES ☐	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES _____			

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	☐	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	☐	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	☐	☐

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Alan Bell, Supervisor Date: Sept. 26, 2018

Signature: Alan Bell

PRINT FORM

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

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

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

PRINT FORM

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form
Part 3 Determination of Significance

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

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☑ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of LaGrange Town Board Name of Lead Agency	Sept. 26, 2018 Date
Alan Bell Print or Type Name of Responsible Officer in Lead Agency	Supervisor Title of Responsible Officer
Alan Bell Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

TOWN OF LAGRANGE TOWN BOARD
SEQRA NEGATIVE DECLARATION AND
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE
FOR

A LOCAL LAW OF THE TOWN OF LAGRANGE, DUTCHESS COUNTY, NEW YORK, TO CORRECT ZONING MAP ERRORS BY AMENDING THE ZONING MAP ESTABLISHED BY SECTION 240-22 OF CHAPTER 240, "ZONING", OF THE LAGRANGE TOWN CODE IN ORDER TO CHANGE THE ZONING DISTRICT DESIGNATION OF FIVE (5) PARCELS LOCATED AT ROUTE 55 IN THE TOWN OF LAGRANGE FROM THE RESIDENTIAL FLEXIBLE DENSITY ("RFD") DISTRICT TO THE INDUSTRIAL ("I") ZONING DISTRICT FOR THE 417 AND 421 MANCHESTER ROAD PARCELS, AND FROM THE "RFD" DISTRICT TO THE MANCHESTER GATEWAY HAMLET ("MGH") ZONING DISTRICT FOR THE 419 MANCHESTER ROAD PARCEL; AND CHANGING THE ZONING MAP FOR 754 FREEDOM PLAINS ROAD FROM THE COMMERCIAL ("C") DISTRICT TO THE RESIDENTIAL FLEXIBLE DENSITY ("RFD") DISTRICT; AND CHANGING THE ZONING MAP FOR 756 FREEDOM PLAINS ROAD FROM THE COMMERCIAL ("C") DISTRICT TO THE RESIDENTIAL FLEXIBLE DISTRICT ("RFD") DISTRICT; CHANGING THE ZONING MAP FOR 41 EMANS ROAD PARTIALLY IN THE RESIDENTIAL LOW DENSITY DISTRICT ("RLD") AND PARTIALLY IN THE GATEWAY HAMLET DISTRICT ("GH") TO WITHIN THE GATEWAY HAMLET DISTRICT ENTIRELY; CHANGING THE ZONING MAP FOR 1644 ROUTE 82 PARTIALLY IN THE RLD DISTRICT AND PARTIALLY IN THE GATEWAY HAMLET DISTRICT ("GH") TO WITHIN THE GATEWAY HAMLET DISTRICT ENTIRELY; CHANGING THE ZONING MAP FOR 1652 ROUTE 82 PARTIALLY IN THE RLD DISTRICT AND PARTIALLY IN THE GATEWAY HAMLET DISTRICT ("GH") TO WITHIN THE GATEWAY HAMLET DISTRICT ENTIRELY; CHANGING THE ZONING MAP FOR 1660 ROUTE 82 PARTIALLY IN THE RLD DISTRICT AND PARTIALLY IN THE GATEWAY HAMLET DISTRICT ("GH") TO WITHIN THE GATEWAY HAMLET DISTRICT ENTIRELY, ALL DUE TO DUTCHESS COUNTY MAPPING ERRORS RELATED TO PRIOR AMENDMENTS OF THE ZONING MAP.

WHEREAS, the Town of LaGrange Town Board proposes to adopt Local Law No. ___ of 2018, a Local Law of the Town of LaGrange, Dutchess County, New York amending the Zoning Map with respect to the above nine identified parcels; and

WHEREAS, the amendments are made necessary by mapping errors committed by the County of Dutchess on prior legislative amendments of the Zoning Map; and

WHEREAS, the amendments to the Zoning Map, consequently, are consistent with the Town of LaGrange Comprehensive Plan; and

WHEREAS, this legislation is an action requiring only the approval of the LaGrange Town Board which, of necessity, is the lead agency; and

WHEREAS, this legislative action is a direct action; and

WHEREAS, this action is an unlisted action since the total acreage of the parcels is less than 25 acres and more than one zoning district is involved; and

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

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

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

WHEREAS, the Town Board has prepared and adopted a Short Environmental Assessment Form Part 1; and

WHEREAS, the Town Board has prepared and adopted a Short EAF, Part 2; and

WHEREAS, the Town Board, as lead agency for the environmental review of the Action, has reviewed the Action and all relevant supporting information and documentation, has identified the relevant areas of environmental concern, has compared the reasonably expected results of the Action with the criteria set forth in 6 NYCRR § 617.7 and has determined that there will be no significant adverse environmental impacts associated with the Action; and

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

None of the proposed amendments of the Zoning Map are inconsistent with the existing Comprehensive Plan of the Town of LaGrange, given that the existing district designations are the product of error. The proposed amendments of the Zoning Map do not rise to the level of creating any adverse physical impacts in those areas of the Town for which they are intended to be implemented. In the policy judgment of the Town Board, the proposed zoning amendment will create positive and beneficial impacts to those areas of town for which they are intended. The regulations will resolve existing unfavorable impacts caused by prior mapping errors.

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

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

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

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

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

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

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

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

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

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

BE IT FURTHER RESOLVED, that the Town Board, acting as lead agency, has examined the impacts which may be reasonably anticipated to result from the Action, and has determined that it will not have any significant adverse impact on the environment and that therefore a Draft Environmental Impact Statement need not be prepared; and

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

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

The foregoing resolution was voted upon with all Councilmen voting as follows:
Motion: Councilman Luna
Second: Councilwoman Wagner

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

DATED: LaGrangeville, New York
September 26, 2018

CHRISTINE O'REILLY-RAO
TOWN CLERK

U:\DOCS\00070\01112\RESOLUTION\24G1936.DOC

RESOLUTION

WHEREAS, Supervisor Bell introduced the following local law for the Town of LaGrange to be known as Local Law No. ___ of 2018, entitled A LOCAL LAW OF THE TOWN OF LAGRANGE, DUTCHESS COUNTY, NEW YORK, TO CORRECT ZONING MAP ERRORS BY AMENDING THE ZONING MAP ESTABLISHED BY SECTION 240-22 OF CHAPTER 240, "ZONING", OF THE LAGRANGE TOWN CODE IN ORDER TO CHANGE THE ZONING DISTRICT DESIGNATION OF A TOTAL OF NINE (9) PARCELS LOCATED AS FOLLOWS: (A) 417 AND 421 MANCHESTER ROAD FROM THE RESIDENTIAL FLEXIBLE DENSITY ("RFD") DISTRICT TO THE INDUSTRIAL ("I") ZONING DISTRICT, (B) 419 MANCHESTER ROAD FROM THE "RFD" DISTRICT TO THE MANCHESTER GATEWAY HAMLET ("MGH") ZONING DISTRICT; (C) 754 FREEDOM PLAINS ROAD FROM THE COMMERCIAL ("C") DISTRICT TO THE RESIDENTIAL FLEXIBLE DENSITY ("RFD") DISTRICT; (D) 756 FREEDOM PLAINS ROAD FROM THE COMMERCIAL ("C") DISTRICT TO THE RESIDENTIAL FLEXIBLE DISTRICT ("RFD") DISTRICT; (E) 41 EMANS ROAD PARTIALLY IN THE RESIDENTIAL LOW DENSITY DISTRICT ("RLD") AND PARTIALLY IN THE GATEWAY HAMLET DISTRICT ("GH") TO WITHIN THE GATEWAY HAMLET DISTRICT ENTIRELY; (F) 1644 ROUTE 82 PARTIALLY IN THE RLD DISTRICT AND PARTIALLY IN THE GATEWAY HAMLET DISTRICT ("GH") TO WITHIN THE GATEWAY HAMLET DISTRICT ENTIRELY; (G) 1652 ROUTE 82 PARTIALLY IN THE RLD DISTRICT AND PARTIALLY IN THE GATEWAY HAMLET DISTRICT ("GH") TO WITHIN THE GATEWAY HAMLET DISTRICT ENTIRELY; (H) 1660 ROUTE 82 PARTIALLY IN THE RLD DISTRICT AND PARTIALLY IN THE GATEWAY HAMLET DISTRICT ("GH") TO WITHIN THE GATEWAY HAMLET DISTRICT ENTIRELY, ALL CHANGES ARE DUE TO DUTCHESS COUNTY MAPPING ERRORS RELATED TO PRIOR AMENDMENTS OF THE ZONING MAP.

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

Section 1. The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from the RFD District to the I District:

LaGrange Tax Parcel Number 133400-6261-04-947393 at 417 Manchester Road

Section 2. The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from the RFD District to the I District:

LaGrange Tax Parcel Number 133400-6261-04-959388 at 421 Manchester Road

Section 3. The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from the RFD District to the MGH District:

LaGrange Tax Parcel Number 133400-6261-04-938367 at 419 Manchester Road

Section 4. The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from the C District to the RFD District:

LaGrange Tax Parcel Number 133400-6360-02-608822 at 754 Freedom Plains Road

Section 5. The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from the C District to the RFD District:

LaGrange Tax Parcel Number 133400-6360-02-637830 at 756 Freedom Plains Road

Section 6. The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from partially within the RLD District and partially within the GH District to the GH District entirely:

LaGrange Tax Parcel Number 133400-6559-03-405465 at 41 Emans Road

Section 7. The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from partially within the RLD District and partially within the GH District to the GH District entirely:

LaGrange Tax Parcel Number 133400-6559-03-372392 at 1644 Route 82

Section 8. The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from partially within the RLD District and partially within the GH District to the GH District entirely:

LaGrange Tax Parcel Number 133400-6559-03-382417 at 1652 Route 82

Section 9. The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from partially within the RLD District and partially within the GH District to the GH District entirely:

LaGrange Tax Parcel Number 133400-6559-03-387436 at 1660 Route 82

Section 10. If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

Section 11. This local law will take effect upon the filing with the Secretary of State as prescribed by law.

BE IT FURTHER RESOLVED, that the Town Board makes the following findings required within Section 240-101 of the Town Code:

1. The proposed changes are consistent with the Town Comprehensive Plan. The purpose of the changes is to correct errors in mapping caused by the County of Dutchess at the time of earlier changes to the Zoning Map, and to bring the zoning of these parcels into conformance with Comprehensive Plan.

2. The current district designations of the parcels are inconsistent with existing land use patterns. The changes bring the parcels into consistency.

3. There is no creation of an isolated district unrelated to adjacent or nearby districts.

4. There is no impact on population density pattern or overtaxing of the load on public facilities such as school, utilities, or streets.

5. The district boundaries are logically drawn in relation to existing conditions.

6. Other than discovery of mapping errors, there is no change of conditions making the local law necessary.

7. The proposed changes will not adversely impact living conditions in the neighborhood. The neighborhoods are being restored.

8. The proposed changes will not excessively increase traffic congestion or otherwise affect public safety.

9. The proposed changes will not create drainage problems or adversely impact subsurface water resources.

10. The proposed changes will not seriously reduce light and air to adjacent areas.

11. The proposed changes will not adversely affect property values in the adjacent

areas.

12. The proposed changes will not be a deterrent to the improvement or the development of adjacent property under existing regulations.

13. The proposed changes will not constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

14. There are substantial reasons why the properties cannot be used within accordance with existing zoning. The current district designations are erroneous.

15. The changes are not out of scale with the needs of the neighborhood or the Town.

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

WHEREAS, on September 26, 2018, Supervisor Bell has introduced this local law for the Town of LaGrange, to be known as Local Law No. ___ of 2018, entitled A LOCAL LAW OF THE TOWN OF LAGRANGE, DUTCHESS COUNTY, NEW YORK, TO CORRECT ZONING MAP ERRORS BY AMENDING THE ZONING MAP ESTABLISHED BY SECTION 240-22 OF CHAPTER 240, "ZONING", OF THE LAGRANGE TOWN CODE IN ORDER TO CHANGE THE ZONING DISTRICT DESIGNATION OF A TOTAL OF NINE (9) PARCELS LOCATED AS FOLLOWS: (A) 417 AND 421 MANCHESTER ROAD FROM THE RESIDENTIAL FLEXIBLE DENSITY ("RFD") DISTRICT TO THE INDUSTRIAL ("I") ZONING DISTRICT, (B) 419 MANCHESTER ROAD FROM THE "RFD" DISTRICT TO THE MANCHESTER GATEWAY HAMLET ("MGH") ZONING DISTRICT; (C) 754 FREEDOM PLAINS ROAD FROM THE COMMERCIAL ("C") DISTRICT TO THE RESIDENTIAL FLEXIBLE DENSITY ("RFD") DISTRICT; (D) 756 FREEDOM PLAINS ROAD FROM THE COMMERCIAL ("C") DISTRICT TO THE RESIDENTIAL FLEXIBLE DISTRICT ("RFD") DISTRICT; (E) 41 EMANS ROAD PARTIALLY IN THE RESIDENTIAL LOW DENSITY DISTRICT ("RLD") AND PARTIALLY IN THE GATEWAY HAMLET DISTRICT ("GH") TO WITHIN THE GATEWAY HAMLET DISTRICT ENTIRELY; (F)

1644 ROUTE 82 PARTIALLY IN THE RLD DISTRICT AND PARTIALLY IN THE GATEWAY HAMLET DISTRICT ("GH") TO WITHIN THE GATEWAY HAMLET DISTRICT ENTIRELY; (G) 1652 ROUTE 82 PARTIALLY IN THE RLD DISTRICT AND PARTIALLY IN THE GATEWAY HAMLET DISTRICT ("GH") TO WITHIN THE GATEWAY HAMLET DISTRICT ENTIRELY; (H) 1660 ROUTE 82 PARTIALLY IN THE RLD DISTRICT AND PARTIALLY IN THE GATEWAY HAMLET DISTRICT ("GH") TO WITHIN THE GATEWAY HAMLET DISTRICT ENTIRELY, ALL CHANGES ARE DUE TO DUTCHESS COUNTY MAPPING ERRORS RELATED TO PRIOR AMENDMENTS OF THE ZONING MAP.

LET IT BE RESOLVED, that a public hearing be held in relation to the proposed changes as set forth in the form notice, hereinafter provided, at which hearing parties in interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, LaGrangeville, New York on November 7, 2018, at 7:00 p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of LaGrange, by the Town Clerk, at least five (5) days before such hearing and that such notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of LaGrange will hold a public hearing at the Town Hall, 120 Stringham Road, LaGrangeville, New York on November 7, 2018, at 7:00 o'clock p.m. prevailing time, on Local Law No. ___ of 2018, a local law of the Town of LaGrange, Dutchess County, New York, amending the Zoning Map established by Section 240-22 of Chapter 240, "Zoning", of the LaGrange Town Code in order to correct Dutchess County mapping errors as follows:

The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from the RFD District to the I District. (LaGrange Tax Parcel Number 133400-6261-04-947393 at 417 Manchester Road)

The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from the RFD District to the I District. (LaGrange Tax Parcel Number 133400-6261-04-959388 at 421 Manchester Road)

The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from the RFD District to the MGH District. (LaGrange Tax Parcel Number 133400-6261-04-938367 at 419 Manchester Road)

The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from the C District to the RFD District. (LaGrange Tax Parcel Number 133400-6360-02-608822 at 754 Freedom Plains Road)

The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from the C District to the RFD District. (LaGrange Tax Parcel Number 133400-6360-02-637830 at 756 Freedom Plains Road)

The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from partially within the RLD District and partially within the GH District to the GH District entirely: (LaGrange Tax Parcel Number 133400-6559-03-405465 at 41 Emans Road)

The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from partially within the RLD District and partially within the GH District to the GH District entirely: (LaGrange Tax Parcel Number 133400-6559-03-372392 at 1644 Route 82)

The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from partially within the RLD District and partially within the GH District to the GH District entirely: (LaGrange Tax Parcel Number 133400-6559-03-382417 at 1652 Route 82)

The Zoning Map established by Section 240-22 of Chapter 240 of the LaGrange Town Code is amended to change the zoning district designation of the following parcel in the Town of LaGrange from partially within the RLD District and partially within the GH District to the GH District entirely: (LaGrange Tax Parcel Number 133400-6559-03-387436 at 1660 Route 82)

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

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

DATED: LaGrangeville, New York
September 26, 2018

CHRISTINE O'REILLY-RAO
TOWN CLERK

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

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

DATED: LaGrangeville, New York
September 26, 2018

CHRISTINE O'REILLY-RAO
TOWN CLERK

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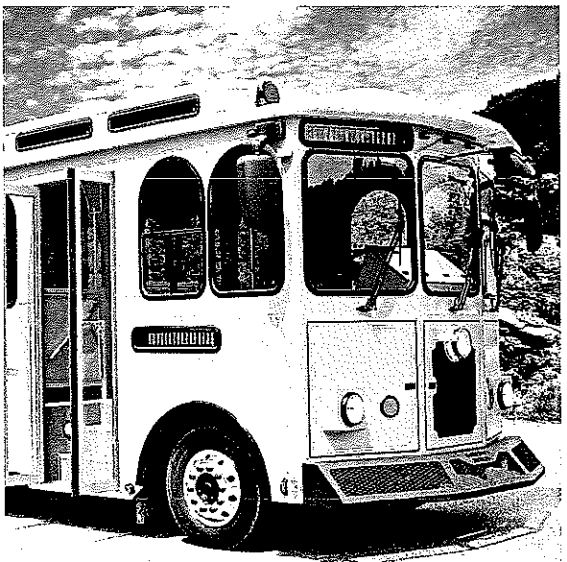

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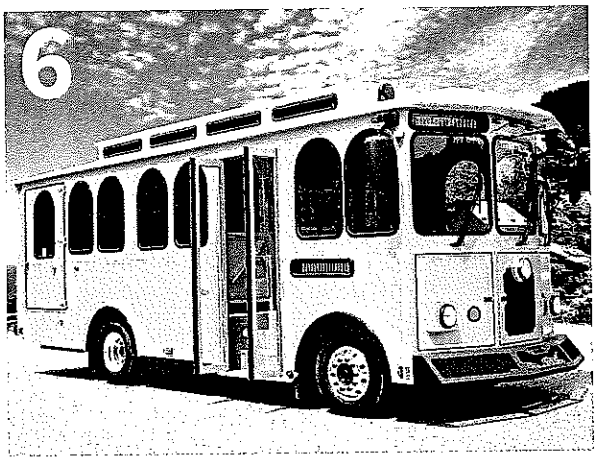

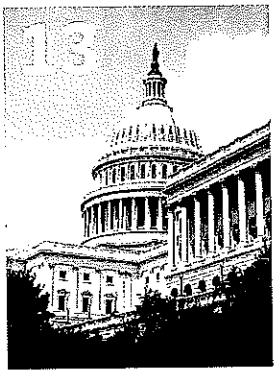

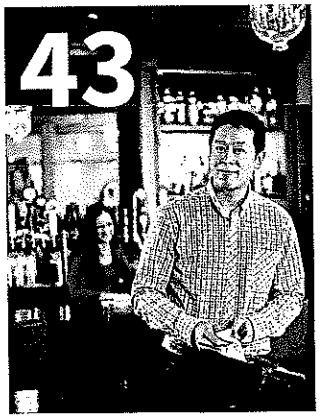

Local Business Assistance

6 National Success Story
Hometown Trolley has found success through determination, creativity, and a little help from friends at the U.S. Small Business Administration.

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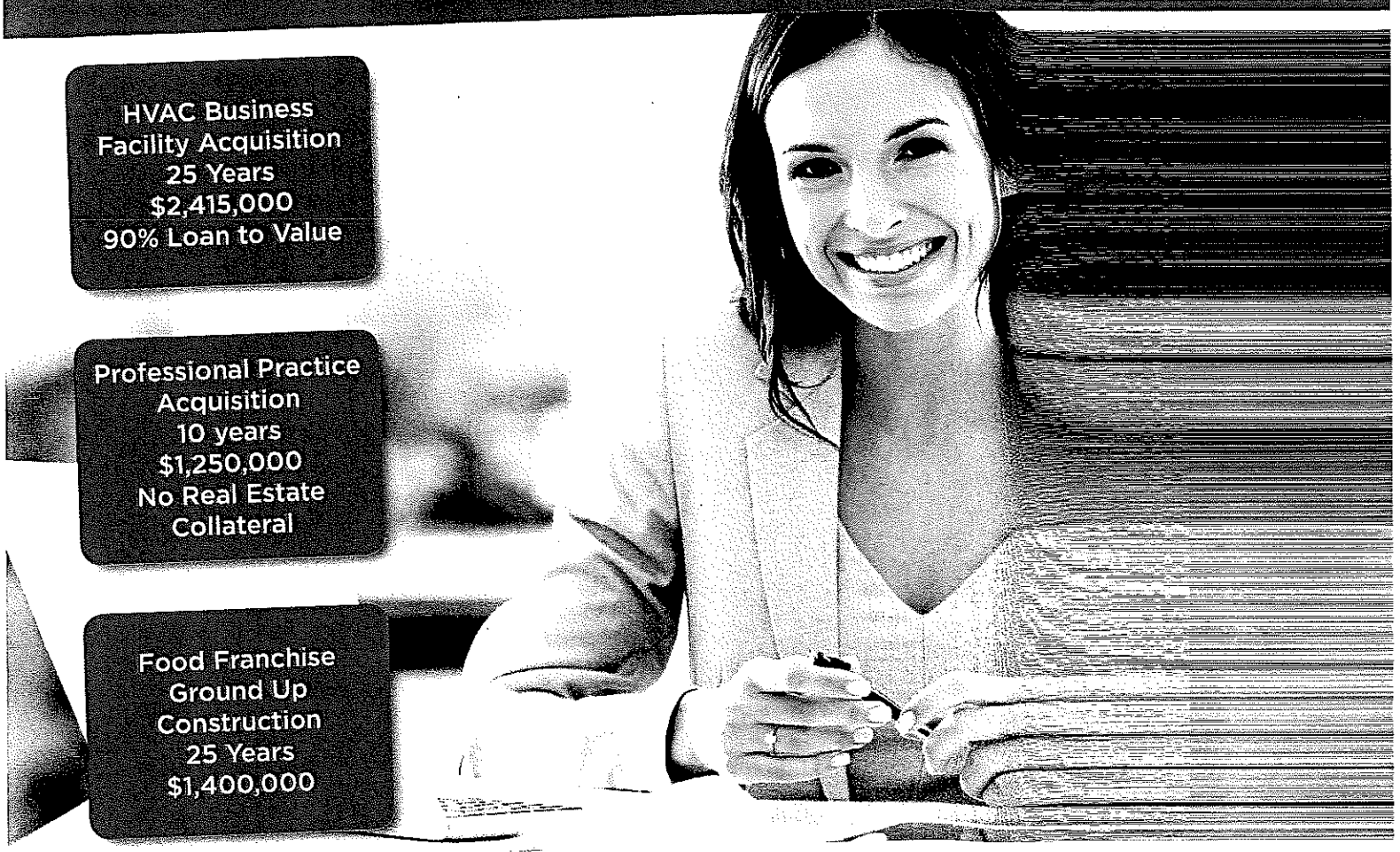

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In 2008, after working in the magazine business in Chicago, Washington, D.C., and Mississippi for 10 years, I moved back to my home state of West Virginia to create my own media company, New South Media, Inc. It was the scariest thing I've ever done. I didn't know the first thing about starting a business, and I funded it myself by ransacking my retirement funds. When I started, I had one unpaid employee—me.

I had never heard of the U.S. Small Business Administration. I had no role model or support system to walk me through the process. All I had was a stack of dog-eared how-to books and a bucketload of grit and determination.

As an entrepreneur and a small business owner, I know firsthand the challenges small companies face. I live it everyday. I know what it is like to work 100-hour weeks, to pay your employees before yourself, and to need funding to grow your business, all while trying to raise educated and thoughtful children and still put dinner on the table. I know what it is like to be completely overwhelmed and to have doors slammed in your face, only to get up the next day and try, try again. I know what it feels like to fail. And I know what it feels like to succeed.

My goal when founding my company was to create publications that would be community builders, nurturing a culture that better encourages and supports small businesses by telling their stories. After all, small businesses outnumber corporations 1,162-to-one and are the lifeblood of our economy and culture.

As I look back on the past 10 years of business ownership, the thing I most wish I had known is what a valuable resource the SBA is to small businesses like my own. I can think of hundreds of mistakes I wouldn't have made and tons of tools I could have used in those early, difficult days. And I'm pretty sure I'd also have a few less grays in my hair.

When I first saw a copy of the SBA *Resource Guide*, I flipped through the pages eagerly. But as you can imagine, as an editor and publisher, I always read magazines with a critical eye, and I caught myself thinking what my company would do differently with the publication.

It was four years ago when I decided to find out how to go about competing for the contract to become the publisher of the *Small Business Resource Guide*. I was introduced to the world of government contracting and the opportunities available for small businesses. And to be honest, it was a bit intimidating. As I navigated the process, there were many times when I almost stopped. Sometimes I thought there was no way a woman-owned small business in the rural state of West Virginia could compete and win a federal contract. But every time I had a question, someone from my SBA West Virginia district office was quick to answer it, and I kept persevering. That's what we do as small business owners, right?

That's why my team at New South Media and I are really excited to be the new publisher of the SBA's *Small Business Resource Guides*. I'm inspired by the success stories we feature in each issue of this magazine, and it has been a pleasure to work with the SBA on redesigning and refocusing the content of these guides to better serve small businesses in all corners of the country. So, let's use this magazine to educate everyone so all small businesses can know about the resources available to them.

Wishing you much success,

Nikki

Nikki Bowman
Publisher
New South Media Inc.

REBECCA KIGER

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As director of the New York District Office of the U.S. Small Business Administration (SBA), I am proud to lead the delivery of SBA's programs and services to the 1.6 million small businesses that comprise our locality. From the lush farms of Orange, Sullivan, Ulster and Dutchess Counties to the wineries of Westchester, Putnam, and Rockland counties, to the urban tech and life science incubators and manufacturing facilities in New York City and on Long Island—New York District small businesses are the most diverse, innovative, and robust in the country. For the first time ever, in FY 17, our District guaranteed more than $1 billion in SBA loans and made more loans to small businesses than any other office in the nation. I remain committed to keeping pace with our dynamic business community.

This Resource Guide is a great first step to unlocking the power of federal and local government resources available to support you on your entrepreneurial journey. We hope you'll flip through these pages and discover a new service to help you take the next step in growing your small business. It contains a detailed list of the SBA's local Resource Partners: Score, Small Business Development Centers (SBDCs), Women's Business Centers (WBCs), Procurement Technical Assistance Centers (PTACs), and our District's Veteran's Business Outreach Center (VBOC). Familiarize yourself with these centers and find one nearest you. Stop in for some counseling, take a workshop, or conduct some market research with SBDC software—it's useful and free.

Whether you're already in business or looking to grow your firm, the SBA is the perfect partner to help you take your next step. I encourage you to keep this guide handy and share it with other entrepreneurs. Know that free, valuable support services are always out there to help you and your company get over that hurdle standing between you and your goal. Just open this book and find a page that relates to what you're working on and give them a call.

I wish you and your small business great success.

Sincerely,

Beth L. Goldberg

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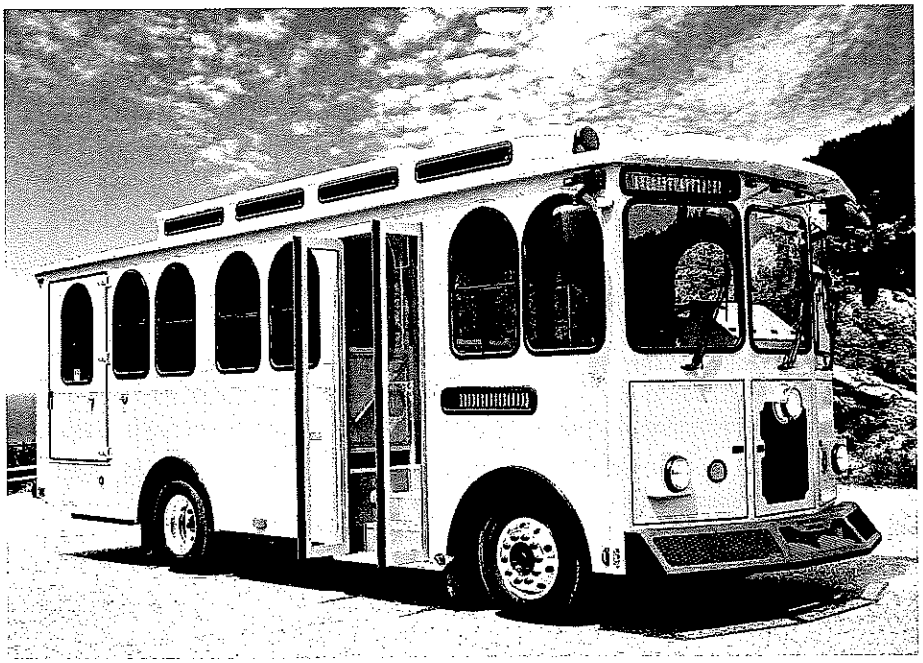
LOCAL BUSINESS ASSISTANCE



A Streetcar Named Persistence

Hometown Trolley has found success through determination, creativity, and a little help from friends at the U.S. Small Business Administration.

WRITTEN BY **Zack Harold**

Kristina Pence-Dunow did not intend to become a businesswoman, a cornerstone of her small town's economy, and the nation's only female owner of a transit vehicle manufacturer. In the beginning, she just wanted to keep the family business going.

Pence-Dunow was a dental assistant for the first several years of her adult life. Then, after giving birth to her son in 1988, she joined her husband's family business. The company built fancy horse trailers as well as the occasional trackless trolley—a public transit vehicle designed to look like an old-timey streetcar but set on a bus chassis. She started out doing bookkeeping and upholstery work. It was a small shop, so everyone wore several hats.

Then, in the early 1990s, Pence-Dunow and her husband moved to Crandon, Wisconsin, so he could pursue a career in off-road racing. They took the trolley business with them. A few years later, her husband decided to devote his full attention to racing. The couple eventually divorced and Pence-Dunow became sole owner of the business.

"I kept the trolleys going and raised my two children," she says. The company made a few dozen vehicles each year, selling them through a distributor in Florida. Things were going well. At the time, all the nation's trolley manufacturers were small, family-owned businesses. "We all just had our same customers and everybody stayed small."

But then competition arrived. A large bus manufacturer began making trolleys, too. "They flooded the market. They had the capital behind them," Pence-Dunow says. "I was being starved for sales."

Other trolley companies shut their doors, but Pence-Dunow didn't have a backup plan. She still had two kids to raise. So she did the only thing she could—she kept going.

Still rolling

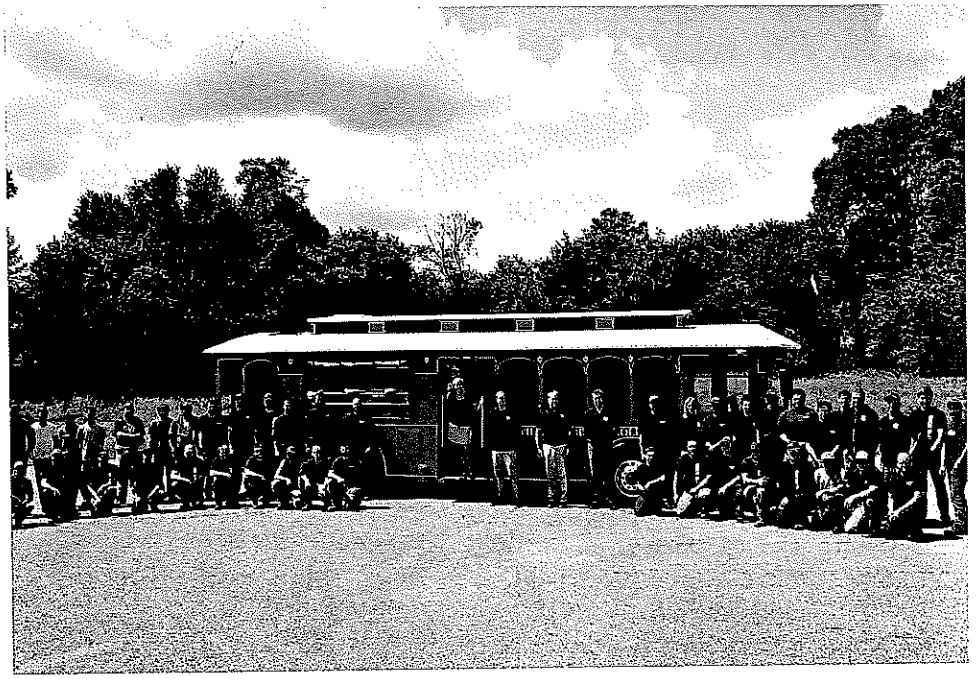
Since she knew her company could not compete with the bus manufacturer on volume, Pence-Dunow knew she would have to out-innovate them. She rebuilt the business from the ground up. She cut ties with her Florida distributor and created her own network of dealerships. She rebranded the company as Hometown Trolley.

These changes came at a cost. Pence-Dunow had to lay off all her employees. She racked up debt. "I went six months with no work," she says. But she was able to weather the storm, thanks to assistance from the U.S. Small Business Administration.

About the time she was rebuilding and rebranding her company, Pence-Dunow

“I can’t believe how much we’ve grown.”

Kristina Pence-Dunow,
Hometown Trolley president and CEO



met Chuck Brys of the Small Business Development Center at the University of Wisconsin–Green Bay. Brys connected her to a local bank with an in-house SBA specialist, who guided her through getting an SBA-guaranteed loan to help cover her debt.

Brys also helped Pence-Dunow develop a business plan and put together three-year projections for Hometown Trolley's growth. He encouraged her to be aggressive with those projections. To Pence-Dunow's surprise, her company did not just meet those projections—they exceeded them.

Slowly, Hometown Trolley's emphasis on innovation began to take hold. The company developed a handicap-accessible, low-floor trolley. The city of Virginia Beach, Virginia, ordered 15. The big bus manufacturer didn't have a comparable model.

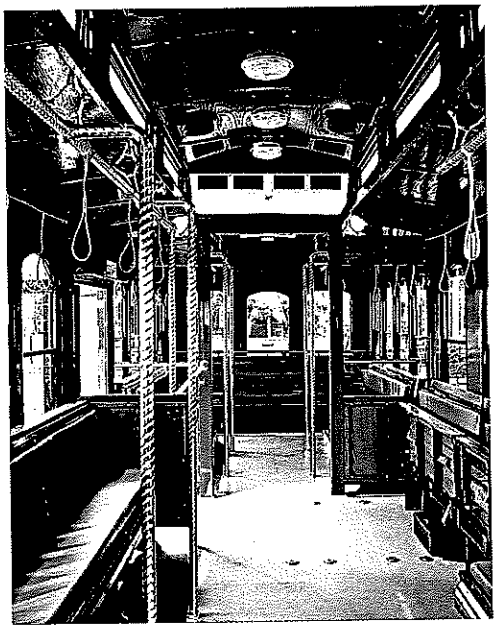
Pence-Dunow began landing similar contracts around the country, slowly taking a lead in the trolley market. Then, in 2016, she was able to purchase the bus company's trolley division.

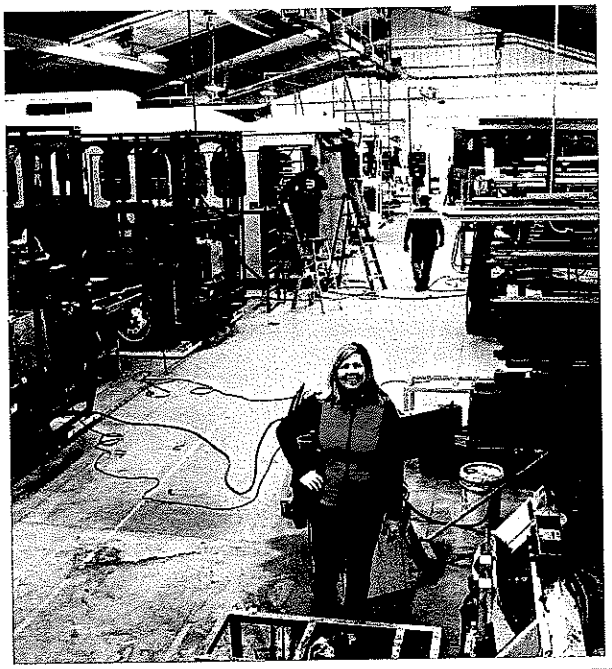
"I just kept sending the CEO an email," Pence-Dunow says. It took a year and a half but, finally, the company agreed to sell. As luck would have it, the company wanted out of the trolley business so it could focus on its commercial truck line.

It was a big expenditure for a small company, but Pence-Dunow knew from experience how to make it work. She took out another SBA-guaranteed loan.

Picking up speed

Hometown Trolleys can now be found everywhere from Roanoke, Virginia, to Miami, Florida, and Laguna Beach,





CLOCKWISE FROM TOP

During the company's rebuilding period, Kristina Pence-Dunow had to lay off all her employees. Hometown Trolley now has more than 50 full-time employees and plans to add more soon.

Pence-Dunow poses with husband Joey, left, and SBDC President C.E. "Tee" Rowe after a ceremony in Washington, D.C., where she was named Wisconsin Small Business Person of the Year 2017.

Hometown Trolley's factory floor has expanded from 6,000 to 32,000 square feet—and the company is in the process of expanding again.

Pence-Dunow says riders enjoy trolleys for their old-timey craftsmanship.

California. The vehicles are also found on the campuses of universities, theme parks, and retirement villages. "It's an iconic American form of transportation," Pence-Denow says. "A trolley is an experience. People will let a city bus go by and wait for a trolley."

The company is still innovating. Pence-Dunow hopes to expand her line of electric and liquefied petroleum gas-powered trolleys. Hometown Trolleys also has designed bus bodies for its existing chassis and drivetrains. It's a way of tapping a small but profitable market. Small municipalities often wait years for buses from large manufacturers, since major cities snatch up most of the supply. Hometown Trolley can fill those small orders in much less time.

By 2020, Hometown Trolleys plans to be making more than 200 buses and trolleys a year—far more than the dozen or so it was making when Pence-Dunow took over. "I can't believe how much we've grown," she says.

In the past four years alone, the company has gone from $2 million in gross sales to $15 million. It moved from a 6,000-square-foot shop to a 32,000-square-foot factory, which is now being expanded. And, best of all, the company has grown its workforce from a dozen people to 54 full-time employees and a few part-timers, with plans to add six more employees soon.

And it's still a family business. Pence-Dunow's daughter Jessica does marketing and graphic design for the company. Her son Dustin helps run the production floor.

Without help from the SBA, "I would have never stepped out and known what to do," Pence-Dunow says. "All of that, it was great learning experience that I still use today. I'm doing a lot more on my own, because I have more resources, but I can refer back to that."

But she says the most important resource was the moral support. "Someone saying, 'You can do this.'"

SBA Resource Partners

To help your business flourish, the SBA's Resource Partners are here to help guide you through every phase of the business cycle. They provide counseling and training, for free or low cost, nationwide. These independent organizations, funded through SBA cooperative agreements or grants, extend our reach.

There are more than

300 SCORE chapters

980 Small Business Development Centers

100 Women's Business Centers

20 Veterans Business Outreach Centers

SCORE

Join the ranks of other business owners who have experienced higher revenues and increased growth thanks to mentoring they received from SCORE. The nation's largest network of volunteer business mentors harnesses the passion and knowledge of real-world business executives to provide invaluable mentorship. SCORE mentors are available as often as you need, in person, via email or over video chat. Visit **sba.gov/score** to start working on your business goals.

SMALL BUSINESS DEVELOPMENT CENTERS

Small Business Development Center counselors can help entrepreneurs realize their dream of business ownership. SBDC counselors help your business remain competitive in an ever-changing global economy. You have access to free one-on-one counseling and low-cost training. Some of the counseling and training topics available: marketing, regulatory compliance, technology development and international trade. Find your local Small Business Development Center at **sba.gov/sbdc**.

WOMEN'S BUSINESS CENTERS

Women interested in starting their small businesses can tap into a national network of community-based Women's Business Centers. The centers offer training and counseling to those looking to make their entrepreneurial mark. If you're interested in starting or expanding your business, your local Women's Business Center is a good place to start. Each center tailors services to its community, offering a variety of programs in finance, management and marketing. For your nearest Women's Business Center, visit **sba.gov/women**.

VETERANS BUSINESS OUTREACH CENTERS

Veteran entrepreneurs or small business owners can receive business training, counseling and mentoring, and referrals to other SBA Resource Partners at a Veterans Business Outreach Center, **sba.gov/vboc**. This is also the place to receive procurement guidance, which can help your business better compete for government contracts.

Our Local SBA Resource Partners

The SBA's Resource Partners are independent organizations, funded through SBA cooperative agreements or grants, extending our reach to small business owners and entrepreneurs.

Arthur and Sandra Johnson, owners of 21 Short Stop in Georgia, received assistance from their local Small Business Development Center and SCORE chapter.

SCORE

Visit **sba.gov/score** to start working on your business goals.

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26 Federal Plaza, room 3100
New York, NY 10278
(212) 264-4507
info@scorenyc.org
newyorkcity.score.org
Monday-Thursday 9 a.m.-4 p.m.
Friday 10 a.m.-2 p.m.

New York Public Library (SIBL) Branch

188 Madison Ave., at 34th Street
New York, NY 10016
(212) 592-7033
Tuesday-Thursday 10 a.m.-7:40 p.m.
Friday, Saturday 10 a.m.-2 p.m.

Brooklyn Central Library Branch

10 Grand Army Plaza
Brooklyn, NY 11238
(718) 623-7000 x3
Monday, Wednesday 10 a.m.-2 p.m.
Tuesday 5-8:30 p.m.

Brooklyn Borough Hall
209 Joralemon St.
Brooklyn, NY 11201
(212) 264-4507
by appointment
Monday, Tuesday, Thursday
10 a.m.-2 p.m.
Wednesday 5-8:30 p.m.

Bronx office
851 Grand Concourse,
room. 123
Bronx, NY 10451
(718) 590-6252
Thursday 9:30 a.m.-4:30 p.m.
by appointment

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by appointment

Poughkeepsie Galleria Community Room
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Poughkeepsie, NY 12601
(845) 454-1700 x1021
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and 1 p.m.-4 p.m.

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liscore@gmail.com
longisland.score.org
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Bay Shore Brightwaters Library
1 S. County Road
Brightwaters, NY 11718
(631) 665-4350
Thursday 10 a.m.-1 p.m. by
appointment

Brookhaven Town Economic Development
1 Independence Hill
Farmingville, NY 11738
(631) 451-6563
Tuesday 10 a.m-1 p.m. by
appointment

Half Hollow Hills Library
55 Vanderbilt Parkway
Dix Hills, NY 11746
(631) 451- 4530
Tuesday 4:30-7:30 p.m. by
appointment

Elmont Public Library
700 Hempstead Turnpike
Elmont NY, 11003
(631) 728-6241
Wednesday 1-4 p.m. and 5-8
p.m. by appointment

Champion Office
1225 Franklin Ave., suite 325
Garden City, NY 11530
(516) 512- 8978
Tuesday 10 a.m.-2 p.m.

Hampton Bays Library
52 Ponquogue Ave.
Hampton Bays, NY 11946
(631) 728-6241
Tuesday 4-7 p.m.by
appointment

Hempstead/Long Beach WDB Department of Occupational Resources
50 Clinton St., fourth floor
Hempstead, NY 11550
(516) 585-500 x1102
Monday, Wednesday-Friday
10 a.m.–2 p.m.

Huntington Public Library
338 Main St
Huntington, NY 11743
(631) 454-0771
Thursday 4-7 p.m. by
appointment

Kings Park Smithtown Library
1 Church St.
Kings Park, NY 11754
(631) 269-9191
Thursday 10 a.m.-2 p.m.

Long Beach Branch
780 Long Beach Blvd.
Long Beach, NY 11561
(516) 766-5624
Thursday by appointment

Riverhead Free Library
330 Court St.
Riverhead, NY 11901
(631) 727-3228 x131
Friday 10 a.m.-2 p.m. by
appointment

Mastic-Moriches-Shirley Community Library
407 William Floyd Parkway
Shirley, NY 11967
(631) 728-6241
Monday 3-6 p.m. by
appointment

Shoreham
North Shore Public Library
250 Route 25A
Shoreham, NY 11786
(631) 929-4488 x225
Wednesday 6-9 p.m. by
appointment

Southampton Rogers
Memorial Library
91 Coopers Farm Road
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(631) 283-0774 x505
Friday 10 a.m.-2 p.m. by
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Queens College Techincubator
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Wednesday 2-5 p.m. by
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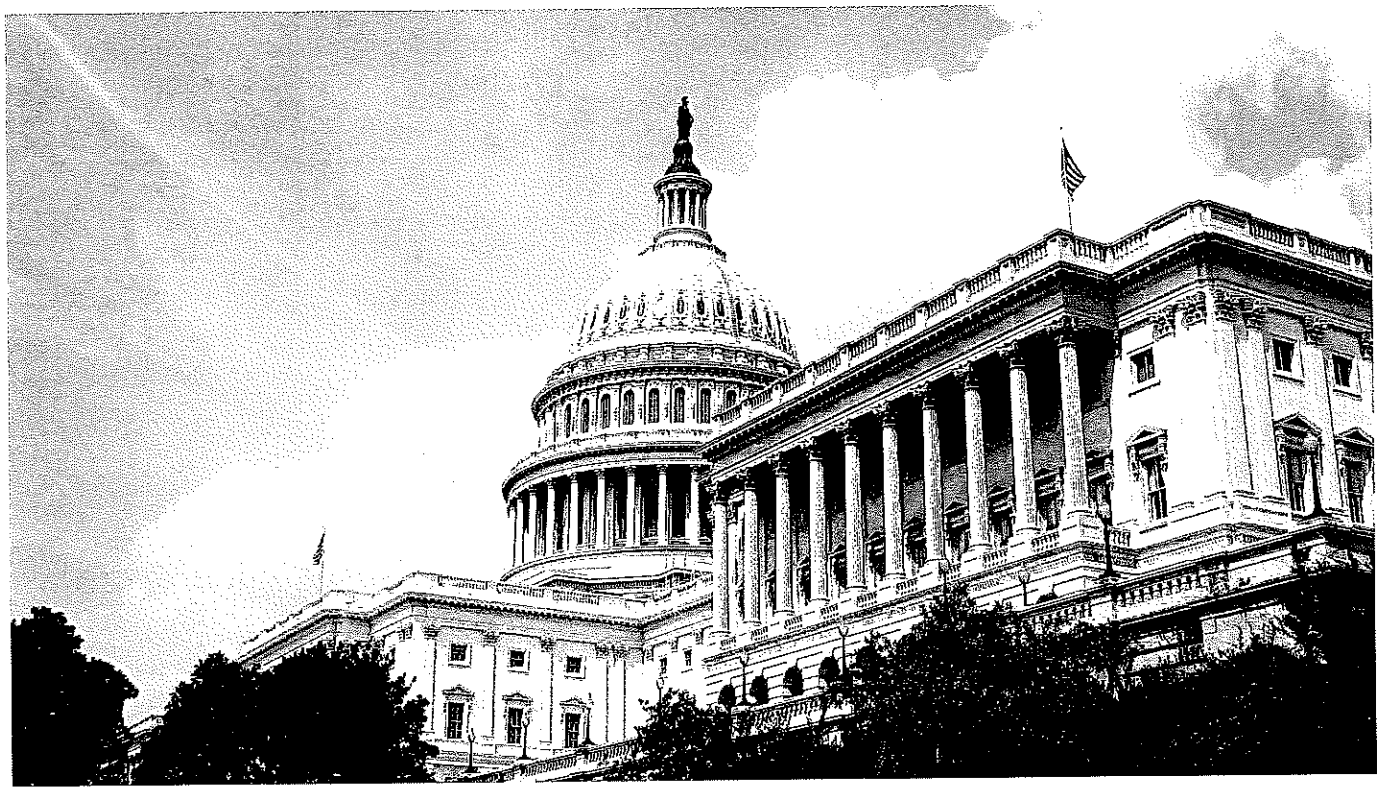


Your Advocates

The SBA's offices of advocacy and ombudsman are independent voices for small business within the federal government.

To report how a proposed federal regulation could unfairly affect you, find your regional SBA advocate at **sba.gov/advocacy.**

To submit a comment about how your business has been hurt by an existing regulation, visit sba.gov/ombudsman/comments.

Advocacy

When you need a voice within the federal government for your interests as a small business owner, the SBA's regional advocates are here to assist. The advocates analyze the effects of proposed regulations and consider alternatives that minimize the economic burden on small businesses, governmental jurisdictions and nonprofits. Find your regional advocate at **sba.gov/advocacy.**

Your advocate helps with these small business issues:

» If your business could be negatively affected by regulations proposed by the government

» If you have contracting issues with a federal agency

» When you need economic and small business statistics

The SBA's Office of Advocacy also independently represents small business and advances its concerns before Congress, the White House, federal agencies, the federal courts and state policy makers.

Ombudsman

Entrepreneurs who have an issue with an existing federal regulation or policy can receive assistance from the SBA's national ombudsman.

The ombudsman's office helps you:

» Resolve regulatory disputes with federal agencies

» Reduce unfair penalties and fines

» Seek remedies when rules are inconsistently applied

» Recover payment for services done by government contractors

Make your voice heard by participating in a Regional Regulatory Enforcement Fairness Roundtable or a public hearing hosted by the SBA's national ombudsman. These events are posted periodically on the ombudsman website.

To submit a comment or compliant through the online form, visit **sba.gov/ombudsman/comments**. Your concerns will be directed to the appropriate federal agency for review. The SBA will collaborate with you and the agency to help resolve the issue.

How to Start a Business in the New York City Area

Thinking of starting a business? Here are the nuts and bolts.

The Start-Up Logistics

Even if you're running a home-based business, you will have to comply with many local, state, and federal regulations. Do not ignore regulatory details. You may avoid some red tape in the beginning, but your lack of compliance could become an obstacle as your business grows. Taking the time to research the applicable regulations is as important as knowing your market. Carefully investigate the laws affecting your industry. Being out of compliance could leave you unprotected legally, lead to expensive penalties, and jeopardize your business.

Business License & Zoning

Licenses are typically administered by a variety of state and local departments.

It is important to consider zoning regulations when choosing a site for your business. Contact the local business license office where you plan to locate your business. You may not be permitted to conduct business out of your home or engage in industrial activity in a retail district.

» **New York State Business Information Center**
99 Washington Ave., Albany
(518) 485-5000, businessexpress.ny.gov

Name Registration

Register your business name with the county clerk where your business is located. If you're a corporation, also register with the state.

» **New York Division of Corporations**
(518) 473-2492

Del Ferguson, owner of Hunter Cattle, is a family-owned farm in Brooklet, Georgia, and was assisted by his local Small Business Development Center.

Taxes

Any business with employees must register with the IRS and acquire an Employer Identification Number, also known as the Federal Tax ID Number, and pay federal withholding tax at least quarterly. The IRS Small Business/Self-Employed Tax Center: **irs.gov/businesses**. Here you can find the online tax calendar, forms and publication, and online learning.

» **State Taxes**
(518) 474-2121

E-Verify: Employment Eligibility Verification

The Federal Immigration Reform and Control Act of 1986 requires employers to verify employment eligibility of new employees. The law obligates an employer to process Employment Eligibility Verification Form I-9. The U.S. Citizenship and Immigration Services Office of Business Liaison offers a selection of information bulletins and live assistance through the Employer Hotline. For forms call (800) 870-3676, for the employer hotline call (800) 357-2099.

E-Verify is operated by the Department of Homeland Security in partnership with the Social Security Administration. It's the quickest way for employers to determine the employment eligibility of new hires. It is a secure system that electronically verifies the Social Security number and employment eligibility information reported on Form I-9. Visit **dhs.gov/e-verify** or call (888) 464-4218 or e-mail e-verify@dhs.gov.

Departments of Labor

Promotes and develops the welfare of the wage earners, job seekers, and retirees of the United States; improving working conditions; advancing opportunities for profitable employment; assuring work-related benefits and rights.

» **Division of Labor Standards**
State Campus, building 12, Albany
(518) 457-9000

Health & Safety

All businesses with employees are required to comply with state and federal regulations regarding the protection of employees. The Occupational Safety and Health Administration provides information on the specific health and safety standards used by the U.S. Department of Labor, (800) 321-6742 or visit **osha.gov**.

» **New York State Department of Health**
Corning Tower, Empire State Plaza, Albany
(866) 881-2809
dohweb@health.ny.gov

Jusak Bernhard and Jeff Manley, owners of TailsSpin, grew their business in Savannah, Georgia, with the help of an SBA microloan.

Disability Compliance

For assistance with the Americans with Disabilities Act call (800) 669-3362 or visit **ada.gov**.

Child Support Enforcement

Employers play an important role in the enforcement process whenever employees are required to pay child support. As valuable, essential partners with the program, employers account for about 75 percent of child and medical support collections enforced through payroll deductions. "A Guide to an Employer's Role in the Child Support Program" for employers and income withholders is available at **acf.hhs.gov/programs/css/resource/a-guide-to-an-employers-role-in-the-child-support-program**. Email questions to employerservices@acf.hhs.gov.

For New York local offices, visit **childsupport.ny.gov/DCSE/LocalOffices_input.action** or call (888) 208-4485.

Patents & Trademarks

A patent is the grant of a property right to the inventor by the U.S. Patent and Trademark Office, (800) 786-9199, or visit **uspto.gov**. It provides the owner with the right to exclude others from making, using, offering for sale or selling the patented item in the United States.

Trademarks or service marks are words, phrases, symbols, designs or combinations that identify and distinguish the source of goods. Trademarks may be registered at both the state and federal level. Trademarks and service marks may be registered in a state, but federally registered trademarks may conflict with and supersede state registered business and product names.

» **New York Division of Corporations**
(518) 473-2492

Copyrights

Copyrights protect original works of authorship including literary, dramatic, musical and artistic, and certain other intellectual works. Copyrights do not protect facts, ideas and systems, although it may protect the way these things are expressed. Contact the U.S. Copyright Office at (202) 707-3000 or toll free (877) 476-0778, **copyright.gov**.

Chambers of Commerce, Business Associations & Councils

Brooklyn
(718) 875-1000

Dutchess County Region
(845) 454-1700

Hudson Valley Gateway
(914) 737-3600

New Paltz Region
(845) 255-0243

Orange County
(845) 457-9700

Putnam County
(845) 228-8595

Queens
(718) 898-8500

Rockland
(845) 735-2100

Staten Island
(718) 727-1900

Westchester
(914) 948-2110

Ulster County Region
(845) 338-5100

Babylon Village
(631) 376-0009

Bronxville
(914) 337-6040

East Quogue
info@eqny.com

East Northport
(631) 261-3573

East Hampton
(631) 324-0362

Great Neck
(516) 487-2000

Manhattan
(212) 472-7875

Long Island
(631) 493-3000

Montauk
(631) 668-2428

Greater New Hyde Park
(888) 400-0311

Greater New York City
(212) 242-6237

Queens
(718) 898-8500

Greater Ossining
(914) 941-0009

Red Hook Area
(845) 758-0824

Rockland
(845) 735-2100

Sleepy Hollow Tarrytown
(914) 631-1705

Southampton
(631) 283-0402

Syosset Woodbury
(516) 307-1330

Yonkers
(914) 963-0332

Yorktown
(914) 245-4599

10 STEPS to Start Your Business

Starting a business involves planning, making key financial decisions, and completing a series of legal requirements.

1 Conduct market research.
Market research will tell you if there's an opportunity to turn your idea into a successful business. It's a way to gather information about potential customers and businesses already operating in your area. Use that information to find a competitive advantage for your business.

2 Write your business plan.
Your business plan is the foundation of your business. It's a roadmap for how to structure, run, and grow your new business. You'll use it to convince people that working with you— or investing in your company—is a smart choice.

3 Fund your business.
Your business plan will help you figure out how much money you'll need to start your business. If you don't have that amount on hand, you'll need to either raise or borrow the capital. Fortunately, there are more ways than ever to find the capital you need.

4 Pick your business location.
Your business location is one of the most important decisions you'll make. Whether you're setting up a brick- and mortar business or launching an online store, the choices you make could affect your taxes, legal requirements, and revenue.

5 Choose a business structure.
The legal structure you choose for your business will impact your business registration requirements, how much you pay in taxes, and your personal liability.

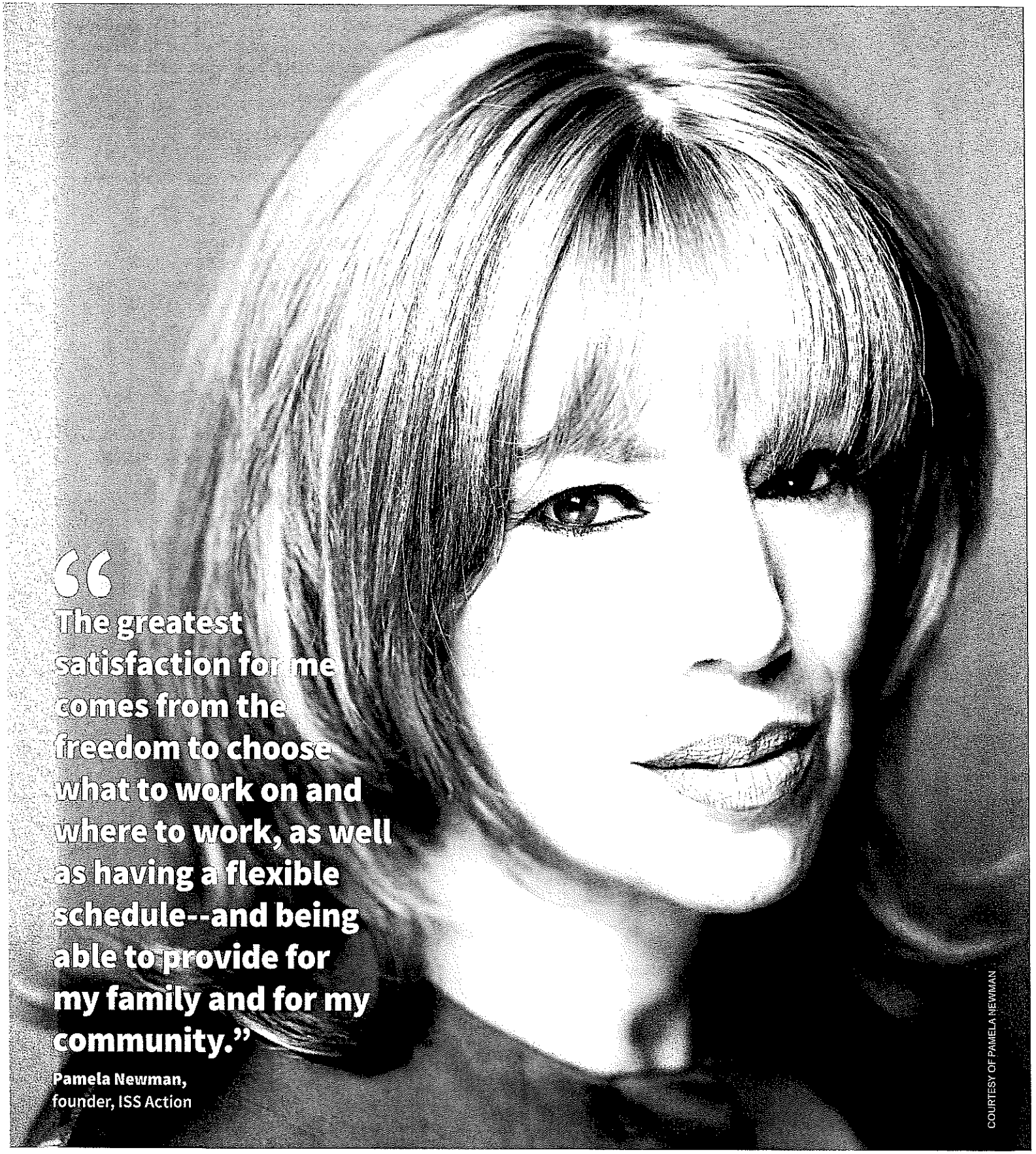
6 Choose your business name.
It's not easy to pick the perfect name. You'll want one that reflects your brand and captures your spirit. You'll also want to make sure your business name isn't already being used by someone else.

7 Register your business.
Once you've picked the perfect business name, it's time to make it legal and protect your brand. If you're doing business under a name different than your own, you'll need to register with the federal government, and maybe your state government, too.

8 Get federal and state tax IDs.
You'll use your Employer Identification Number (EIN) for important steps to start and grow your business, like opening a bank account and paying taxes. It's like a social security number for your business. Some—but not all—states require you to get a tax ID as well.

9 Apply for licenses and permits.
Keep your business running smoothly by staying legally compliant. The licenses and permits you need for your business will vary by industry, state, location, and other factors.

10 Open a business bank account.
A small business checking account can help you handle legal, tax, and day-to-day issues. The good news is it's easy to set one up if you have the right registrations and paperwork ready.



"The greatest satisfaction for me comes from the freedom to choose what to work on and where to work, as well as having a flexible schedule--and being able to provide for my family and for my community."

Pamela Newman,
founder, ISS Action

COURTESY OF PAMELA NEWMAN

Pamela Newman

ISS ACTION
Queens, New York

Pamela Newman started her company, ISS Action, in 1991. The New York City-based firm provides badge and ID services, armed and unarmed guards, emergency response plans, risk management, and mobile patrols. Its clients include NASA, the Port Authority of New York and New Jersey, the Department of Homeland Security, the City of New York, and New York State. Pamela is 8(a) certified an Emerging Leaders graduate, and she has leveraged $5.45 million in SBA financing to grow the company. Since 2013, ISS Action has increased its workforce by 150 percent, from 101 to 255 employees. Meanwhile, company revenue has grown annually from $10 million to $14 million. ISS Action stands out in the male-dominated security industry because the company's executive team is comprised mainly of women. ISS Action fulfills contracts in Alabama, Florida, Maryland, Mississippi, New Jersey, New York, and Virginia. Pamela shares some of the company's profits with eligible employees by contributing to their retirement accounts. In 2016, she also gave $80,000 to charitable causes in New York State.

- **How has the SBA helped you grow your business?** My SBA district office has provided me with valuable information. The 8(a) certification was a terrific vehicle for new business for the nine years of the program. I benefited from the Emerging Leaders class, achieving a business school education from the SBA. It has proven to be extremely worthwhile and actually helped me guide my company from a holding pattern to take-off mode. Additionally, the SBA assisted me with the 504 program in partnership with NYBDC. This enabled us to buy a commercial building one mile from John F. Kennedy International Airport in Queens where our executive offices are headquartered, along with our security training facility. Finally, our local PTAC Center at LaGuardia Community College offered terrific assistance on the GSA schedule.

- **What are the biggest challenges you face as a small business owner?** There are a few major challenges. The first and foremost is always cash flow. Since we are in the armed security business, along with set expenses like uniforms, weapons, and insurance, we have the ongoing biweekly payroll expense. No matter what, payroll is made every other Thursday. Over the years I have had to borrow against my home, get loans, and forgo pay for myself and my family to be sure that our employees were paid on time. Other challenges include making time for family and friends, because there are many times when the business can become all-consuming.

- **What advice do you have for other small businesses?** Be passionate about your business and love what you do. Be aware at all times that any conversation or meeting can be a potential business opportunity. Get into federal government contracting. Go to PTAC centers and meet with your SBA business representative.

- **What are your future plans for expansion, if any?** We are planning on buying an additional building to build a sophisticated training center and have the ability to train all security professionals in the metropolitan New York area.

- **What do you find are the satisfactions of small business ownership?** The greatest satisfaction for me comes from the freedom to choose what to work on and where to work, as well as having a flexible schedule—and being able to provide for my family and for my community.

Write your Business Plan

Your business plan is the foundation of your business. Learn how to write a business plan quickly and efficiently with a business plan template.

Business plans help you run your business

A good business plan guides you through each stage of starting and managing your business. You'll use your business plan as a roadmap for how to structure, run, and grow your new business. It's a way to think through the key elements of your business.

Business plans can help you get funding or bring on new business partners. Investors want to feel confident they'll see a return on their investment. Your business plan is the tool you'll use to convince people that working with you—or investing in your company—is a smart choice.

Pick a business plan format that works for you

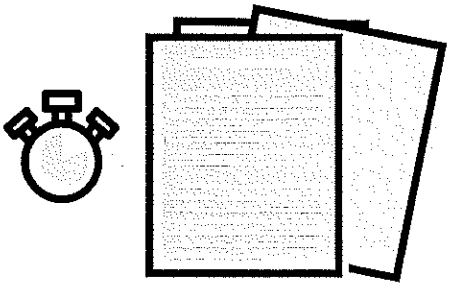
» There's no right or wrong way to write a business plan. What's important is that your plan meets your needs.

» Most business plans fall into one of two common categories: traditional or lean startup.

» **Traditional business plans** are more common, use a standard structure, and encourage you to go into detail in each section. They tend to require more work upfront and can be dozens of pages long.

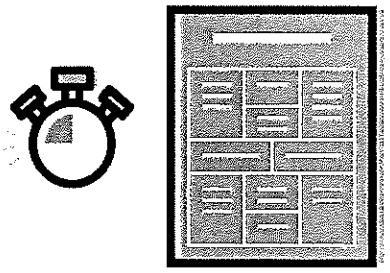
» **Lean startup business plans** are less common but still use a standard structure. They focus on summarizing only the most important points of the key elements of your plan. They can take as little as one hour to make and are typically only one page.

Which business plan format is right for you?



Traditional Business Plan

- This type of plan is very detailed, takes more time to write, and is comprehensive.
- Lenders and investors commonly request this plan.



Lean Startup Plan

- This type of plan is high-level focus, fast to write, and contains key elements only.
- Some lenders and investors may ask for more information.

TRADITIONAL BUSINESS PLAN FORMAT

You might prefer a traditional business plan format if you're very detail oriented, want a comprehensive plan, or plan to request financing from traditional sources.

When you write your business plan, you don't have to stick to the exact business plan outline. Instead, use the sections that make the most sense for your business and your needs. Traditional business plans use some combination of these nine sections.

Executive Summary

Briefly tell your reader what your company is and why it will be successful. Include your mission statement, your product or service, and basic information about your company's leadership team, employees, and location. You should also include financial information and high-level growth plans if you plan to ask for financing.

Company Description

Use your company description to provide detailed information about your company. Go into detail about the problems your business solves. Be specific, and list out the consumers, organization, or businesses your company plans to serve.

Explain the competitive advantages that will make your business a success. Are there experts on your team? Have you found the perfect location for your store? Your company description is the place to boast about your strengths.

Market Analysis

You'll need a good understanding of your industry outlook and target market. Competitive research will show you what other businesses are doing and what their strengths are. In your market research, look for trends and themes. What do successful competitors do? Why does it work? Can you do it better? Now's the time to answer these questions.

Organization and Management

Tell your reader how your company will be structured and who will run it.

Describe the legal structure of your business. State whether you have or intend to incorporate your business as a C or an S corporation, form a general or limited partnership, or if you're a sole proprietor or LLC.

Use an organizational chart to lay out who's in charge of what in your company. Show how each person's unique experience will contribute to the success of your venture. Consider including resumes or CVs of key members of your team.

Service or Product Line

Describe what you sell or what service you offer. Explain how it benefits your customers and what the product lifecycle looks like. Share your plans for intellectual property, like copyright or patent filings. If you're doing research and development for your service or product, explain it in detail.

Marketing and Sales

There's no single way to approach a marketing strategy. Your strategy should evolve and change to fit your unique needs.

Your goal in this section is to describe how you'll attract and retain customers. You'll also describe how a sale will actually happen. You'll refer to this section later when you make financial projections, so make sure to thoroughly describe your complete marketing and sales strategies.

Funding Request

If you're asking for funding, this is where you'll outline your funding requirements. Your goal is to clearly explain how much funding you'll need over the next five years and what you'll use it for.

Specify whether you want debt or equity, the terms you'd like applied, and the length of time your request will cover. Give a detailed description of how you'll use your funds. Specify if you need funds to buy equipment or materials, pay salaries, or cover specific bills until revenue increases. Always include a description of your future strategic financial plans, like paying off debt or selling your business.

Financial Projections

Supplement your funding request with financial projections. Your goal is to convince the reader that your business is stable and will be a financial success.

If your business is already established, include income statements, balance sheets, and cash flow statements for the last three to five years. If you have other collateral you could put against a loan, make sure to list it now.

Provide a prospective financial outlook for the next five years. Include forecasted income statements, balance sheets, cash flow statements, and capital expenditure budgets. For the first year, be even more specific and use quarterly—or even monthly—projections. Make sure to clearly explain your projections, and match them to your funding requests.

This is a great place to use graphs and charts to tell the financial story of your business.

Appendix

Use your appendix to provide supporting documents or other materials that were specially requested. Common items to include are credit histories, resumes, product pictures, letters of reference, licenses, permits, patents, legal documents, and other contracts.

TRADITIONAL BUSINESS PLAN CHECKLIST

- ☐ **Executive summary**
- ☐ **Company description**
- ☐ **Market analysis**
- ☐ **Organization and management**
- ☐ **Service or product line**
- ☐ **Marketing and sales**
- ☐ **Funding request**
- ☐ **Financial projections**
- ☐ **Appendix**

LEAN STARTUP PLAN FORMAT

You might prefer a lean startup format if you want to explain or start your business quickly, your business is relatively simple, or you plan to regularly change and refine your business plan.

Lean startup formats are charts that use only a handful of elements to describe your company's value proposition, infrastructure, customers, and finances. They're useful for visualizing tradeoffs and fundamental facts about your company.

There are many versions of lean startup templates, but one of the oldest and most well known is the Business Model Canvas, developed by Alex Osterwalder. You can search the web to find free templates of the Business Model Canvas, or other versions, to build your business plan.

We'll discuss the nine components of the Business Model Canvas version here.

Key Partnerships
Note the other businesses or services you'll work with to run your business. Think about suppliers, manufacturers, subcontractors and similar strategic partners.

Key Activities
List the ways your business will gain a competitive advantage. Highlight things like selling direct to consumers or using technology to tap into the sharing economy.

Key Resources
List any resource you'll leverage to create value for your customer. Your most important assets could include staff, capital, or intellectual property. Don't forget to leverage business resources that might be available to women, veterans, Native Americans, and HUBZone–certified businesses.

Value Proposition
Make a clear and compelling statement about the unique value your company brings to the market.

Customer Relationships
Describe how customers will interact with your business. Is it automated or personal? In person or online? Think through the customer experience from start to finish.

Customer Segments
Be specific when you name your target market. Your business won't be for everybody, so it's important to have a clear sense of who your business will serve.

Channels
List the most important ways you'll talk to your customers. Most businesses use a mix of channels and optimize them over time.

Cost Structure
Will your company focus on reducing cost or maximizing value? Define your strategy, then list the most significant costs you'll face pursuing it.

Revenue Streams
Explain how your company will actually make money. Some examples are direct sales, memberships fees, and selling advertising space. If your company has multiple revenue streams, list them all.

Want to see an example of a business plan?

View examples of both business plan formats at **sba.gov/business-guide/plan/write-your-business-plan-template**

LEAN STARTUP PLAN CHECKLIST

- ☐ **Key partnerships**
- ☐ **Key activities**
- ☐ **Key resources**
- ☐ **Value proposition**
- ☐ **Customer relationships**
- ☐ **Customer segments**
- ☐ **Channels**
- ☐ **Cost structure**
- ☐ **Revenue streams**

> "If you *fail* to plan, you are *planning* to fail."
>
> **Benjamin Franklin**

Jack Goodison, a veteran, grew his business in Rhode Island, J. Goodison Co., with the help of an SBA-guaranteed 504 loan.

Interested in doing business with the government?

Learn about the Service-Disabled Veteran-Owned Small Business Concern contracting program on page 45.

Programs for Veterans

If you are a veteran or a service-disabled veteran, there are many opportunities for you and your small business.

Entrepreneurship training is available through the SBA's programs for veterans, **sba.gov/veterans**. This includes active duty service members, those transitioning out of service, National Guard and Reserve members, and military spouses in the United States and at military installations around the world. Connect to other entrepreneurs and your local network of SBA Resource Partners through these services and programs. Veterans Business Outreach Centers, **sba.gov/vboc**, provide business training and counseling to those interested in starting or growing a small business.

Entrepreneurship Training Programs

Boots to Business is an entrepreneurial training program offered by the SBA as a training track within the Department of Defense's Transition Assistance Program. The curriculum provides valuable assistance to those transitioning out of service and their spouses. You explore business ownership and other self-employment opportunities while learning key business concepts. Participants learn how to access start-up capital using SBA resources. This program provides the foundational knowledge required to develop a business plan.

Boots to Business: Reboot delivers the Boots to Business curriculum to veterans of all eras, members of the National Guard and Reserve, and military spouses in their local communities.

Veteran-owned and service-disabled veteran-owned businesses nationwide interested in federal contracting can receive entrepreneurship guidance from the Veteran Federal Procurement Entrepreneurship Training Program. This program is administered by the Veteran Institute for Procurement, which has three training programs to assist veterans, **VIP START**, **VIP GROW,** and **VIP INTERNATIONAL**.

The **Women Veteran Entrepreneurship Training Program** serves women who are veterans, service members, and spouses of service members and veterans as they start or grow their business.

Loan Fee Relief

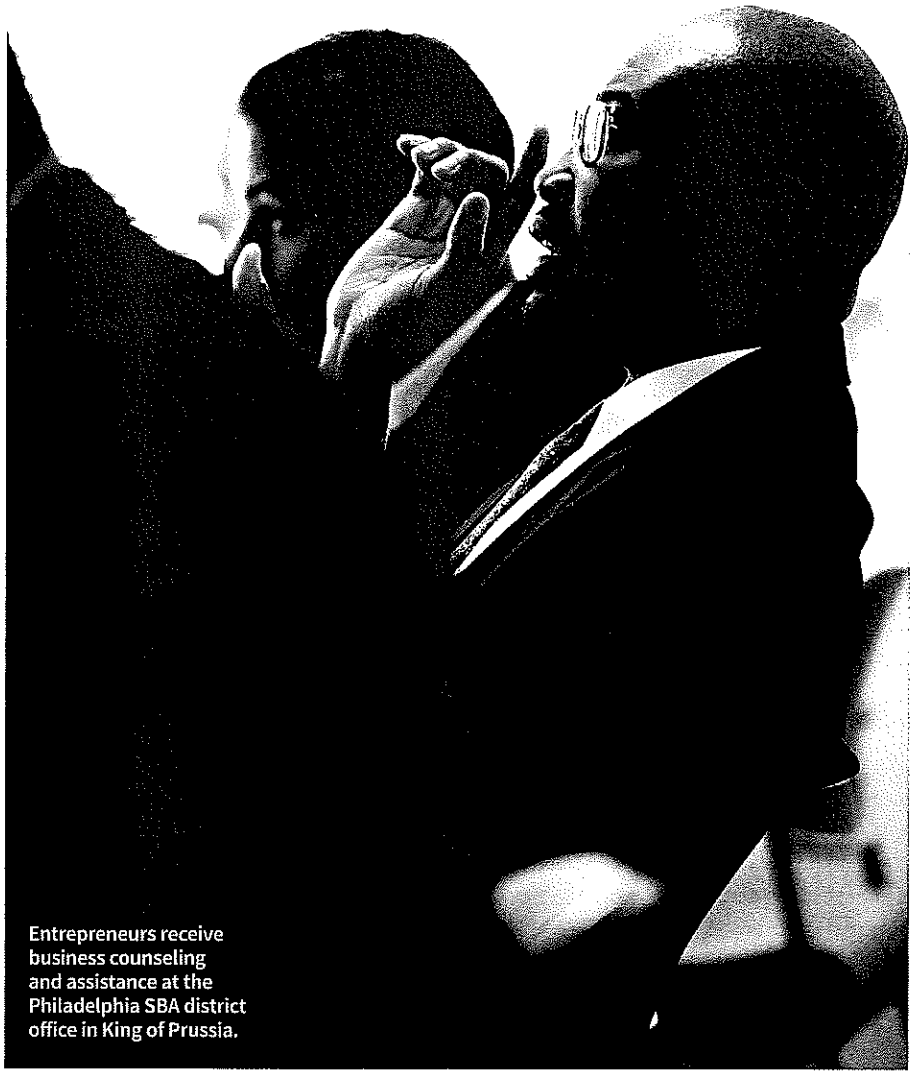
To encourage lending to veterans who want to start or grow their businesses, the SBA reduces upfront guarantee fees on select loans. That means the cost savings will be passed down to you, the eligible veteran. To learn about this loan fee relief, contact your local SBA district office or ask your SBA Lender about the **Veterans Advantage program**.

Have an employee who was called to active duty?

Ask your SBA Lender about the Military Reservist Economic Injury Disaster Loan Program. It provides loans up to $2 million to small businesses for working capital caused by the loss of an essential employee called to active duty in the National Guard or Reserve.

Programs for Entrepreneurs

SBA's Emerging Leaders program helps grow businesses.



Entrepreneurs receive business counseling and assistance at the Philadelphia SBA district office in King of Prussia.

Business executives looking for their next challenge and the opportunity to take their business to the next level will find it with the SBA's **Emerging Leaders program**, **sba.gov/emergingleaders**.

Graduates of Emerging Leaders, an intense seven-month entrepreneurship program, reported that they have been able to grow their businesses and drive economic development within their communities. Emerging Leaders executives are chosen through a competitive selection process. The program fosters a learning environment that accelerates the growth of high-potential small businesses, while providing training and peer networking sessions.

Emerging Leaders graduates join a network of 5,000 alumni nationwide. Since the start of the program, graduates have reported gaining more than $300 million total in new financing and securing over $2.16 billion in government contracts.

Online Resources for Entrepreneurs

Find short courses and learning tools to start and grow your small business at the **sba.gov** Learning Center.

The SBA's free **Online Learning Center** courses help you start and grow your small business. The Learning Center is a great resource for every entrepreneur, especially rural business owners looking for easy access to vital business training. Courses available include:

- Writing your business plan
- Legal requirements for your small business
- Small business financing options
- Digital and traditional marketing to win customers
- Your options during a disaster

Access the SBA's Learning Center at **sba.gov/learning**.

Aspiring entrepreneurs can learn how to launch a business with the **Business Smart Toolkit**. This online workshop lays the groundwork, teaching you how to build a business that is ready to take on credit.

The three parts of the toolkit:

- Basics of business startup
- Building business credit
- How to find additional small business support and educational resources

The toolkit can be presented as a class, like within a community organization, or for small group or individual at-home use. The toolkit and instructor guide are written so that a community volunteer can feel comfortable presenting the information. Find the free download at **sba.gov/businesssmart**.

Programs for Native Americans

The SBA helps American Indians, Alaska Natives, and Native Hawaiians start and grow their businesses.

ISTOCK.COM/LARABELOVA

American Indians, Alaska Natives, and Native Hawaiians seeking entreprenurial development training can start and grow their business with the help of these SBA-supported programs. The SBA, **sba.gov/naa**, also consults with tribal governments prior to finalizing SBA policies affecting tribes.

The Cherokee Nation
Tahlequah, Oklahoma
Receive executive coaching in financial management, sales, marketing and product management. Visit **cherokee.org/contact.aspx**.

Oregon Native American Business and Entrepreneurial Network
Portland, Oregon & Tulsa, Oklahoma
Develop your business on native lands and find peer mentoring that focuses on building native microenterprise throughout Oregon, Oklahoma, Texas and New Mexico. Visit **onaben.org**.

Rural Enterprises of Oklahoma, Inc. (REI Oklahoma)
Durant, Oklahoma
Do you need business counseling, 8(a) certification assistance and other training? The organization has two Native American business resource centers in Oklahoma. Visit **reiok.org**.

The Native American Development Corporation
North Billings, Montana
Receive counseling in government contracting through the SBA's 8(a) program and other federal and state programs. Register to attend networking events, conferences and workshops at **nadc.ecenterdirect.com/signup**.

Hi'ilei Aloha LLC
Honolulu, Hawaii
Do you have an idea and want to see if it could become a successful business? For the next entrepreneurship course for Native Hawaiians, visit **hiilei.org**.

Indian Dispute Resolution Services, Inc.
Plymouth, California
Tribal members in California, Nevada, and Oregon can receive computer accounting and business training through the microenterprise initiatives at **idrsinc.org**.

FUNDING PROGRAMS

Financing Your Small Business

A Good Risk

An SBA loan guarantee helps Hawaii entrepreneurs Garrett Marrero and Melanie Oxley hop up their brewing operation.

WRITTEN BY **Pam Kasey**

When Garrett Marrero and Melanie Oxley applied for loans to buy a brewpub in Maui in 2004, it didn't go well.

"We got laughed out of every bank in the state," Marrero likes to say.

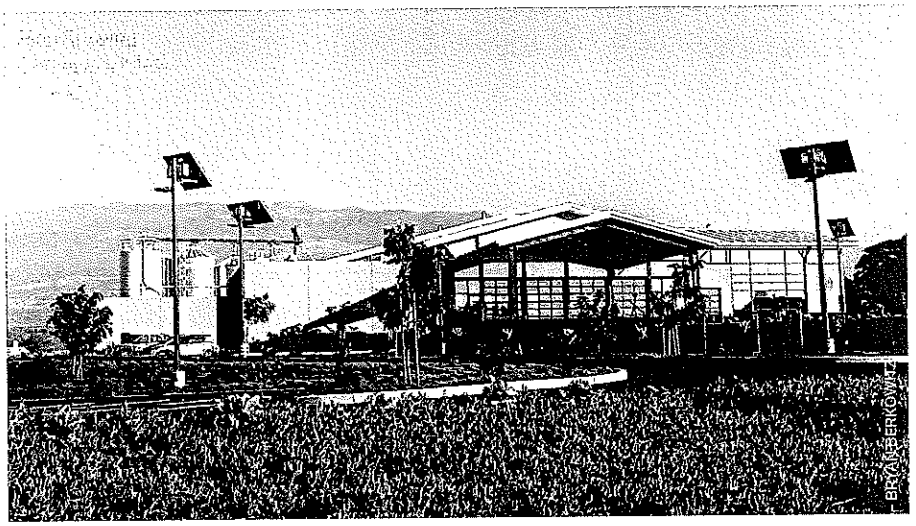
As it turns out, they would have been a good risk. Over the past 14 years, Marrero and Oxley have built an operation that employs hundreds, sells internationally, and enriches its community. They were recognized by the U.S. Small Business Administration in 2017 as National Small Business Persons of the Year.

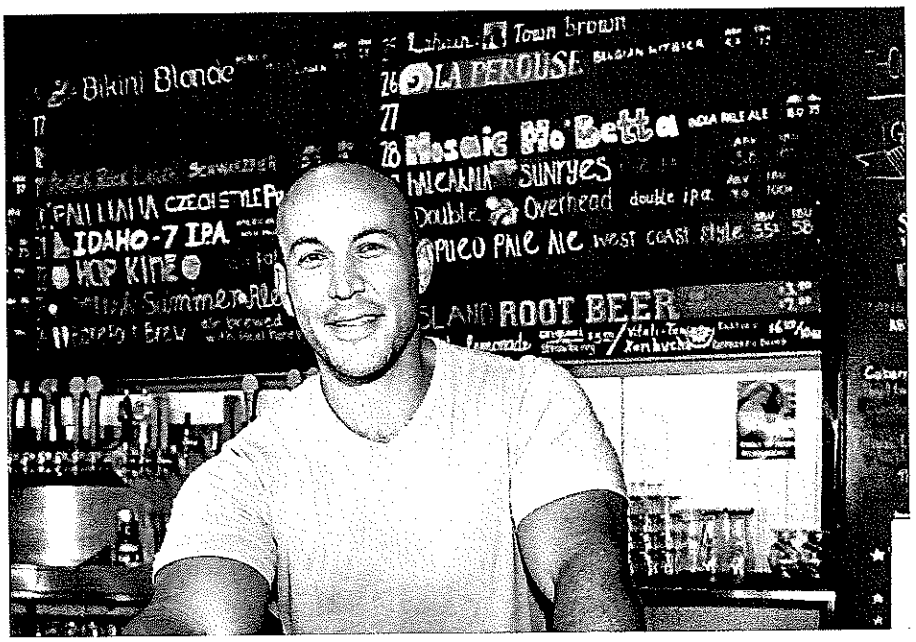
A California native, Marrero grew up in a family that appreciates craft beer. He tried homebrewing in high school and had friends who brewed. "When I traveled, experiencing the local beer was always important to me," he says. "So when I came to Hawaii, I thought the local beer was ridiculous. I knew I could put people together to make great beer."

He and Oxley were living and working in California and, in 2004, decided to move to Hawaii and brew beer. They learned that the Fish and Game Brewing Company on Maui was for sale. Since banks wouldn't finance the inexperienced entrepreneurs,

> **The way it works is, you have to have the financing through an SBA lending partner—a local bank—and then the SBA guarantees part of the loan. We would not have been approved for such a loan without the SBA."**

Garrett Marrero,
Maui Brewing co-founder and co-owner





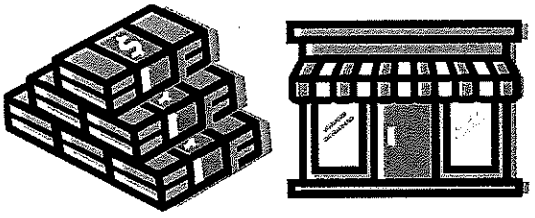
they sold and mortgaged everything they could, plundered retirement funds, and borrowed from parents and grandparents in order to buy the seven-barrel brewpub and restaurant.

"I had that typical young male can't-go-wrong kind of attitude, but I think Melanie was more nervous." Marrero recalls. "It was a little scary. But we both took it as extra motivation to succeed—we couldn't fail our family and our friends."

The couple were new to entrepreneurship, but they applied a strong work ethic and good business sense to the task. They quickly set up a 25-barrel brewhouse and, in 2007, were among the earliest small breweries to distribute in cans—a move that craft breweries have since embraced as both financially and environmentally sound. And having savvily gotten a right of first refusal on

SBA Guaranteed Loans

For small business entrepreneurs who cannot get traditional forms of credit, an SBA-guaranteed loan can fill that need. The SBA guarantees loans made by lending institutions to small businesses that would not otherwise be able to obtain financing. The lender works with applicants to determine the best option for the small business. For those who are eligible and cannot obtain conventional financing with reasonable rates and terms, the guarantee reduces a lender's risk of loss in the event of a default on the loan. The SBA guarantee is conditional on the lender following SBA program requirements. Just like with any other loan, you make your loan payments directly to your SBA Lender in accordance with your terms.



Visit your local SBA office for a lender referral, or use Lender Match, **sba.gov/lendermatch.**

The SBA's online tool connects entrepreneurs with SBA Lenders interested in making small business loans in your area.

Melanie Oxley and Garrett Marrero

adjacent units, they expanded. By 2012, they'd grown from 5,000 to 13,000 square feet. "We flat-out needed more space," Marrero says.

This time, they approached the SBA for help. "The way it works is, you have to have the financing through an SBA lending partner—a local bank—and then the SBA guarantees part of the loan," Marrero says. Maui Brewing took out a multimillion-dollar loan to buy land and build a building for 25- and 50-barrel brewhouses down the road in Kihei. "We would not have been approved for such a loan without the SBA."

Maui Brewing Company's six year-round beers include its signature Pineapple Mana Wheat and Coconut Hiwa Porter which, like many of its seasonal brews, use locally grown ingredients. "They always say small business is the backbone of America; I think farmers even more so," Marrero says.
"We brew our seasonal POG IPA with passionfruit, orange, and guava juice, locally grown. Integrating that into a style that dates back to the 1600s, an IPA, makes it unique."

Today the operation consists of the Kihei brewery and three restaurants: the original location, one established on the island of Oahu in 2017, and one opened at the brewery in early 2018. The company distributes in 23 states and internationally. By year-end, Marrero expects to have a fourth restaurant, employ 700 or more, and top $20 million in revenue. Later ambitions include distilled spirits and craft cocktails in cans.

In addition to supporting Hawaii growers, Maui Brewing offers a share of sales to local nonprofits. It also plays an integral role in the Maui Brewers Festival, which draws visitors and raises money for the Maui Arts and Cultural Center.

And Marrero shares his hard-won expertise with aspiring entrepreneurs. His advice? "Work with several local lenders, but definitely involve the Small Business Development Center in your area. They'll help with feasibility studies, putting together a good loan package," he says. "Be clear and concise with your vision, and don't rely on others to sell your story—you are your best advocate." ☐

Local Funding Programs

For a complete listing of our participating SBA Lenders, visit sba.gov/ny.

Top Participating SBA Lenders with loans totaling over $5 million

NewBank
newbankusa.com

JPMorgan Chase Bank, National Association
jpmorganchase.com

TD Bank, National Association
tdbank.com

Noah Bank
noahbank.com

Newtek Small Business Finance, Inc.
newtekone.com

The Bridgehampton National Bank
bnbbank.com

Capital One, National Association
capitalone.com

New Millennium Bank
nmbonline.com

Live Oak Banking Co.
liveoakbank.com

FinWise Bank
finwisebank.com

Savoy Bank
banksavoy.com

Manufacturers and Traders Trust Co.
mtb.com

Celtic Bank Corp.
celticbank.com

KeyBank National Association
key.com

Woori America Bank
wooriamericabank.com

Bank of Hope
bankofhope.com

1st Constitution Bank
1stconstitution.com

Wells Fargo Bank, National Association
wellsfargo.com

First Home Bank
firsthomebank.com

New York Business Development Corp.
nybdc.com

East West Bank
eastwestbank.com

Customers Bank
customersbank.com

Royal Business Bank
royalbusinessbankusa.com

Two River Community Bank
tworiverbank.com

Cross River Bank
crossriverbank.com

Citibank, N.A.
online.citi.com

Santander Bank, National Association
santanderbank.com

Metro City Bank
metrocitybank.com

Indus American Bank
indusamericanbank.com

Independence Bank
independence-bank.com

Pacific Premier Bank
ppbi.com

Bank of America, National Association
bankofamerica.com

Radius Bank
radiusbank.com

Mission Valley Bank
missionvalleybank.com

Participating Nonprofit Community Lenders

Accion USA, Inc.
(866) 245-0783
usaccion.org

BOC Capital Corp.
(718) 624-9115
bocnet.org

Community Capital New York
(914) 747-8020
communitycapitalny.org

Empire State Certified Development Corp.
(212) 785-5642
nybdc.com

Renaissance Economic Development Corp.
(212) 964-2288
renaissance-ny.org

TruFund Financial Services
(212) 204-1303
trufund.org

Participating Certified Development Companies

Business Initiative Corporation of New York
851 Grand Concourse, suite 123, Bronx
Rafael Rogers
(718) 590-3980
rroger@boedc.org
boedc.com

Empire State Certified Development Corp.
50 Beaver St., Albany
Patrick MacKrell
(800) 923-2504
nybdc.com

Regional Business Assistance Corp.
261 Madison Ave., ninth floor, New York
(609) 587-1133
info@rbacloan.com
rbacloan.com

Participating Nonprofit Community Lenders, Microlenders

Renaissance Economic Development Corp.
Serving all five boroughs of New York City; minorities and immigrants
2 Allen St. seventh Floor, New York
Jessie C. Lee, managing director
(212) 964-6022 x2180
jessie@renaissance-ny.org
renaissance-ny.org

Accion East
Serving all five boroughs and New Jersey
80 Maiden Lane, suite 903, New York
Matthew Revere, manager of lending
(646) 833-4506
mrevere@accioneast.org
us.accionu.org

Center for Community Development for New Americans, Inc.
120 Broadway, suite 230, New York
Yanki Tshering, executive director
(212) 898-4122
ytshering@nyana.org
nybcna.org

Grameen America, Inc.
Serving Manhattan and Jackson Heights; women below the federal poverty line
150 W. 30th St., eighth floor, New York
David Gough, chief financial officer
(718) 704-0451
dgough@grameenamerica.org
grameenamerica.org

Community Capital New York
Serving Westchester, Rockland, Putnam, Dutchess, Orange, Ulster, and Sullivan counties
44 Executive Blvd., Elmsford
Simone Obermaier, senior vice president of lending
(914) 747-8020 x110
sobermaier@communitycapitalny.org
communitycapitalny.org

BOC Capital Corp.
Serving all five boroughs
85 S. Oxford St., Brooklyn
Hector Davis, senior lending officer
(718) 624-9115 x14
hdavis@bocnet.org
boccapitalcorp@bocnet.org
bocnet.org

Need Financing?

Visit your local SBA office or lender to learn about these SBA loan programs.

The 7(a) Loan

The 7(a) loan is the SBA's largest financing program because it can be used for almost any business purpose, and it offers reasonable rates and terms. If you're unable to get conventional financing and you meet the eligibility requirements, you could use a 7(a) loan to purchase real estate, equipment, working capital, or inventory for your small business. Loan proceeds may also be used to refinance business debt or purchase a small business.

MAX LOAN AMOUNT: $5 million

INTEREST RATE: generally prime + a reasonable rate capped at 2.75 percent

TERMS: loan term varies according to the purpose of the loan, generally up to 25 years for real estate, 10 years for other fixed assets and working capital

GUARANTEE: 50 to 90 percent

Caplines

Caplines meet your revolving capital needs with lines of credit. Caplines can be used for contract financing, seasonal lines of credit, builders line of credit, or for general working capital lines.

SBAExpress Loan

An SBAExpress loan is a small loan delivered by experienced lenders who are authorized to make the credit decision for the SBA. These can be term loans or revolving lines of credit.

MAX LOAN AMOUNT: $350,000

INTEREST RATE: for loans less than $50,000, prime + 6.5 percent; for loans of $50,000 and greater, prime + 4.75 percent

TERMS: loan term varies according to the purpose of the loan, generally up to 25 years for real estate, and 10 years for other fixed assets and working capital

GUARANTEE: 50 percent

Community Advantage Program

Community Advantage lenders are community-based financial institutions focused on financing for women, veterans, low-income borrowers, and minority entrepreneurs just starting up or in business for a few years. The program can provide access to free business counseling at the same time you are putting together your financing.

INTEREST RATE: prime + 6 percent

TERMS: up to 25 years for real estate, and 10 years for equipment and working capital

GUARANTEE: 75 to 90 percent

SBA Microlenders

Entrepreneurs can borrow from $500 to $50,000 and access free business counseling from SBA microlenders. If you need working capital or funds for supplies, equipment, fixtures and furniture, a microloan can help eligible businesses start up and grow.

INTEREST RATE: loans less than $10,000, lender cost + 8.5 percent; loans $10,000 and greater, lender cost + 7.75 percent

TERMS: lender negotiated, no early payoff penalty

504 Certified Development Company Loan Program

If you do not qualify for traditional financing, but you would like to purchase land or heavy equipment, or buy/renovate real estate for your business, ask about the 504 Certified Development Company Loan Program. It provides competitive fixed-rate mortgage financing through an SBA Lender and a Certified Development Company.

MAX LOAN AMOUNT (UP TO 40 PERCENT OF THE TOTAL PROJECT): up to $5 million; $5.5 million for manufacturing or energy public policy projects

INTEREST RATE: below market fixed rates for 10 or 20 year terms

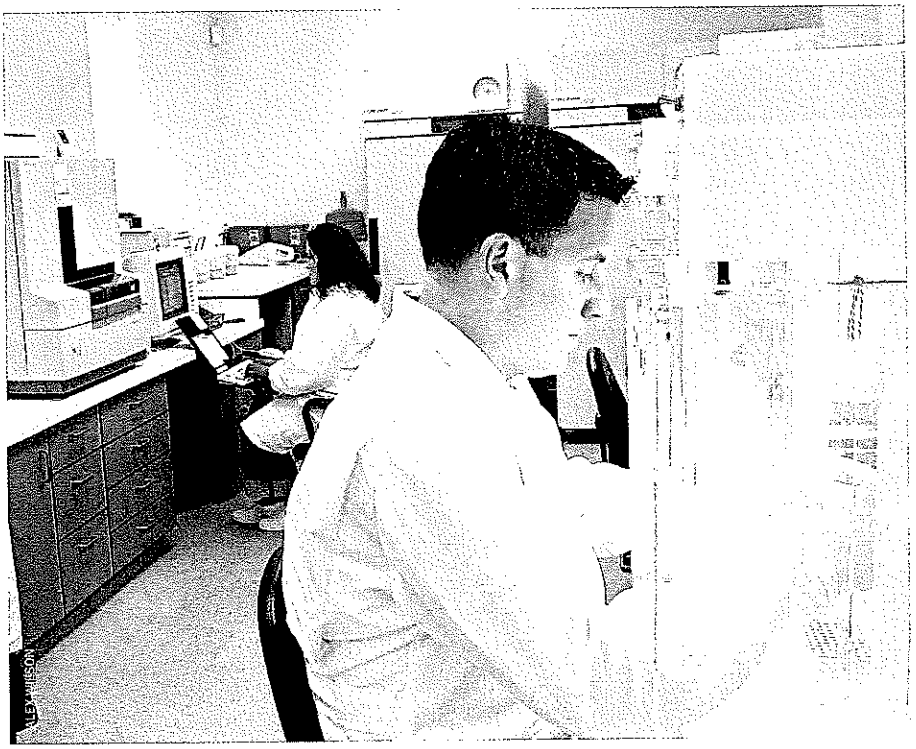
TERMS: 20 years for real estate or long term equipment; 10 years for general machinery and equipment

GUARANTEE: the SBA Lender provides a senior loan for 50 percent of the project cost (with no SBA guarantee); the CDC finances up to 40 percent in a junior lien position (supported by the SBA guarantee)

SPECIAL CONDITION: a minimum borrower contribution or down payment is required; amounts vary by project but are usually 10 percent

Interested in Federal Research & Development?

If your small business is engaged in next gen research and development, you can compete for funding under the Small Business Innovation Research and the Small Business Technology Transfer programs.



If your product has a potential for commercialization, look into the **Small Business Innovation Research program**. Many small businesses enter the nation's research and development arena because of this program. The United States gains your entrepreneurial vision while meeting specific research and development needs.

Each year, federal agencies with large research and development budgets are required to allocate 3.2 percent of it to this program. You could receive funding from one of these 11 participating federal agencies:

- **Department of Agriculture**
- **Department of Commerce - National Institute of Standards and Technology or the National Oceanic and Atmospheric Administration**
- **Department of Defense**
- **Department of Education**
- **Department of Energy**
- **Department of Health and Human Services**
- **Department of Homeland Security**
- **Department of Transportation**
- **Environmental Protection Agency**
- **NASA**
- **National Science Foundation**

The Small Business Technology Transfer Program

The Small Business Technology Transfer program is for entrepreneurs interested in collaborating with one of these agencies for research & development:

- **Department of Defense**
- **Department of Energy**
- **Department of Health & Human Services**
- **NASA**
- **National Science Foundation**

Both programs have three phases:

Phase I is to establish the technical merit, feasibility and commercial potential of the proposed project. Awards are often up to $150,000 for one year.

Phase II funding is based on the results achieved in phase I and the scientific, technical merit and commercial potential of the project. Awards are often up to $1 million for two years.

Phase III is for the small business to pursue commercialization. It may involve U.S. government contracts. Learn about these competitive awards-based programs at **sbir.gov**.

Why Export?

You want to increase revenue. Exporting would make you less dependent on any one market. It's also a smart option for stabilizing sales if your product is seasonal.

Small businesses can enter and excel in the international marketplace using **State Trade Expansion Program** grants and training. To find out if your state is participating visit **sba.gov/internationaltrade**. You can:

» Learn how to export
» Participate in foreign trade missions and trade shows
» Obtain services to support foreign market entry
» Translate websites to attract foreign buyers
» Design international marketing products or campaigns

Financing for International Growth

Ask your SBA Lender about the **Export Express Loan** for enhancing your export development.
Max loan amount: $500,000
Interest rate: negotiated between lender and business, fixed or variable rate, typically not to exceed prime + 6.5 percent
Terms based on use of loan: for real estate, up to 25 years; for equipment, up to 10 years; for lines of credit, up to seven years
Guarantee: up to 90 percent

The **International Trade Loan** can position you to enter or expand into international markets. It can also help you better compete if your business has been adversely affected by unfair trade practices.
Max loan amount: $5 million
Interest rate: negotiated between lender and business, fixed or variable, not to exceed prime + 2.75 percent
Terms based on use of loan: for real estate, up to 25 years; for equipment, up to 10 years
Guarantee: up to 90 percent

Exporters looking to meet their short-term capital needs can use the **Export Working Capital Program**. Use this loan to purchase inventory to make the products you export or to finance receivables. You can apply for lines of credit prior to finalizing an export sale or contract.
Max loan amount: $5 million
Interest rate: negotiated between lender and business, fixed or variable rate
Terms: typically one year, cannot exceed three years
Guarantee: up to 90 percent

One-Stop Exporting Shops

Find an SBA professional in one of these 21 U.S. Export Assistance Centers located in major metro areas, **sba.gov/tools/local-assistance/eac**. The centers are also staffed by the U.S. Department of Commerce and, in some locations, the Export-Import Bank of the United States and other public and private organizations.

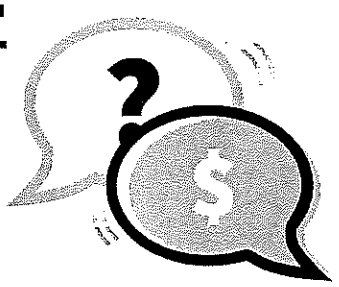
Visit your local Small Business Development Center (see page 8) for free exporting assistance from professional business counselors.

If you need assistance with international trade regulations, the SBA can be your advocate in foreign markets. Call toll free (855) 722-4877 or email international@sba.gov. Include your name, company name, mailing address, and phone number, as well as a brief description of the trade problem or challenge you are encountering.

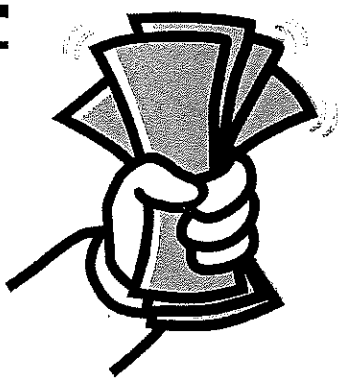
Benefits of Exporting

Nearly 96 percent of consumers live outside the U.S., and two-thirds of the world's purchasing power is in foreign countries. If you're a small business owner, here's how to work with the SBA for your trade needs.

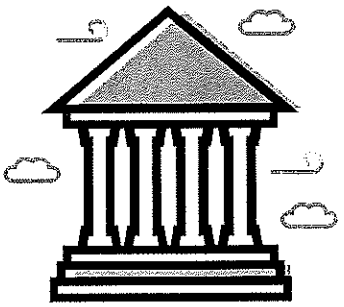
1 GET COUNSELING



2 FIND BUYERS



3 GET FUNDING

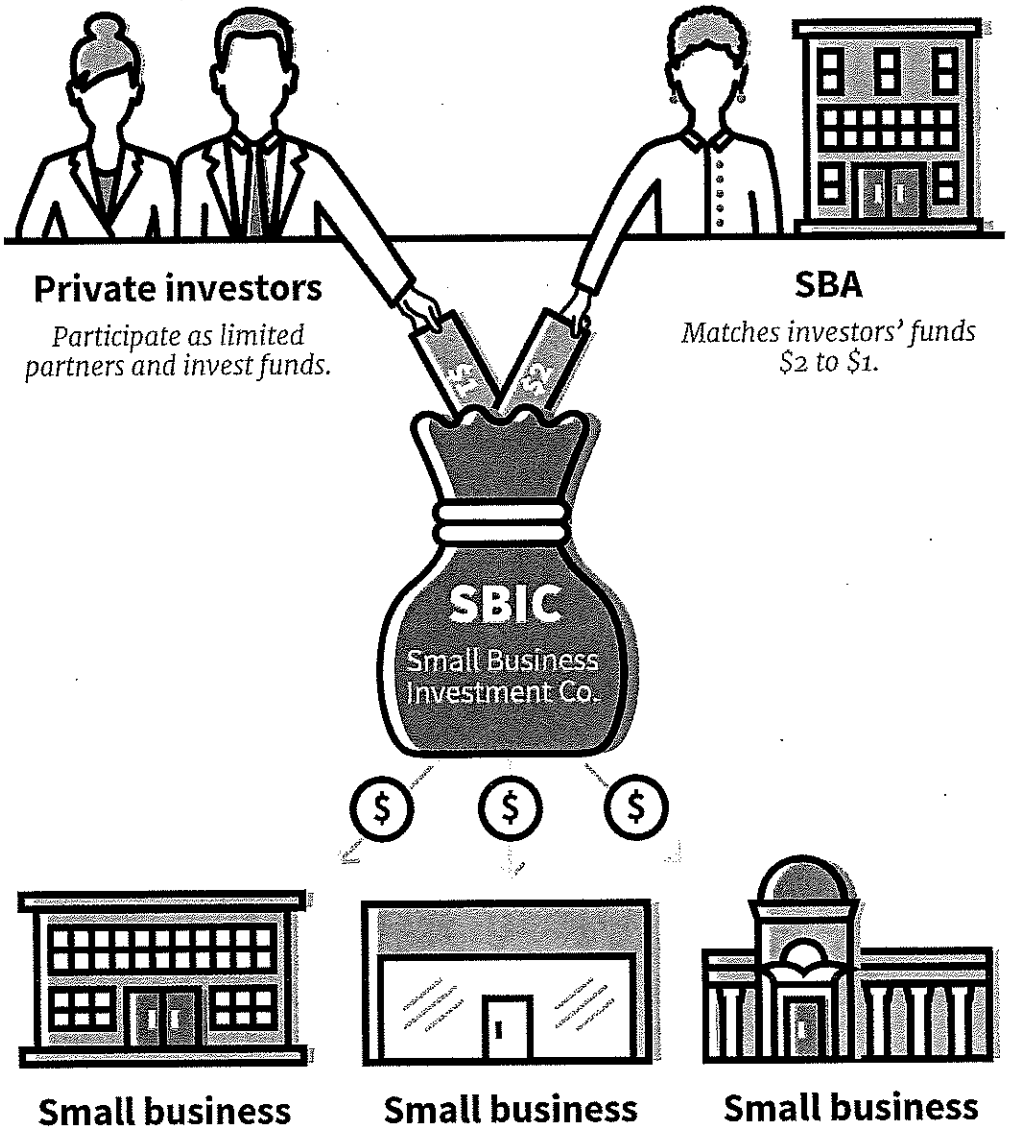


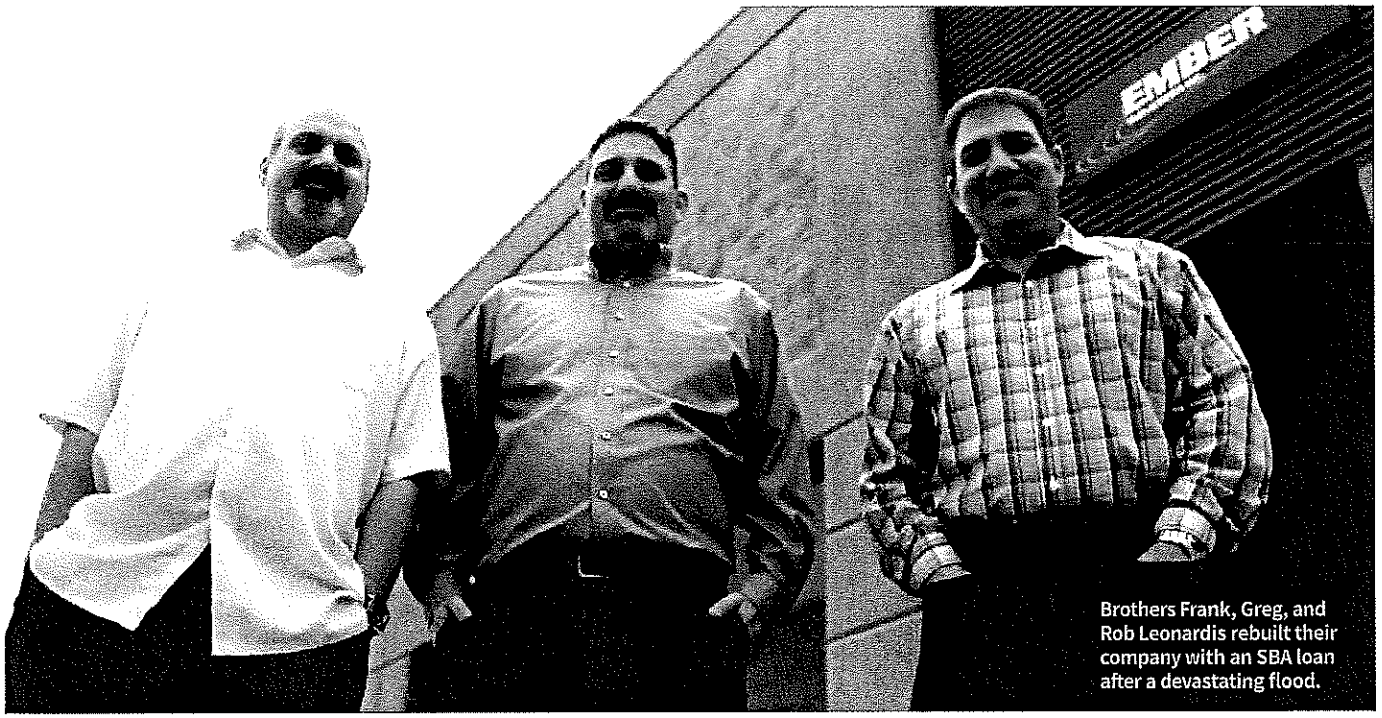
Investment Capital

Looking for investors? Consider a Small Business Investment Company.

If you own a U.S. small business, you could receive capital from a **Small Business Investment Company** that is regulated by the SBA. The agency provides guarantees to investment companies with financing expertise in certain sectors or industries. These investment companies then use private funds, along with SBA-guaranteed capital, to invest in qualifying small businesses. The small business then receives a loan, equity, or a combination of both. Equity is a share of ownership an investment company gets in a business.

Mature, profitable businesses with sufficient cash flow to pay interest are more likely to receive capital from a Small Business Investment Company. Each one has its own investment profile in terms of targeted industry, geography, company maturity, the types and size of financing they provide. To search the SBIC directory, visit **Investment Capital under Funding Programs at sba.gov.**





Brothers Frank, Greg, and Rob Leonardis rebuilt their company with an SBA loan after a devastating flood.

Rising Tide

Ember Industries receives SBA's 2017 Phoenix Award for its recovery after a disaster.

WRITTEN BY **Nikki Bowman**

What is the American dream? To many, it is the ideal that every United States citizen has an equal opportunity to achieve success and prosperity through hard work, determination, and initiative. Ember Industries, Inc., a family-owned company in San Marcos, Texas, exemplifies that national ethos. Established in 1986 as a small contract design firm, Ember Industries has grown into a full-service contract manufacturing business that builds, tests, and calibrates electronic devices and wire and cable assemblies. The company's products are used to build things like above-ground tank monitors for oil fields and Lockheed military drones. In 2015, the company was on track to have one of its most profitable years, and then disaster struck.

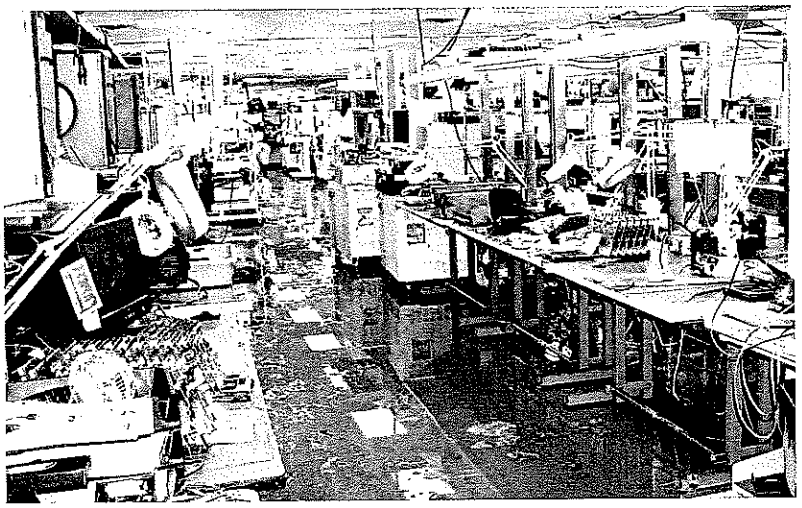
"Things were going great. Honestly, the factory was going wonderfully. In June we were on pace for a record month, but instead the Blanco River decided to come over its banks," says President Rob Leonardis.

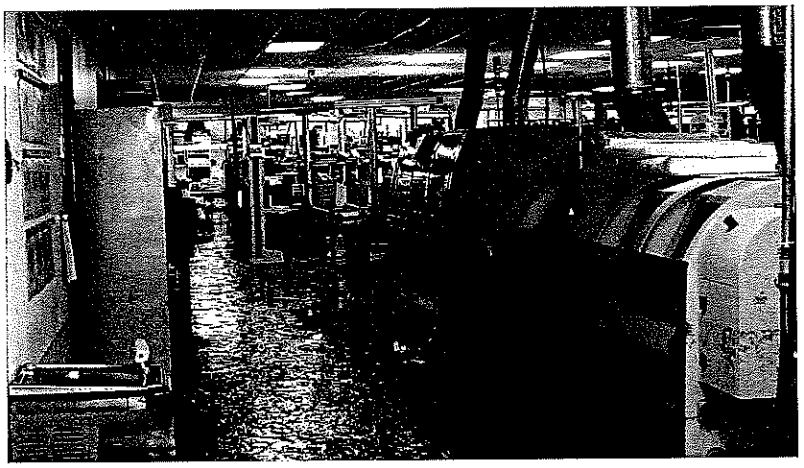
In May 2015, the Blanco River flooded disastrously, overflowing its banks to record levels and destroying more than 1,000 homes. Ember Industries suffered catastrophic damages. "We had 32 inches of water in the entire building. Basically, it ruined all of our manufacturing equipment," says Vice President of Finance and Administration Frank Leonardis. "It shut us down. It was pretty devastating."

The flood destroyed about one-third of Ember's raw-material inventory and all of the work in progress as well as office furniture, computers and servers, and all of the company's high-tech production equipment. "A week into it, our dad came to us and asked, should we be trying to do this? Should we even be trying to rebuild this?" Rob Leonardis recalls. But instead of shutting the doors, the company was approved for a $2 million SBA disaster loan, and just six weeks after the flood, Ember Industries was back to full production.

In 2017, Ember Industries received the SBA Phoenix Award for Outstanding Small Business Disaster Recovery. "Without the SBA loan, we would not have been able to survive as a company," Rob Leonardis says.

"The Office of Disaster Assistance at the SBA looks at businesses that have suffered through a disaster, recovered, and put their employees back to work. And Rob's story about how SBA's disaster loan helped the business recover is one of preserving the American dream," explains Bill Koontz, public information officer for the Disaster Field Operations Center-West.





After the flood, Ember continued to pay all its employees even though they were not able to resume operation immediately. "It is remarkable that Ember Industries has come back. It is remarkable they've been as successful in the wake of this as they have been," says Koontz. "They haven't just rebuilt, they've grown bigger and better."

"I honestly believe we couldn't have been able to rebuild without the SBA loan," Rob Leonardis says. "It allowed us to continue to live the American dream." ☐

The SBA, the Federal Emergency Management Agency and other organizations work together to provide assistance to those affected by a disaster. Once immediate safety and security needs are met, the SBA helps get you and your community back to where you were before the disaster. The SBA provides loans to businesses of all sizes, nonprofits, homeowners and renters to cover rebuilding costs not covered by insurance or other forms of assistance.

Small businesses and nonprofits are also eligible to apply for economic injury losses, even if they suffered no physical damages. These direct loans come with low-interest rates and long terms. Property owners can also secure additional SBA funds to help protect their business or home against a disaster. Visit **sba.gov/disaster.**

The President & the SBA Administrator Can Declare a Disaster

Who to contact after a disaster is declared by the President

Register with FEMA at **disasterassistance.gov**, or call (800) 621-3362 (TTY: 800-462- 7585), or visit a Disaster Recovery Center. Locations can be found at **fema.gov/drc**.

Businesses are automatically referred to the SBA. Most homeowners and renters will be referred by FEMA to the SBA to apply for disaster loan assistance. You must complete the SBA application to be considered for assistance. If the agency cannot help you with a loan for all your needs, the SBA will, in most cases, refer you back to FEMA.

Who to contact after a disaster is declared by the SBA

Contact the SBA directly to apply for a disaster loan. Businesses of all sizes, nonprofits, homeowners and renters are eligible to apply:

- Online at **https://disasterloan.sba.gov/ela/**
- Visit a federal/state Disaster Recovery Center in your area
- Call our customer service center at (800) 659-2955 (TTY: 800-877-8339) and ask for an application package to be mailed to you

FEMA grant assistance for homeowners or renters is not available under an SBA declaration.

Information needed to get started:

- Address of damaged residence or business and contact info
- Insurance information, including type of insurance, policy numbers, amount received
- Household and/or business income
- Routing and bank account numbers
- Description of disaster-caused damage and losses

How an SBA Disaster Loan Works

The SBA provides loans to businesses of all sizes, nonprofits, homeowners and renters to cover rebuilding costs not covered by insurance or other forms of assistance.

Verification & Processing

An SBA loss verifier will estimate the total loss to your property damaged by the disaster.

A loan officer determines your creditworthiness and eligibility after reviewing any insurance or other recovery funds. The SBA can approve and disburse a loan while your insurance recovery is pending. You will be advised in writing of all loan decisions.

Terms may go up to 30 years. The SBA sets terms based on each borrower's ability to repay, no early payoff fees or penalties.

Rates are low, based on the type of loan and if you have credit available elsewhere.

For Physical Damages

A business of any size and any nonprofit may borrow up to $2 million to repair or replace damaged or destroyed real estate, machinery and equipment, inventory, and other business assets.

A homeowner may borrow up to $200,000 to repair/replace primary residence damage.

A homeowner or renter may borrow up to $40,000 to repair/replace damage to personal property, including vehicle losses.

For Economic Injury

The SBA also offers Economic Injury Disaster Loans for up to $2 million to help meet working capital needs caused by a disaster.

Who are eligible: small businesses, small agricultural cooperatives, small businesses engaged in aquaculture, and most nonprofits.

Economic injury assistance is available regardless of whether the business suffered any property damage.

Closing & Funds Disbursement

Approval decision and disbursement of loan funds is dependent on receipt of your documentation.

Be sure to sign your closing documents. This can be done by mail or with an SBA representative at a closing center if one is open in your area.

The SBA disburses loan funds as recovery work is completed, items are replaced, and/or as funds are needed. The SBA will typically make an initial disbursement of up to $25,000, if all requirements are met, within five days of receiving your signed loan closing documents. Your case manager will schedule subsequent disbursements of the full loan amount. Your case manager will work with you to help you meet all loan conditions. Your loan may be adjusted after closing according to your changing circumstances, such as unexpected repair costs or additional insurance proceeds.

Keep in mind

An SBA disaster loan is a direct loan from the government. Other organizations may reduce or not award you a grant if you have received an SBA loan or other assistance. Be sure to check with other organizations to see how an SBA loan might affect your eligibility for their program.

In general, recovery expenses covered by insurance, FEMA or other forms of assistance may reduce the amount provided by your SBA disaster loan.

How to Prepare Your Business for an Emergency

The financial cost of rebuilding a business after a disaster can be overwhelming. However, with a business continuity plan in place, you will be able to rebound and reopen quickly. You'll be in a better position to contribute to the economic recovery of your community. **First steps include:**

1 **Establish a protocol to communicate with employees** outside of the office to ensure they and their families are safe. Test the procedures regularly.

2 **Keep your plan and all related documents in a digital format** or in an accessible, protected, off-site location.

3 **Review your insurance coverage**

» Contact your insurance agent to find out if your coverage is right for your business; make sure you understand the policy limits and deductibles.

» Ask about **business interruption insurance**, which compensates you for lost income and covers operating expenses if your company has to temporarily shut down after a disaster.

4 **Establish a solid supply chain**

If your vital vendors and suppliers are local and the disaster is widespread, you will all be in the same situation—struggling to recover.

» Set yourself up to be able to get key supplies from companies outside your area, if possible.

» Create a contact list for important contractors and vendors you plan to use in an emergency

» Make sure you know your suppliers' recovery plans.

5 **Plan for an alternate location**

» Do some research in advance of the disaster for several alternative places to relocate your company in case a disaster forces you to close your business for an extended time.

» Contact a local real estate agent to get a list of available office space. You could make an agreement with a neighboring business to share office space. You could also make plans for employees to telecommute until your office reopens.

The Ready Business program, ready.gov/business, gives step-by-step guidance on how to prepare your business for a disaster. The series includes preparedness toolkits for earthquakes, hurricanes, inland flooding, power outages, and severe winds/tornadoes. Spanish materials are available.

Surety Bonds

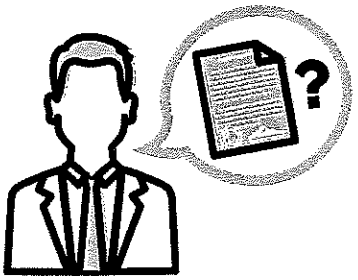
Surety bonds help small businesses win construction, supply, and service contracts.

Surety bonds help small businesses win construction, supply and service contracts by providing the customer with a guarantee the work will be completed. Many contracts require surety bonds, which are offered by surety companies. The SBA guarantee provides an incentive for surety companies to work with small businesses that would normally not be able to obtain the bond. Eligible small businesses can receive the bonding assistance necessary to compete for contracting and subcontracting jobs using the **Surety Bond Guarantee Program**. This program is aimed at small businesses that lack the financial resources or performance track record necessary to secure bonding through regular commercial channels.

Small businesses that often come to the SBA for surety bonds:

- **Startups and firms** in business less than three years
- **Businesses with credit issues** or internally prepared financial statements
- **Subcontract trades** with a desire to establish their own bonding as a prime contractor
- **Those wishing to increase** their current bonding limits

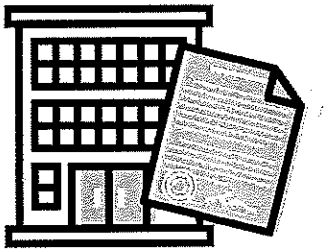
1



Surety bonds are requested

Some contracts require that the business doing the work be properly bonded.

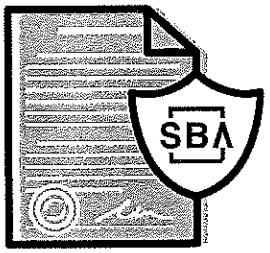
2



Surety partners with business

Authorized surety companies provide surety bonds to businesses that meet their qualifications.

3



The SBA guarantees

The SBA guarantees surety bonds for private surety companies, so more small businesses can qualify.

4

Small businesses benefit

Small businesses get SBA-guaranteed surety bonds so they can get to work.

For Public and Private Prime Contracts and all Subcontracts

The SBA guarantees: bid, payment, performance, and ancillary bonds issued by surety companies

Cost of contract: up to $6.5 million

SBA reimburses surety companies in case of default
90 percent of losses sustained for veteran and service-disabled veteran, minority, 8(a), and HUBZone-certified small businesses; all projects up to $100,000

80 percent for all other small businesses.

For Federal Contracts

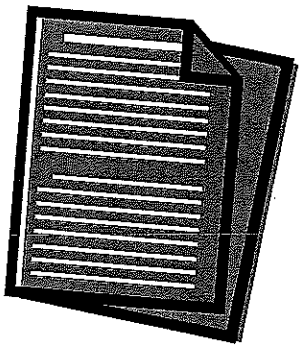
The SBA guarantees: bid, payment, performance, and ancillary bonds issued by surety companies—if a guarantee would be in the best interest of the government

Cost of contract: up to $10 million

SBA reimburses surety companies in case of default
90 percent of losses sustained for veteran and service-disabled veteran, minority, 8(a), and HUBZone-certified small businesses; all projects up to $100,000

80 percent for all other small businesses.

SBA's QuickApp Program



Typically, small businesses provide financial statements and other documentation when applying for surety bond guarantees. This process is streamlined under the **SBA's QuickApp program**, which is for contracts below $400,000. The streamlined application reduces the normal paperwork to a simple two-page application, and the small business does not need to file any financials with the SBA.

The SBA partners with 31 surety companies and hundreds of bonding agents. Online applications submitted through SBA authorized agents are approved in less than two days for regular applications and within hours for QuickApps. Find authorized agents at **sba.gov/osg**.

Questions?

Do you want to discuss the advantages of the SBA's Surety Bond Guarantee Program or need to locate an SBA authorized agent? Contact a bonding specialist:

Tamara E. Murray
Denver, Colo.
(303) 927-3479

Linda M. Laws
Seattle, Wash.
(206) 553-7317

Jennifer C. Bledsoe
Washington, DC
(202) 205-6153

CONTRACTING

Doing Business with the Government

My Next Career Path

This small business has made it their business to provide quality staffing in the federal arena.

WRITTEN BY **Nikki Bowman**

Renee Boyce, president and CEO of My Next Career Path Staffing, LLC, knows firsthand the challenges of small business ownership. "Some of the biggest challenges are getting capital and financing to allow us to grow," he says. "Sometimes it is hard to get a seat at the table. As a small business, we just need a fair opportunity to bid on contracts."

Founded in 2014 in Las Vegas, Nevada, My Next Career Path Staffing (MNCP Staffing) is a consulting and staffing firm that provides resources to private businesses, public sector firms, and local, state, and federal government agencies nationwide. The company offers temporary and permanent recruitment or recruitment by project in the fields of information technology; engineering; medical, clinical, and professional services; and sales and marketing, and it is known for its IT solutions. The company is a certified 8(a), Minority Business Enterprise, Disadvantaged Business Enterprise (DBE), and Emerging Small Business in Nevada as well as a certified DBE in Arizona, California, Maryland, Oregon, Texas, and Utah.

"My Next Career Path saves companies time and money," Boyce says. "Companies often receive hundreds of resumes in response to job ads, and it's time-consuming to go through them. Reviewing resumes to locate the best candidates is another full-time job. We save time by honing in on the best matches for the firm."

All business owners know that making a bad hire is expensive. Not only do you spend time and money training someone who isn't a fit for the job, but then you have to start another candidate search, My Next Career Path prides itself in locating the candidates who are a great match from the start.

In 2017, Boyce was chosen as the SBA Nevada District Office Minority-owned Business of the Year. "The SBA has helped me grow my business by being a useful resource and providing guidance on working in the federal space," says Boyce. My Next Career Path became a government contractor in 2016 and now reports more than 60 percent of the company's business is in the federal arena.

The SBA is a resource for small businesses that are interested in working with the government. Boyce says, "It takes time and patience to work in the federal space. It's certainly not for every business. But by establishing and

> "The SBA has helped me grow my business by being a useful resource and providing guidance on working in the federal space."
>
> **Renee Boyce,**
> **MNCP Staffing president and CEO**

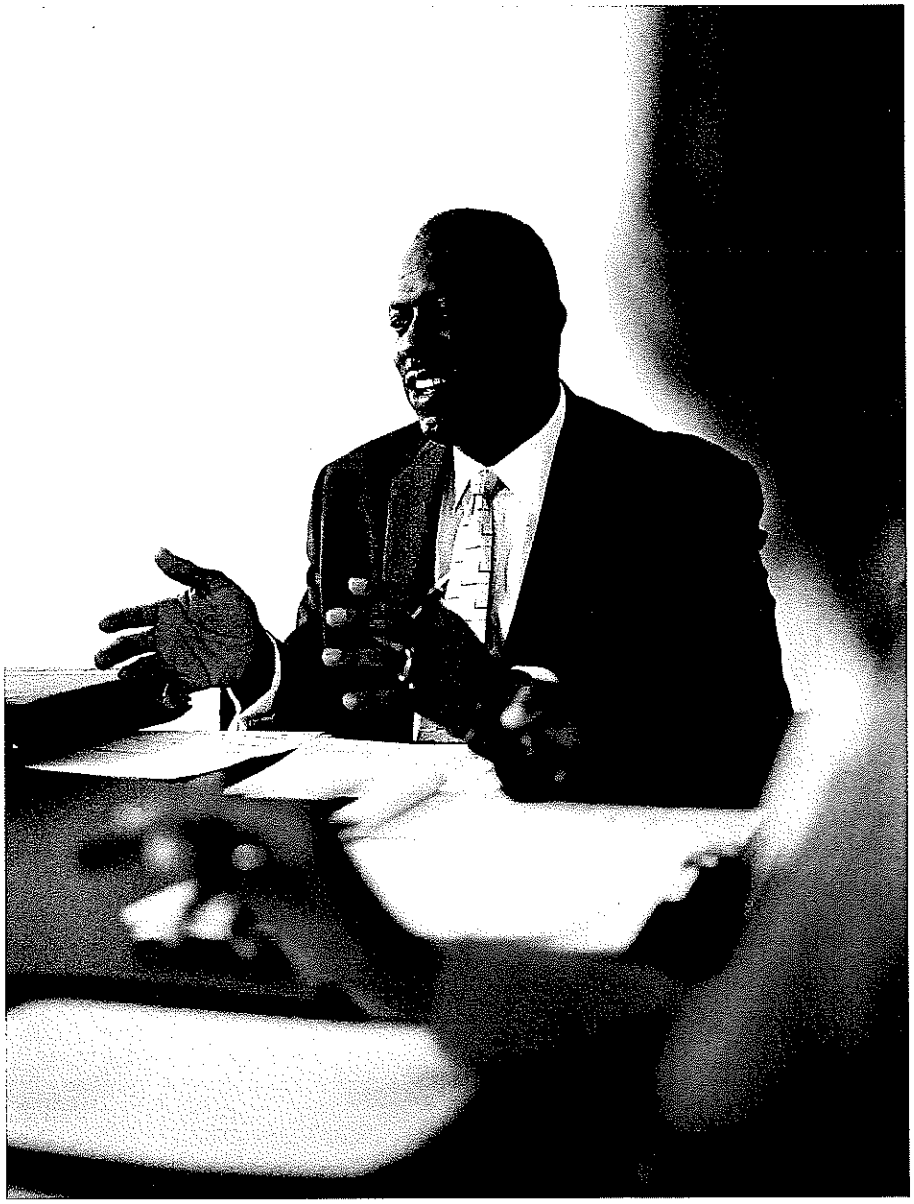
building relationships and teaming with partners, we've learned how to navigate the federal arena."

Running a small business can be challenging but it is also very rewarding. Boyce advises other small businesses to use the resources available like PTAC, SBA, and local business chambers. "It is important to build a strong network of relationships," he points out. "Do not rule out opportunities to subcontract. It will allow you to understand the process and gain experience."

Boyce has big plans for the future. "My goal is to continue to grow and expand the company globally with even more locations nationwide, while still delivering value-added services to the government and private businesses."

How to do business with the government

1. Identify your product or service number at **naics.com**.
2. Search the FedBizOpps database (**fbo.gov**) or **web.sba.gov/subnet** to see if any federal agencies are looking for your product or service.
3. Attend an SBA district office workshop on contracting. Visit **sba.gov/localassistance** to find your local office.
4. Talk to a local Small Business Development Center counselor (page 8) or visit a Procurement Technical Assistance Program adviser for free counseling. Find your closest center at **aptac-us.org**.
5. Obtain a free DUNS number at **https://fedgov.dnb.com/webform**.
6. See if you're eligible for a contracting program and start the certification process. All required documents must be uploaded to **certify.sba.gov** before submitting an offer on a contract set aside for a specific program.
7. Register with the System for Award Management (**sam.gov**) to start doing business with the government.



Glenn Davis, an 8(a) program graduate, operates BranCore, a consulting business, out of Richmond, Virginia.

SBA Contracting Programs

Your business could earn profit and gain valuable work experience by providing goods or services to the government.

The federal government sets aside contracts for small business, and these contracting programs are designed to help you compete for and win federal contracts. Visit **SBA.gov/contracting** to learn more about set-asides and whether one or more of these government contracting programs is right for your business.

All Small Mentor-Protege Program

Looking for an opportunity to partner with a more experienced firm for mentorship? You may find that effort rewarded in the **All Small Mentor-Protege Program, sba.gov/allsmallmpp**. At the same time you're gaining invaluable direction and experience, you and your mentor can compete for government contracts, further growing your business.

To qualify for this program:

» Proteges must have a mentor prior to applying for the program. Visit your local SBA office for guidance. Ask about the SBA's Resource Partners and the Procurement Technical Assistance Program for help in connecting you with a mentor business.

» You must be certified as a small business within your NAICS industry classification and have experience in that field.

» Mentors and proteges must be organized for profit or as an agricultural cooperative.

» Mentors cannot own more than 40 percent equity in the protege's business.

» An SBA determination of affiliation must not exist between the mentor and the protege. All Small-approved partnerships receive an exclusion of affiliation for contracting purposes.

8(a) Business Development Program

If you're an entrepreneur who is socially and economically disadvantaged, you could get business training and government contracting assistance through the **8(a) Business Development Program, sba.gov/8a**. The program includes free business development education, training workshops, and match-making opportunities with federal buyers. Firms owned by Alaska Native Corporations, American Indian tribes, Native Hawaiian organizations, and Community Development Corporations are also eligible for 8(a) business development assistance.

To be eligible for the 8(a) program, your small business must meet the following criteria:

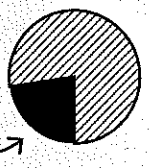
» Qualify as a small business which is unconditionally owned and controlled by one or more socially and economically disadvantaged people of good character

The U.S. government is the largest single purchaser of goods and services in the world. Every year it awards more than

$500 billion

in contracts.

Of those prime contracts, the federal government must set aside 23 percent for small businesses.



This includes:

- **5 percent for small disadvantaged businesses**
- **5 percent for women-owned small businesses**
- **3 percent for HUBZone-certified small businesses**
- **3 percent for service-disabled veteran-owned small businesses**

» Be controlled by a U.S. citizen who lives in the United States

» Demonstrate current capacity and potential for success

Socially disadvantaged: those who have been subjected to racial or ethnic prejudice or cultural bias without regard to their individual qualities because of their identity as members of certain groups. The following groups of people are assumed to be socially disadvantaged: Black Americans, Native Americans, Alaska Natives, Native Hawaiians, Hispanic Americans, Asian Pacific Americans, and Subcontinent Asian Americans. A person who is not a member of one of these groups must establish that it is more likely than not that they have suffered disadvantage.

Economically disadvantaged: those whose ability to compete in the marketplace has been impaired because the person has not had as much capital and credit opportunities compared to others in the same or similar line of business who are not socially disadvantaged.

Women-Owned Small Business Certification

If you're a woman proprietor looking to sell to the federal government, you may be eligible for the Women-Owned Small Business certification, **sba.gov/wosb**.

Here's how to get certified:

1. Make sure you're eligible

» Your business must be at least 51 percent owned and controlled by one or more women who are U.S. citizens. The ownership must be direct and unconditional.

» A woman must hold the highest officer position and have managerial experience required to run the business.

» One or more women must manage the daily business operations on a full-time basis and conduct long-term decision making and planning.

To qualify as an economically disadvantaged woman-owned small business, your company must meet these criteria and the business owner and/or manager must meet certain income and asset requirements.

2. Register

» Register with the System for Award Management (**sam.gov**) to start doing business with the government.

3. Certify

Self-certify as a woman-owned small business or an economically disadvantaged woman-owned small business for free, or obtain certification from one of the SBA's approved third-party certifiers (which costs a fee):

» El Paso Hispanic Chamber of Commerce

» National Women Business Owners Corporation

» U.S. Women's Chamber of Commerce

» Women's Business Enterprise National Council

All required documents must be uploaded to **certify.sba.gov** prior to submitting an offer on a contract set aside for the program.

4. Update your status

» Update your status as a woman-owned small business in **sam.gov**.

5. Search the database

» Search the FedBizOpps database (**fbo.gov**) for your new business opportunity.

Hops and Scotch owners David Ng and Darren Tow grew their business in Brookline, Massachusetts with the help of an SBA-guaranteed loan.

The benefits:

» 8(a) businesses are assigned an SBA professional to help coordinate your business development assistance.

» You could be awarded an 8(a) sole-source contract up to $4 million for goods and services; $7 million for manufacturing, exceptions apply.

What is an 8(a) sole-source contract? A direct awarding of a contract to an 8(a) small business that can provide the needed services.

HUBZone

Businesses located in Historically Underutilized Business Zones, also called **HUBZones**, **sba.gov/hubzone**, must be certified to gain special access to federal contracts. **To qualify for the program, a small business must:**

» Be at least 51 percent owned and controlled by a U.S. citizen(s), a Community Development Corporation, an agricultural cooperative, or an Indian tribe.

» Be located within a HUBZone, which includes Indian reservations and military facilities closed by the Base Realignment and Closure Act. Enter your address in our interactive map to see if your business is located in a HUBZone, **https://maps.certify.sba.gov/hubzone/map**.

» Have at least 35 percent of your employees residing in a HUBZone.

For Service-Disabled Veterans:

If you're a service-disabled veteran looking to enter the federal marketplace, you may be eligible for this small business certification.

» To determine your eligibility, contact a veterans' business development officer at your local SBA office, or the SBA's Office of Veterans Business Development at **sba.gov/ovbd**.

» After you have set up to do business with the government in **sam.gov**, update your status as a service-disabled veteran business.

Keep in mind

The SBA does not officially certify this designation, so when a contract awarded based on this eligibility is protested, the SBA will determine if your business meets the eligibility status, ownership and control requirements.

Procurement Technical Assistance Centers

Businesses that want to sell products or services to federal, state, or local governments receive one-on-one counseling and training at Procurement Technical Assistance Centers, free or low cost.

How can a procurement assistance center help you?

» **A center adviser can help you determine if your business is ready for government contracting.**

» **An adviser can help you register in the System for Award Management (SAM.gov).**

» **Your adviser will help you see if you are eligible for any small business certifications and programs.**

PTAC Locations

New York City PTAC
New York City Department of Small Business Services
110 William St., second floor, New York
(212) 513-6444
bizhelp@sbs.nyc.gov
Rogina Coar-Smith, executive director
nyc.gov/getcertified

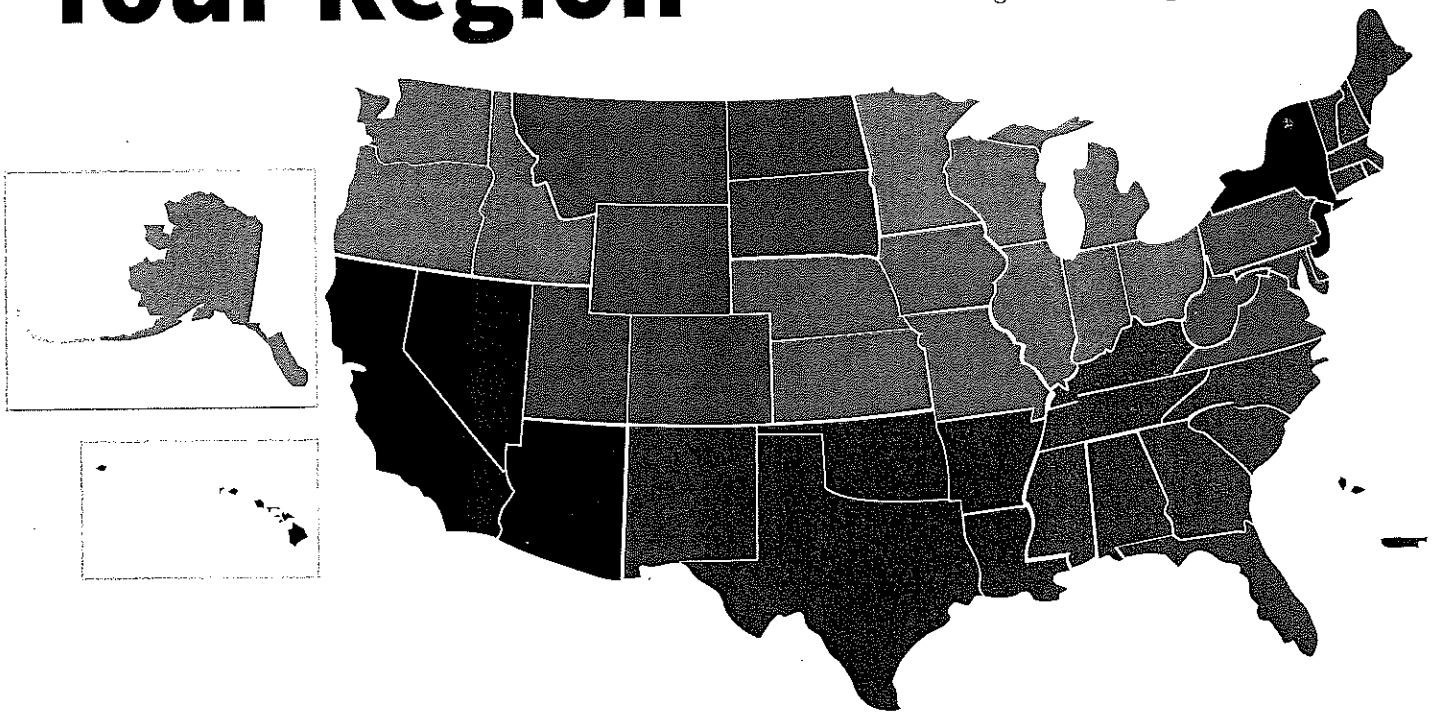
LaGuardia Community College/CUNY PTAC
31-10 Thomsan Ave., suite B309, Long Island City
(718) 482-5306
Edgard Hernandez, director
ehernandez@lagcc.cuny.edu
laguardiaptac.org

South Bronx Overall Economic Development Corp. PTAC
Bronx Procurement & Technical Assistance Center
555 Bergen Ave., Bronx
(718) 732-7540
Evangeline Gelladola, vice president
egelladola@sobro.org
sobro.org

Rockland Economic Development Corp. PTAC
One Blue Hill Plaza, Pearl River
(845) 735-7040
ptac@redc.org
Lin Simeti, program manager
redc.org/ptac

Reasons to Love Your Region

To further the mission of helping small businesses succeed, the SBA has regional offices across the country. Here are some fun facts about each region from **sba.gov**.



Region 1

New Hampshire was home to the first ski club in the United States. As of 2014, Region 1 had the **highest number of small business skiing facilities per square mile** in the country, and all six region 1 states had skiing facilities.

Region 2

Small businesses are of key importance to Puerto Rico's economy. **Four out of five Puerto Rican workers are employed at small businesses**, as compared to 48% for the United States as a whole.

Region 3

Washington D.C., Maryland and Virginia are some of the best states for women-owned businesses. **Washington, D.C., and Maryland rank 1 and 3 respectively for the number of businesses owned by women.** These two states and the district are in the top 10 for the amount of sales and employment from women-owned businesses.

Region 4

Region 4 is a center of minority-owned businesses. **23% of all minority-owned businesses are located in region 4**, making it the second in the nation. This includes over 35% of all African American-owned businesses, the highest compared to any other region.

Region 5

Region 5 has an active veteran business community. **It ranks second in terms of the number of veteran-owned businesses**, with Ohio and Illinois in the top 10 states.

Region 6

Region 6 leads the nation in long-term GDP growth (2009–2016) with 22% over the seven-year period. Texas and Oklahoma experienced the largest growth in the region with 28% and 22% respectively.

Region 7

Region 7 has a booming small health care industry. The region has the **most hospitals, general health care, and social assistance small businesses per capita** than any other region.

Region 8

Region 8 is a great place for crafty entrepreneurs. **Montana ranks first in the nation in the number of small breweries per capita**; Colorado is third, and the region as a whole ranks second.

Region 9

Region 9 is a diversity hub. Its **1.9 million minority-owned businesses amount to 24% of all U.S. minority owned businesses, placing it first in the United States** in this category. Hawaii tops the country in diversity: 64% of Hawaiian businesses are minority-owned.

Region 10

Region 10 leads the country in coastline, fishing, and seafood exports. The region's maritime endowment is led by Alaska, whose 6,640-mile-long coast is longer than those of the other 49 states combined. The region has the most small fishing operations of any region, and three of its ports—Portland, Seattle, and Anchorage—account for 67% of America's fish exports.

Welcome Long Island Businesses!

5/5/5 Adjustable Commercial Mortgages

Finance Commercial Real Estate Purchases or Refinances

- Term: 15 years
- Initial Interest Rate = 4.125%*
- Interest rate adjusts after years 5 and 10**
- No prepayment penalty

Commercial Retail Building
$1,500,000
Bayside, NY

Commercial Condo
$3,150,000
Manhattan, NY

Multi Family
$800,000
Long Island City

Strip Shopping Center
$940,000
Huntington, NY

TFCU Commercial Business

Call 631-698-7000, Ext. 1687
or Email us at
business@teachersfcu.org.

www.TeachersFCU.org

Office Building
$1,450,000
Smithtown, NY

Two Laundromats
Blanket Mortgage
$3,632,000
Astoria & Brooklyn

Dental Office
$284,000
Hampton Bays, NY

Mixed Use
$900,000
Glendale, NY

TFCU received a top 5-star rating for our financial strength and superior service from BauerFinancial Inc., the nation's leading independent financial research firm.

Not a Teacher? Not a Problem, All Long Islanders† Can Bank With TFCU!

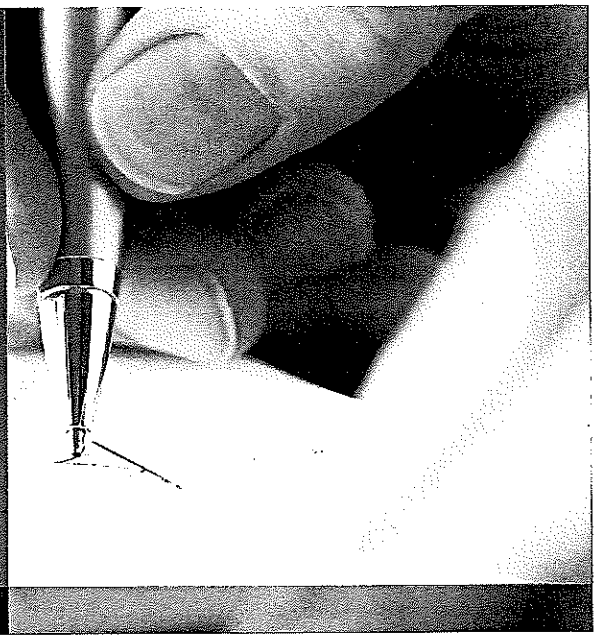
More than 90 Branches and Shared Service Centers across Long Island.

NCUA

* Rate accurate as of 4/3/2018. Rates & terms subject to change without notice. Loans are subject to credit approval. Business owners must be members or eligible for membership at TFCU.
**After years 5 and 10, interest rate will adjust to the 5 year constant maturity treasury + 2.5% rounded up to nearest 1/8th. † Subject to membership eligibility.

EQUAL HOUSING LENDER

WE HAVE THE RESOURCES AND TOOLS TO BUILD YOUR BUSINESS.



People's United Bank has been serving businesses with the expertise and tailored advice that matters for over 175 years.

Building Relationships that Last

Clients and their businesses are at the center of everything we do. Our local market presence combined with robust and competitive products and capabilities deliver deep and long-lasting relationships and tailored advise that addresses your business' unique goals and priorities.

Talk to an SBA Preferred Lender that's ready with the tools you need.

- Treasury management services, including Online banking and remote deposit capture
- Credit lines, term and SBA guaranteed loans[1]
- Merchant card processing[2]
- Payroll processing[3]
- Business insurance[4]
- Retirement plans[5]

Competitive Rates

We value our clients and take a relationship-based approach while offering highly competitive rates on a wide variety of products and services.

We welcome the opportunity to talk to you about how your business could benefit from our relationship-based approach and share insightful information about your industry.

Let's discuss your business needs.

800-810-9761

peoples.com

GREENWICH ASSOCIATES Greenwich Excellence

Our Clients Agree

We have been honored to receive 42 awards since 2009 for customer satisfaction*

People's United Bank®

[1]Application and credit approval required. [2]People's United Merchant Services, LLC (PUMS) is a joint venture of People's United Bank, N.A. and Vantiv, LLC. PUMS is an indirect subsidiary of People's United Bank. Vantiv and People's United Bank are not affiliated companies. All merchants are subject to credit approval. [3]People's United Bank, N.A. has a compensated referral relationship with Sage for the purpose of providing payroll services to our business customers. Sage and People's United Bank are not affiliated companies.

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[4]Insurance products are not deposits or other obligations of, or guaranteed by the bank or any affiliate of the bank; are not insured by the FDIC or any other government agency or by the bank and may involve risk, including possible loss of principal.

[5]Investment products and assets held in a fiduciary account are not deposits or other obligations of, are not guaranteed by People's United Bank, N.A., are not insured by the FDIC, by any other government agency or by People's United Bank, or any of its affiliates and may lose value.

*Greenwich Associates is the leading provider of global market intelligence and advisory services to the financial services industry.

SAM
SYSTEM FOR AWARD MANAGEMENT

Quick Start Guide for Contract Registration

Helpful Information

What is an Entity?
In SAM, your company / business / organization is referred to as an "Entity." You register your entity to do business with the U.S. Federal government by completing the registration process in SAM.

SAM is the official **free, government-operated website** – there is NO charge to register or maintain your entity registration record in SAM.

What do I need to get started?

1. **DUNS Number:** You need a Data Universal Numbering System (DUNS) Number to register your entity in SAM. DUNS Numbers are unique for each physical location you are registering. If you do not have one, request a DUNS number for **free** to do business with the U.S. Federal government by visiting Dun & Bradstreet (D&B) at http://fedgov.dnb.com/webform. It takes no more than 1-2 business days to obtain a DUNS Number.
2. **Taxpayer Identification Number:** You need your entity's Taxpayer ID Number (TIN) and Taxpayer Name (as it appears on your most recent tax return). Foreign entities that do not pay employees within the U.S. do not need to provide a TIN. Your TIN is usually your Employer Identification Number (EIN) assigned by the Internal Revenue Service (IRS). Sole proprietors may use their Social Security Number (SSN) assigned by the Social Security Administration (SSA) as their TIN, but are strongly encouraged to obtain a free EIN from the IRS by visiting: http://www.irs.gov/Businesses/Small-Businesses-& -Self-Employed/How-to-Apply-for-an-EIN Allow approximately two weeks before your new EIN is ready for use when registering in SAM.
3. **NEW!** You must prepare, sign, and submit a letter designating your Entity Administrator following the posted instructions.

Steps for Registering

1. Type www.sam.gov in your Internet browser address bar.
2. Create a SAM Individual User Account (be sure to validate your e-mail address), then Log in.
3. On the My SAM page select Entity Registrations and then select Register New Entity.
4. Select your type of Entity.
5. If you are registering in SAM.gov so you can conduct business with the government through contracts, select "I want to be able to bid on federal contracts or other procurement opportunities. I also want to be able to apply for grants, loans, and other financial assistance programs."
6. Complete the Core Data section:
   - Validate your DUNS Number information.
   - Enter Business Information (TIN, etc.) This page is also where you create your Marketing Partner Identification Number (MPIN). Remember your MPIN as it will serve as your electronic signature for the IRS Consent to Disclosure of Tax Information on the following page.
   - Enter your CAGE Code if you have one. CAGE codes are tied to DUNS Numbers and cannot be reused. Don't worry if you don't have a CAGE Code for the DUNS Number you are registering: one will be assigned to you after your registration is submitted. Foreign registrants must enter their NCAGE Code before proceeding.
   - Enter General Information (business types, organization structure, etc.) about your entity.
   - Provide your entity's Financial Information, i.e. U.S. bank Electronic Funds Transfer (EFT) Information for Federal government payment purposes. Foreign entities do not need to provide EFT information.
   - Answer the Executive Compensation questions.
   - Answer the Proceedings Details questions.
   - Provide your public search authorization.
7. Complete the "Assertions" section:
   - Enter your entity's goods and services using NAICS Codes and PSCs.
   - Enter your entity's size metrics.
   - Enter optional Electronic Data Interchange (EDI) information.
   - Enter optional Disaster Response Information.
8. Complete the Representations & Certifications section, which is comprised of Federal Acquisition Regulation (FAR) and Defense Federal Acquisition Regulation Supplement (DFARS) provisions/clauses, and Architect-Engineer Responses (SF330 Part II).
9. Complete the Points of Contact section: Your Electronic Business POC is integral to the procurement process. Your Government POC will be used by other government systems, such as the CAGE program, when they contact you. List someone with direct knowledge of this registration for both of those POCs.
10. Make sure to select Submit after your final review. You will get a Registration Submitted - Confirmation message on the screen. If you do not see this message, you have not submitted your registration.

Your registration will be reviewed. You will receive an email from SAM.gov when your registration is active.

Allow up to 12-15 business days after you submit before your registration is active in SAM.

For FREE help registering in SAM, contact the supporting Federal Service Desk (FSD) at https://www.fsd.gov/

IAE

Contracting Assistance Programs

SBA
U.S. Small Business Administration

SBA Small Business Certifications: Apply Online. Applying to SBA is the only way to qualify.

	8(a) Business Development	HUBZone
	One-time certification; 9-year program term with annual reviews www.sba.gov/8abd	*Must recertify every 3 years; can be certified indefinitely* www.sba.gov/hubzone
Benefits	$ Obtain management & technical assistance through the 7(j) Management and Technical Assistance Services Program. $ Eligible to receive 8(a) set-aside and sole source contracts. $ Assigned a Business Opportunity Specialist to assist you with your business growth and contracting needs. $ Form Mentor-Protégé and joint ventures. $ 5% government-wide contracting goal as a small disadvantaged business.	$ Eligible for HUBZone set-aside and sole source contracts. $ 10% price evaluation preference under full and open competition. $ 3% government-wide contracting goal.
Eligibility	The business (except entity-owned firms*) must: 1. be small by SBA standards at time of application and throughout the 9-year program term. 2. be at least 51% unconditionally and directly owned and **controlled** by one or more **socially disadvantaged individuals** who are US citizens and are **economically disadvantaged.** 3. show potential for success (generally by being in business for two years) and have the necessary financial capacity to successfully perform on federal contracts. 4. have all its principals demonstrate good character including not owing any outstanding federal financial obligations. *Requirements are different for firms that are owned by Entities such as: Alaska Native Corporations (ANCs), Indian tribes, Native Hawaiian Organizations (NHOs), and Community Development Corporations (CDCs). All firms that are current Participants in the SBA's 8(a) BD program are automatically deemed to be certified Disadvantaged Business.	The business* must: 1. be small by SBA standards. 2. be owned and **controlled** at least 51% by U.S. citizens; wholly owned or owned in part by one or more Indian Tribal Governments or by a corporation that is wholly owned by one or more Indian Tribal Governments; an ANC owned and controlled by Natives or a direct or indirect subsidiary corporation, joint venture, or partnership of an ANC; wholly owned or owned in part by a CDC; or a small agricultural cooperative or a small business concern wholly owned or owned in party by one or more small agricultural cooperatives. 3. have a principal office located in a qualified HUBZone (except for certain concerns owned by Indian Tribal Governments)*. 4. have at least 35% of its employees reside in a HUBZone. Residence means to live in a primary residence at a place for at least 180 days, or as a currently registered voter, and with intent to live there indefinitely. *Requirements are different for firms that are owned in whole or in part by Indian Tribal Governments or corporations wholly owned by Indian tribal Governments. See the website for more details.

Self Certifications: Self Certify at SAM.gov.

Evidence of status will be reviewed if a vendor protests.

Women Owned Small Business

Must submit eligibility documents to WOSB Repository
www.sba.gov/wosb

Benefits

- $ 5% government-wide contracting goal.
- $ Eligible for set-aside contracts in certain very underrepresented industries.

Eligibility

The business must be:

1. small by SBA standards.
2. not less than 51% unconditionally and directly owned and **controlled** by one or more **women** who are US citizens.

Economically Disadvantaged Woman Owned Small Business

Must submit eligibility documents to WOSB Repository
www.sba.gov/wosb

Benefits

- $ 5% government-wide contracting goal.
- $ Eligible for set-aside contracts in certain very underrepresented industries.
- $ Eligible for set-aside contracts in certain additional underrepresented industries.

Eligibility

The business must be:

1. small by SBA standards.
2. not less than 51% unconditionally and directly owned and **controlled** by one or more **women** who are US citizens and are **economically disadvantaged.**

Small

www.sba.gov/size

Benefits

- $ 23% government-wide contracting goal.
- $ Be eligible for small business set-aside contracts.

Eligibility

The business must be small according to the SBA standard for its industry (NAICS code).

Small Disadvantaged

www.sba.gov/sdb

Benefits

- $ 5% government-wide contracting goal.
- $ Eligible for 7(j) training.

Eligibility

The business must be:

1. small by SBA standards, in its primary industry (NAICS code).
2. not less than 51% unconditionally and directly owned and **controlled** by one or more **socially disadvantaged** individuals who are US citizens and are **economically disadvantaged.**

Self Certifications: Self Certify at SAM.gov.

Evidence of status will be reviewed if a vendor protests.

Service-Disabled Veteran Owned Small Business

www.sba.gov/content/service-disabled-veteran-owned-small-business-concerns-sdvosbc

Benefits

- $ Preference for VA contracts over all other types of business*.
- $ 3% government-wide contracting goal.
- $ Be eligible for service disabled veteran set aside contracts from any agency.

*firms that wish to contract with VA and/or FAA must apply for certification through the VA website: www.va.gov/osdbu/veteran/verification.asp

Eligibility The business must be:

1. small by SBA standards, at time of offer.
2. not less than 51% owned and **controlled** by a service-disabled Veteran(s) who has a service-connected disability that has been determined by the Department of Veterans Affairs or Department of Defense.

Glossary

The following individuals are presumed Socially Disadvantaged for 8(a):

Black Americans
Hispanic Americans
Native Americans
the Asian Pacific Americans
Subcontinent Asian-Americans
Individuals who establish Social Disadvantage by a preponderance of the evidence (13 CFR 124.103)

Economic Disadvantage thresholds for 8(a), SDB, and ED/WOSB:

	8(a) Initial Eligibility (Applicants)	8(a) Continuing Eligibility (Participants), WOSB and SDB
Net worth	< $250,000	< $750,000
Assets	< $4 million	< $6 million
Average Gross Income	< $250,000	< $350,000

OWNERSHIP & CONTROL ARE DIFFERENT.

Control for 8(a), HUBZone, WOSB, SDB, & SDV

Means both the long-term decision making and the day-to-day management and administration of business operations.

Additional Control element for 8(a), WOSB, SDB, SDV

The individual upon whom eligibility is based must hold the highest officer position and have managerial experience of the extent and complexity needed to run the firm.

Additional Control element for 8(a), WOSB

The individual, upon whom eligibility is based, must devote full-time to the business; outside employment may be permissible only after obtaining prior written approval from SBA.

Other Small Business Programs: Apply online.

	All Small Mentor-Protégé	Natural Resource Sales Assistance
	1st term of a MP Agreement may last up to three years, and can be extended for another three. Protégé may have two mentors at the same time, but no more than two mentors over lifetime of business; must submit annual report. www.sba.gov/all-small-mentor-protege-program	*The government sells large amounts of natural resources and surplus property. SBA works with federal agencies to channel a fair share to small businesses.* www.sba.gov/natural-resource-sales-assistance-program
Benefits	$ Protégés receive valuable business development help with mentors. $ Form joint ventures to compete for small business set-asides and/or set asides for SDV, WOSB/EDWOSB, or HUBZone as long as protégé qualifies.	$ Small business set-asides for small businesses to obtain a fair share of government property sales and leases. $ Program covers five categories of federal resources*: timber and related forest products; strategic materials; royalty oil; leases involving rights to minerals, coal, oil, and gas; and surplus real and personal property.
Eligibility	The business* must be: Protégé: 1. small by SBA standards. 2. prepared with a mentor prior to applying for program. 3. organized for profit or agricultural cooperative. Mentor: 1. capable of carrying out responsibilities to assist protégé firm under proposed Mentor Protégé Agreement. 2. have all its principals demonstrate good characterincludingnotowninganyoutstanding federal financialobligations. 3. organized for profit or agricultural cooperative. 4. involved with no more than three protégés at one time. *A SBA 'determination of affiliation' must not exist between the mentor and the protégé as fully defined in Title 13 Part 121.103 of the Code of Federal Regulation (CFR).	The business must be: 1. small by SBA standards. *Timber and related forest products are sold by the following agencies: Department of Agriculture's Forest Service, Department of Interior's (DOI) Bureau of Land Management, Department of Defense (DoD), Department of Energy, DOI's Fish and Wildlife Service, and Tennessee Valley Authority. Strategic materials are regulated by General Services Administration (GSA). Royalty oil can be obtained through DOI's Office of Natural Resource Revenue. Leases for minerals, coal, oil and gas are through various agencies. Surplus real and personal property are sold through GSA and DoD.

U.S. SMALL BUSINESS ADMINISTRATION
NEW YORK DISTRICT OFFICE
WOMEN BUSINESS CENTERS

8/30/2018

The Women's Business Centers are partially funded by the US. Small Business Administration's Office of Women's Business Ownership. Women Business Centers were established to help women become full partners in economic development through small business ownership. The centers offer the latest in business information and long-term training, best practices, computer and Internet training and access, individual and group business counseling, access to the SBA's programs and services and much more. Please visit our WBC Website at: www.onlinewbc.gov

BROOKLYN

Business Outreach Center Network
Delia A. Awusi, Director
85 South Oxford Street
Brooklyn, NY 11217
Phone: 718-625-1276
Fax: (718) 246-1881
E-mail: dawusi@bocnet.org
Website: www.bocnet.org

The Local Development Corp of East NY
Gail Davis, Director
80 Jamaica Avenue, 3rd Floor
Brooklyn, NY 11207
Phone: (718) 385-6700 ext. 24
Fax: (718) 385-7505
Email: gaild@ldceny.org
Web-Site: www.ldceny.org

QUEENS

Queens Economic Development Corp.
Andrea Ormeno, Director
120-55 Queens Blvd, Suite 309
Kew Gardens, NY 11424
Phone: (718) 263-0546
Fax: (718) 263-0594
E-mail: aormeno@queensny.org
Web-Site: www.queensny.org
Like us on Facebook:
www.facebook.com/QueensWBC
Follow us on Twitter:
http://twitter.com/#!WomenBizTalk

STATEN ISLAND SATELLITE OFFICE

BOC Network WBC's Satellite
C/o Staten Island Business Outreach Center (SIBOC)
Nina Flores, Director
705 Forest Avenue, 2nd Floor - R
Staten Island, NY 10310
Phone: (718) 816-4775
Fax: (718) 816-7234
Email: nina@siboc.org
Website: www.siboc.org

WESTCHESTER & MID HUDSON

Women's Enterprise Development Center Inc.
Traci E. Alexander, Director
901 North Broadway, Suite 23
White Plains, NY 10603
Phone: (914) 948-6098 ext. 11
Fax: (914) 470-2972
E-mail: talexander@wedcbiz.org
Web-Site: www.wedcbiz.org

BRONX

BOC Women Business Center
Luz-Maria Lambert, Director
1231 Lafayette Ave 2nd. floor
Bronx, NY 10474
Phone: 646-723-3361
Fax: NO FAX YET
Email: lmlambert@bocnet.org
Website: www.bocnet.org
Front desk is 646-723-3364

U. S. Small Business Administration
NEW YORK DISTRICT OFFICE
MICRO LENDERS
a/o 8/27/2018

The MicroLoan Program was developed to increase the availability of very small loans to prospective small business borrowers. Under the program the SBA makes funds available to nonprofit intermediaries, who in turn make loans to eligible borrowers in amounts up to a maximum of $50,000.

MANHATTAN

Renaissance Economic Development Corp.
Ms. Jessie C. Lee, Managing Director
2 Allen St.,7th Floor.
New York, NY 10002

Phone: 212- 964-6022 ext.2180
Fax: 212- 964-6003
E-mail: **jessie@renaissance-ny.org**
Web-site: www.renaissance-ny.org
Service Areas: All 5 Boroughs
Serves Minorities & Immigrants

ACCION East
Ms.Sandra Bojorque, Manager of Lending
80 Maiden Lane, Ste. 903
New York, NY 10038

Phone: 646-833-4506
Fax: 646-863-6672
E-mail: sbojorque@accioneast.org
Web-site: www.us.accionu.org
Service Area: All 5 Boroughs
and New Jersey

Center for Community Development for New Americans, Inc.s. **Yanki Tshering**, Exec. Director
Center for Community Development for New Americans, Inc.
120 Broadway, Ste 230
New York, NY 10271

Phone: 212-898-4112
Fax: 212-898-7821
E-mail: **ytshering@nyana.org**
Web-site: www.nybcna.org

Grameen America, Inc.
Mr. David Gough, Chief Financial Officer
150 West 30th Street-8th Floor
New York, NY 10001
Phone: 718-704-0451
Fax: 718-306-9678
Email: **dgough@grameenamerica.org**
Web-site: http://www.grameenamerica.org/
Service Areas; Manhattan &Jackson Heights/
Women Who Fall Below the Federal Poverty Line

WESTCHESTER

Community Capital New York
Ms. Simone Obermaier, Senior Vice President of Lending
44 Executive Blvd
Elmsford, NY 10523

Phone: 914-747-8020 ext. 110
Fax: 914-747-2049
Cell: 914-703-5502
E-mail: **sobermaier@communitycapitalny.org**
Web-site: www.Communitycapitalny.org
Service Area: Westchester, Rockland, Putnam, Dutchess, Orange, Ulster and Sullivan counties

BROOKLYN

BOC Capital Corp.
Mr. Hector Davis, Senior Lending Officer
85 South Oxford Street
Brooklyn, NY 11217

Phone: 718- 624-9115 ext. **14**
Fax: 718- 246-1881
E-mail: **hdavis@bocnet.org**
E-mail: **boccapitalcorp@bocnet.org**
Web-site: www.bocnet.org
Service Area: All 5 Boroughs

U.S. SMALL BUSINESS ADMINISTRATION
NEW YORK DISTRICT OFFICE
SMALL BUSINESS DEVELOPMENT CENTERS

8/23/2018

The Small Business Development Centers provide management and technical assistance to start-up and existing small business. These strategically located campus-based centers bring together the resources of the university, the private sector and government. These resources are utilized to council and train small businesses in resolving organizational, in providing direct one-to-one counseling on small businesses problems. For further information and/or assistance, contact the SBDC center closest to you. Visit www.nyssbdc.org for locations in NYS.

MANHATTAN

Andrew Flamm, Director
Small Business Development Center
Pace University, 163 William St., R. 328
New York, NY 10038

Phone: 212-618-6655
E-mail: sbdc@pace.edu

Ulas Neftci, Director
Small Business Development Center
Baruch College
55 Lexington Ave., (at 24th St.), 2-140
New York, NY 10010

Phone: 646-312-4790
Fax: 646-312-4781
E-mail: sbdc@baruch.cuny.edu

Kaaryn Nailor Simmons, Director
Columbia-Harlem SBDC
Columbia Business School
Columbia University
475 Riverside Drive 3rd Floor -312H
New York, NY 10027

Phone: 646-745-8573
E-mail: sbdc@columbia.edu
www.columbiaharlemsbdc.edu

BRONX

Clarence Stanley, Director
Small Business Development Center
Lehman College
250 Bedford Park Blvd. W.
Carman Hall Room 128
Bronx, NY 10468-1589

Phone: 718-960-8806
Fax: 718-960-7340
E-mail: sbdc.bronx@lehman.cuny.edu
Website: www.bronx.nyssbdc.org

Bronx Small Business Development Center
CUNY on the Concourse
2501 Grand Concourse, 3rd Floor
Bronx, NY 10468

Phone: 718-960-8806
E-mail: sbdc.bronx@lehman.cuny.edu
Website: www.nyssbdc.org
(By appointment only)

BROOKLYN

Robert Piechota, Director
Small Business Development Center
New York City College of Technology
25 Chapel St. 11th Fl.
Howard Building
Brooklyn, NY 11201
718-797-0187
sbdc@citytech.cuny.edu
http://brooklyn.nyssbdc.org

NASSAU/WESTERN SUFFOLK

Erica Chase-Gregory, Regional Director
Small Business Development Center
SUNY @ Farmingdale
2350 Broadhollow Road
Farmingdale, NY 11735
Main Phone: 934-420-2765
Direct: 934-420-2888
Fax: 631- 370-8895
E-mail: Erica.chase@farmingdale.edu
Web-site: www.farmingdale.edu/SBDC

SUFFOLK COUNTY

Bernard Ryba, Regional Director
Small Business Development Center
Stony Brook University
The Research & Development Park,
Research and Support Services Building, Ste. 146
Stony Brook, NY 11794-6016

Phone: 631-632-9070
Fax: 631-632-7176
E-mail: Bernard.ryba@stonybrook.edu
www.stonybrook.edu-sbdc

QUEENS

Harry Wells, Director
Small Business Development Center
York College
94-50 159th St., Ste. 107
Jamaica, NY 11451

Phone: 718-262-2880
Fax: 718-262-2881
E-mail: sbdc@york.cuny.edu
www.york.cuny.edu/sbdc

Rosa A. Figueroa, Director
Small Business Development Center
La Guardia Community College/CUNY
30-20 Thomson Ave, Ste. BA 02
Long Island City, NY 11101
Main Phone: 718-482-5303
Direct: 718-482-5962
Fax: 718-609-2019
E-mail: rfigueroa@lagcc.cuny.edu
Web-site: http:laguardia.nyssbdc.org

ROCKLAND/WESTCHESTER and PUTNAM

Thomas Morley, Director
Small Business Development Center
Rockland Community College/SUNY
Brucker Hall,
145 College Rd.Suffern, NY 10901

Phone: 845-356-6065
Fax: 845-230-7309
E-mail: tmorley@sunyrockland.edu

Westchester Small Business Development Center West
Fordham University
400 Westchester Ave.
West Harrison, NY 10604

Phone: 845-356-6065
Fax: 845-230-7309
E-mail: tmorley@sunyrockland.edu

Westchester Small Business Development Center East
The Business Council of Westchester
800 Westchester Ave. #S310
Rye Brook, NY 10573

Phone: 845-356-6065
Fax: 845-230-7309
E-mail: tmorley@sunyrockland.edu

Rockland BRC & Global for Advanced Manufacturing Technologies
37 West Broad Street, 2nd Floor
Haverstraw, NY 10927

Phone: 845-356-6065
Fax: 845-230-7309
E-mail: tmorley@sunyrockland.edu

Rockland SBDC Putnam Outreach
Greater Carmel& Mahopac Chamber of Commerce
953 S. Lake Boulevard
Mahopac, NY 10541
Phone: 845-356-6065
Fax: 845-230-7309
E-mail: tmorley@sunyrockland.edu

ULSTER

Arnaldo Sehwerert, Director
Mid-Hudson Small Business Development Center at SUNY Ulster
One Development Ct.
Kingston, NY 12401

Phone: 845-443-8058
Fax: 845-331-2643
E-mail: sehwerea@sunyulster.edu
Web-site: www.mid-hudson.nyssbdc.org

STATEN ISLAND

Dean L. Balsamini, Director
Small Business Development Center
College of Staten Island
2800 Victory Blvd., Bldg. 3A, Room 105
Staten Island, NY 10314-9806

Phone: 718-982-2560
Fax: 718-982-2323
E-mail: dean.balsamini@csi.cuny.edu
E-mail: sbdc@csi.cuny.edu
Web-site: www.sisbdc.org

Dean L. Balsamini, Director
Small Business Development Center
North Shore Satellite Office:
CSI Technology Incubator
60 Bay Street, Suite 902
Staten Island, New York, 10301
***By Appointment Only**

Phone: 718-873-4496
E-mail: dean.balsamini@csi.cuny.edu
E-mail: sbdc@csi.cuny.edu
Web-site: www.sisbdc.org

Dean L. Balsamini, Director
Small Business Development Center
Brooklyn Satellite Office:
New Utrecht Public Library
1743 86th Street
Brooklyn, New York 11214
***By Appointment Only**

Phone: 718-619-5603
E-mail: dean.balsamini@csi.cuny.edu
E-mail: sbdc@csi.cuny.edu
Web-site: www.sisbdc.org

U.S. Small Business Administration

U.S. SMALL BUSINESS ADMINISTRATION
NEW YORK DISTRICT OFFICE
PROCUREMENT TECHNICAL ASSISTANCE CENTERS (PTAC)

8/24/2018

Congress created the Procurement Technical Assistance Program (PTAC) to help businesses seeking to compete successfully in federal government contracting. These centers provide a range of expert services at little or no charge, including assistance to businesses that want to sell products and services to the federal government. To find a PTAC near you go to: http://www.aptac-us.org/find-a-ptac/?state=NY

MANHATTAN

New York City Procurement Technical Assistance Center (PTAC)
Rogina Coar-Smith, Executive Director
New York City Department of Small Business Services
110 William St., 7nd Fl.
New York, NY 10038
Phone: 212-513-6380
E-mail: bizhelp@sbs.nyc.gov
Website: www.nyc.gov/getcertified

BRONX

South Bronx Overall Economic Development Corporation (PTAC)
Evangeline Gelladola, Assistant Vice President
Bronx Procurement & Technical Assistance Center
555 Bergen Ave.
Bronx, NY 10455
Phone: (718) 732-7538
Email: egelladola@sobro.org
Website: www.sobro.org

QUEENS

LaGuardia Community College (PTAC)
Edgard Hernandez, Director
LaGuardia Community College/CUNY
31-10 Thomson Ave., Ste B309
Long Island City, NY 11101
Phone: (718) 482-5306
E-mail: ehernandez@lagcc.cuny.edu
Web-Site: www.laguardiaptac.org

WESTCHESTER & ROCKLAND

Rockland Economic Development Corp. (PTAC)
Lin Simeti, Program Director
One Blue Hill Plz./P.O. Box 1575
Pearl River, NY 10965-1575
Phone: (845) 735-7040
Fax: 845-735-5736
E-mail: ptac@redc.org
Web-Site: www.redc.org/ptac

SCORE Directory - January 17, 2018

Manhattan

New York City Chapter #1000 Headquarters
26 Federal Plaza, Rm. 3100
New York, NY 10278
Mon - Thu 9 AM – 4 PM
Fri. 10 AM – 2 PM
www.newyorkcity.score.org
212-264-4507
ask@scorenyc.org

New York Public Library (SIBL)
188 Madison Ave (at 34th St.)
New York, NY 10016
Mon 10 AM – 6 PM
Tues, Wed, Thurs 10 AM – 7:40 PM
Fri. & Sat 10 AM – 2 PM
212-592-7033

Brooklyn (Kings County)

Brooklyn Borough Hall
209 Joralemon Street
Brooklyn, NY 11201
By Appointment Only
Mon, Tues, Thurs, Fri - 10AM -2PM
Wed 1-4 PM,
212-264-4507

Brooklyn Central Library
10 Grand Army Plaza
Brooklyn, NY 11238
By Appointment Only
Mon & Wed 10 AM – 2 PM
Tue 5-8:30 PM
718-623-7000 Ext 3

CACCI- Flatbush-Caton Mart
800 Flatbush Ave. – Mart #25
Brooklyn, NY 11226
Weds 11 AM – 3 PM **By Appointment Only**
718-941-1424

Bronx

Bronx BOEDC
851 Grand Concourse, Rm. 123
Bronx, NY 10451
718-590-6252
Thurs 9:30 AM -4:30 PM **By Appointment Only**

Dutchess

Dutchess Chapter #59 Headquarters
Dutchess County Regional Chamber of Commerce
1 Civic Center Plaza, Rm. 400
Poughkeepsie, NY 12601
By Appointment Only
Thurs 10, 11 & Noon
845-454-1700 Ext 1021
www.dutchess.score.org
scoredutchess@gmail.com

Poughkeepsie Galleria Community Room
2001 South Road
Poughkeepsie, NY **By Appointment Only**
Wednesday 9 AM -12 PM, 1-4 PM
845-454-1700 Ext 1021

Long Island (Nassau & Suffolk Counties)

Long Island Chapter #694 Headquarters
SBA Long Island Office
350 Motor Parkway, Rm. 109
Hauppauge, NY 11788
Mon. – Fri. 10 AM – 2 PM
www.longisland.score.org
631-454-0771

Bay Shore
Bay Shore Brightwaters Library
1 So. County Road
Brightwaters, NY 11718
Thurs 10 AM – 1 PM **By Appointment Only**
www.longisland.score.org or 631-665-4350

Brookhaven Town
Economic Development
1 Independence Hill
Farmingville, NY 11738
Tue 10 AM – 1 PM **By Appointment Only**
www.longisland.score.org or 631-451-6563

Dix Hills
Half Hollow Hills Library
55 Vanderbilt Parkway
Dix Hills, NY 11746
Tue 4:30-7:30 PM **By Appointment Only**
www.longisland.score.org or 631-451- 4530

Elmont
Elmont Public Library
700 Hempstead Turnpike
Elmont NY 11003
Wed 1-4 PM 5-8 PM **By Appointment Only**
www.longisland.score.org or 631-728-6241

Garden City
Champion Office Suite 325
1225 Franklin Avenue
Garden City, NY 11530
Tues 10 AM – 2 PM
www.longisland.score.org or 516-512- 8978

Hampton Bays
Hampton Bays Library
52 Ponquogue Ave
Hampton Bays, NY 11946
Tue 4-7 PM **By Appointment Only**
www.longisland.score.org or 631-728-6241

Hempstead
Department of Occupational Resources
Hempstead / Long Beach WDB
50 Clinton St 4th Floor
Hempstead, NY 11550
Mon, Wed, Thurs, Fri 10 AM – 2 PM
www.longisland.score.org 516-585-500Ext 1102

Huntington
Huntington Public Library
338 Main St
Huntington NY 11743
1st and 3rd Thurs 4-7 PM **By Appointment Only**
www.longisland.score.org 631-454-0771

Kings Park
Smithtown Library
1 Church Street.
Kings Park, NY 11754
Thurs 10 AM-2 PM **By Appointment Only**
www.longisland.score.org or 631-269-9191

Long Beach
780 Long Beach Road
Long Beach, NY 11561
516-766-5624 **By Appointment Only**
or **www.longisland.score.org**

Riverhead
Riverhead Free Library
330 Court St.
Riverhead, NY 11901
Fri. 10 AM – 2 PM **By Appointment Only**
www.longisland.score.org 631-727-3228 x 131

Shirley
Mastic-Moriches-Shirley Community Library
407 William Floyd Parkway
Shirley, NY 11967
Mon 3 – 6 PM **By Appointment Only**
www.longisland.score.org or 631-728-6241

Shoreham
North Shore Public Library
250 Route 25A
Shoreham, NY 11786
Wed 6-9 PM **By Appointment Only**
www.longisland.score.org
or 631-929-4488 Ext 225

Southampton
Southampton Rogers Memorial Library
91 Coopers Farm Rd
Southampton, NY 11968-4832
Fri 10 AM – 2 PM **By Appointment Only**
www.longisland.score.org
or_631-283-0774 Ext 505

Westbury
Long Island Development Corp
400 Post Avenue
Westbury, NY 11590
Fri 10AM – 2PM **By Appointment Only**
www.longisland.score.org 888-433-3632

Orange

Orange County Chapter#465 Headquarters
www.orange.score.org 845-237-2476
info@orangenyscore.com

Monroe
787 Route 17 M #330
Monroe, NY 10949
Thur 1PM-4PM **By Appointment Only**
www.orange,score.org 845-237-2476

Putnam

Putnam Chapter #678 Headquarters
Donald B Smith County Government Campus
110 Old Route 6
Room 8, Building 3
Carmel, NY 10512
Mon 9:00 AM – 1:00 PM
Thurs 9:30 AM - 3:00 PM
putnamscore@yahoo.com
www.putnamscore.org
845-225-6030

Yorktown
Yorktown Chamber of Commerce
3635 Crompond Road
Cortland Manor, NY 10567
Fri 9:30 AM -2 PM
845-225-6030 **By Appointment Only**

Queens

Queens Chapter #588 Headquarters
Queens Chamber of Commerce
75-20 Astoria Blvd -Suite 140
Jackson Heights, NY 11370
By Appointment Only
Score.queens@socrevolunteer.org
www.queens.score.org 347- 470-4890

Greater Jamaica Development Corp
90-04 161st Street 7th Floor
Jamaica, NY 11432
THUR 2-5 PM **By Appointment Only**
www.queens.score.org 347- 470-4890

Queens College TechIncubator
Building CEP 2
65-30 Kissena Blvd
Flushing, NY 11367
WED 2-5 PM **By Appointment Only**
www.queens.score.org 347- 470-4890

Rockland

Rockland Chapter #677 Headquarters
Rockland Community College
Rm 6102G Brucker Hall 145 College Road
Suffern, NY 10901
Tues 10AM-12PM,Thur 4-6PM
By Appointment Only
www.rocklandscore.org or 845-426-1206
info677@scorevolunteer.org

Haverstraw
Haverstraw Extension Center - RCC
37 Broad Street (2nd Fl)
Haverstraw, NY 10927
Wed 4-6 PM **By Appointment Only**
www.rocklandscore.org or 845-426-1206

New City
New City Ambulance Corp
200 Congers Road.
New City, NY 10956
Tues 10 AM-12 PM, 6-8 PM
By Appointment Only
www.rocklandscore.org or 845-426-1206

Street Community Center
31 Zukor Road
New City, NY 10956
Mon, Thur 6- 8PM **By Appointment Only**
www.rocklandscore.org or 845-426-1206

Pearl River
REDC
1 Blue Hill Plaza
Pearl River, NY 10965
Fri 10:00 AM- 12 PM **By Appointment Only**
www.rocklandscore.org or 845-426-1206

Staten Island (Richmond Cty)

Staten Island Chapter #476 Headquarters
Staten Island Advance Building
950 West Fingerboard Road
Staten Island, NY 10305
Tues , Thurs 9 AM – 12PM.
www.statenisland.score.org or 718-727-1221
info@scoresi.org

Mid Island
Salmon Real Estate Bldg
1855 Victory Blvd
Staten Island, NY 10314 **By Appointment Only**
www.statenisland.score.org or 718-727-1221

South Shore
Richmond County Savings Bank
2875 Veterans Road West
Staten Island, NY 10309 **By Appointment Only**
www.statenisland.score.org or 718-727-1221

Sullivan

Sullivan Chapter #697 Headquarters
Sullivan County Partnership
198 Bridgeville Rd
Monticello, NY 12701 **By Appointment Only**
jeremy.gorelick@scorevolunteer.org
www.sullivancounty. score.org
845-796-5270

Ulster

Ulster Chapter #533 Headquarters
SUNY – ULSTER
Room HAR 210
Stone Ridge, NY 12484
By Appointment Only
www.ulster.score.org or 845-339-0468
score@sunyulster.edu

Westchester

Westchester Chapter #306 Headquarters, White Plains
NYS Dept. of Labor
120 Bloomingdale Road
White Plains, NY 10605
Mon , Tue, Wed & Fri- 9 AM – 1 PM,
Thurs 9AM-4PM
www.westchester.score.org or 914-948-3907
scoreinfo@scorewestchester.com

Armonk
Armonk Public Library
19 Whipporwill Road
Armonk, N.Y. 10504
Wed 6:30 - 7:30 PM **By Appointment Only**
www.westchester.score.org or 914-948-3907

Harrison
Harrison Public Library
2 Bruce Ave
Harrison, NY 10528
Wed 6:00 – 8:00 PM **By Appointment Only**
www.westchester.score.org or 914-948-3907

New Rochelle
Monroe College – King Graduate School
145 Huguenot St
New Rochelle, NY 10801
Mon 5 – 8PM **By Appointment Only**
www.scorewestchester.com or 914-948-3907

Tarrytown
Warner Library
121 North Broadway
Tarrytown, N.Y. 10591
Thur 6:30-8:30 PM **By Appointment Only**
www.westchester.score.org or 914-948-3907

White Plains White Plains Public Library
100 Martine Ave.
White Plains, NY 10601
Wed 6:30 – 8 PM **By Appointment Only**
www.westchester.score.org or 914-948-3907

Yonkers
Yonkers Chamber of Commerce
55 Main St., 2nd Fl.
Yonkers, NY 10701
Tues. 12 – 3 PM **By Appointment Only**
www.westchester.score.org or 914-948-3907

Elaine Powell-Belnavis
Economic Development Specialist
New York District Office

elaine.powell.belnavis@sba.gov
@SBA_NewYork
P: 212-264-2846
F: 202-481-1825
26 Federal Plaza, Suite 3100
New York, NY 10278
SBA.gov

Elizabeth Abreu
Economic Development Specialist
New York District Office

elizabeth.abreu@sba.gov
@SBA_NewYork
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26 Federal Plaza, Suite 3100
New York, NY 10278
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MARCUS J. MOLINARO
COUNTY EXECUTIVE

JESSICA A. WHITE
BUDGET DIRECTOR

COUNTY OF DUTCHESS
BUDGET OFFICE

Memo

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

From: Jessica White, Budget Director

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

Date: October 4, 2018

As of October 4, 2018, the **General Contingency-A1990.4007** reflects a balance of **$574,597.**

Contingency – Adopted		**$1,500,000**
Approved Resolutions		
2018067	Authorizing the Department of Behavioral and Community Health to establish a competitive grant program for the establishment of prescription drop off boxes and amending the 2018 Adopted County Budget as it pertains to the General Contingency Fund (A.1990.4007)	(5,760)
2018122	Amending the 2018 Adopted County Budget as it pertains to the Dutchess County Sheriff	(54,000)
2018136	Amending the Adopted County Budget as it pertains to the Dutchess County Clerk	(85,400)
2018210	Amending the 2018 Adopted County Budget as it pertains to the Department of Public Works-Parks Division.	(250,000)
2018211	Authorizing a Grant Agreement with the Federal Aviation Administration for construction of a new aircraft rescue/firefighting and snow removal equipment building and amending the 2018 Adopted County Budget as it pertains to the Department of Public Works – Hudson Valley Regional Airport.	(335,243)

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countybudget@dutchessny.gov
www.dutchessny.gov

2018217	Amending the 2018 Adopted County Budget as it pertains to the Office for the Aging.	(195,000)

Contingency Balance after adopted amendments: **$574,597**

The proposed changes to the General Contingency per the Legislature's Agenda for the October 9, 2018 Legislature Board Meeting is as follows:

Proposed Resolutions

2018265	Authorizing filing of section 5307 and 5339 Grant Applications for Federal Fiscal Year 2019 with Federal Transit Administration and New York State Department of Transportation for matching funds for capital assistance under Urban Mass Transportation Act of 1964, and establishing a capital project account for bus replacement, overhauls of fleet, and facility improvements.	(244,597)
2018268	Amending the 2018 Adopted County Budget as it pertains to the Department of Public Works, Divisions of Auto Service Center (A.1640), Highway (E.5130), and Public Transit (ET.5680).	(330,000)

Contingency Balance after proposed amendments: **$0**

As of October 4, 2018, the **Capital Reserve** account reflects an available balance of **$717**.

Capital Reserve beginning balance: **$148,409**

Approved Resolutions

2018211	Authorizing a Grant Agreement with the Federal Aviation Administration for construction of a new aircraft rescue/firefighting and snow removal equipment building and amending the 2018 Adopted County Budget as it pertains to the Department of Public Works – Hudson Valley Regional Airport.	(147,923)

Interest Earned **$231**

Capital Reserve balance after approved amendments: **$717**

There are no proposed changes to the Capital Reserve per the Legislature's Agenda for the October 9, 2018 Legislative Meeting.

Capital Reserve Balance: **$717**

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

Dutchess County

Contingency Memo

Through Date: 10/4/2018

Prior Fiscal Year Activity Included

Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year Total
Expenditures									
Account: 4007 - General Contingency									
A.1990 - General Fund,Contingency & Vac Fctr	$1,500,000.00	($925,403.00)	$574,597.00	$0.00	$0.00	$0.00	$574,597.00	0%	$0.00
4007 - General Contingency	$1,500,000.00	($925,403.00)	$574,597.00	$0.00	$0.00	$0.00	$574,597.00	0%	$0.00
Expenditure Grand Totals:	$1,500,000.00	($925,403.00)	$574,597.00	$0.00	$0.00	$0.00	$574,597.00	0%	$0.00
Grand Totals:	($1,500,000.00)	$925,403.00	($574,597.00)	$0.00	$0.00	$0.00	($574,597.00)		$0.00

Morris, Carolyn

From: Kendall, Bradford
Sent: Tuesday, October 9, 2018 9:34 AM
To: Kendall, Bradford
Subject: September Reports
Attachments: Foreclosure Report 9-18.xlsx; MortgageTaxRpt 9-18.pdf; MortgageTaxDetailLedger 9-18.xlsx; Apr18-Sep18 Summary of Mortgage tax collection.xls.xlsx

Hi all,

Here are the September reports.

Bradford Kendall
Dutchess County Clerk

Dutchess County Clerk - Foreclosure Statistics

Municipality Name	Count
Amenia	2
Beekman	4
City of Beacon	1
City of Poughkeepsie	7
Clinton	1
Dover	1
East Fishkill	9
Fishkill	2
Hyde Park	12
La Grange	1
Milan	1
Pawling	3
Rhinebeck	1
Stanford	3
Town of Poughkeepsie	5
Wappinger	7
Washington	1
Total:	**61**

Dutchess County Clerk
Mortgage Tax Report

9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
28277	9/4/2018	Mortgagor:	REID JERMAINE		
		Mortgagee:	HOUSING & URBAN DEVELOPMENT		
	Serial # DJ2916		Doc # 01-2018-5445	$48,366.76	No Tax / Serial #
		250	Mortgage Tax County	$0.00	City of Poughkeepsie
				$0.00	
			Receipt Total:	$0.00	
28286	9/4/2018	Mortgagor:	BUNCE PAUL A		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ2917		Doc # 01-2018-5446	$134,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$670.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$372.00	
		276	Mortgage Tax Local	$0.00	
				$1,042.00	
			Receipt Total:	$1,042.00	
28287	9/4/2018	Mortgagor:	ANIXTER JULIE		
		Mortgagee:	MANUFACTURERS & TRADERS TRUST CO		
	Serial # DJ2918		Doc # 01-2018-5447	$12,725.00	1-2 Family Residence
		250	Mortgage Tax County	$63.50	Pawling
		260	Mortgage Tax MTA Share	$8.10	
		275	1-6 Family	$31.75	
		276	Mortgage Tax Local	$0.00	
				$103.35	
			Receipt Total:	$103.35	
28288	9/4/2018	Mortgagor:	FOLTA MICHAEL S		
		Mortgagee:	CITIMORTGAGE INC		
	Serial # DJ2919		Doc # 01-2018-5448	$95,808.91	1-2 Family Residence
		250	Mortgage Tax County	$479.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$257.40	
		275	1-6 Family	$239.50	
		276	Mortgage Tax Local	$0.00	
				$975.90	
			Receipt Total:	$975.90	
28291	9/4/2018	Mortgagor:	REID ROBERT A		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ2920		Doc # 01-2018-5449	$54,000.00	1-2 Family Residence
		250	Mortgage Tax County	$270.00	Pawling
		260	Mortgage Tax MTA Share	$132.00	
		275	1-6 Family	$135.00	
		276	Mortgage Tax Local	$0.00	
				$537.00	
			Receipt Total:	$537.00	

Dutchess County Clerk
Mortgage Tax Report

9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
28293	9/4/2018	Mortgagor:	DONNELLY KEVIN		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ2921		Doc # 01-2018-5450	$265,500.00	1-2 Family Residence
		250	Mortgage Tax County	$1,327.50	La Grange
		260	Mortgage Tax MTA Share	$766.50	
		275	1-6 Family	$663.75	
		276	Mortgage Tax Local	$0.00	
				$2,757.75	
			Receipt Total:	$2,757.75	
28294	9/4/2018	Mortgagor:	RICHARDSON RYAN		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ2922		Doc # 01-2018-5451	$46,500.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$232.50	Stanford
		260	Mortgage Tax MTA Share	$109.50	
		276	Mortgage Tax Local	$0.00	
				$342.00	
			Receipt Total:	$342.00	
28295	9/4/2018	Mortgagor:	WILLIAMS MICHAEL K		
		Mortgagee:	CMG MORTGAGE INC		
	Serial # DJ2923		Doc # 01-2018-5452	$212,400.00	1-2 Family Residence
		250	Mortgage Tax County	$1,062.00	Amenia
		260	Mortgage Tax MTA Share	$607.20	
		275	1-6 Family	$531.00	
		276	Mortgage Tax Local	$0.00	
				$2,200.20	
			Receipt Total:	$2,200.20	
28298	9/4/2018	Mortgagor:	WOOD MARK		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ2924		Doc # 01-2018-5453	$40,500.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$202.50	Pawling
		260	Mortgage Tax MTA Share	$91.50	
		276	Mortgage Tax Local	$0.00	
				$294.00	
			Receipt Total:	$294.00	
28303	9/4/2018	Mortgagor:	STEPHENS PATRICK		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ2925		Doc # 01-2018-5454	$20,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$100.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$30.00	
		276	Mortgage Tax Local	$0.00	
				$130.00	
			Receipt Total:	$130.00	

Dutchess County Clerk
Mortgage Tax Report

9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
28304	9/4/2018	Mortgagor:	OWEN COREY A		
		Mortgagee:	TIAA FSB		
	Serial # DJ2927		Doc # 01-2018-5455	$223,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,115.00	Hyde Park
		260	Mortgage Tax MTA Share	$639.00	
		275	1-6 Family	$557.50	
		276	Mortgage Tax Local	$0.00	
				$2,311.50	
			Receipt Total:	$2,311.50	
28305	9/4/2018	Mortgagor:	FATM PROPERTIES LLC		
		Mortgagee:	ULSTER SVGS BANK		
	Serial # DJ2926		Doc # 01-2018-5456	$450,000.00	(NE) Commercial
		250	Mortgage Tax County	$2,250.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$1,350.00	
		270	SONYMA	$1,125.00	
		276	Mortgage Tax Local	$0.00	
				$4,725.00	
			Receipt Total:	$4,725.00	
28309	9/4/2018	Mortgagor:	ANDERSON ERIK		
		Mortgagee:	ACCESS NATL MORTGAGE		
	Serial # DJ2928		Doc # 01-2018-5457	$346,750.00	1-2 Family Residence
		250	Mortgage Tax County	$1,733.50	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$1,010.10	
		275	1-6 Family	$866.75	
		276	Mortgage Tax Local	$0.00	
				$3,610.35	
			Receipt Total:	$3,610.35	
28318	9/4/2018	Mortgagor:	MATTHEWS NICOLE		
		Mortgagee:	TIAA FSB		
	Serial # DJ2929		Doc # 01-2018-5458	$180,405.00	1-2 Family Residence
		250	Mortgage Tax County	$902.00	Beekman
		260	Mortgage Tax MTA Share	$511.20	
		275	1-6 Family	$451.00	
		276	Mortgage Tax Local	$0.00	
				$1,864.20	
			Receipt Total:	$1,864.20	
28328	9/4/2018	Mortgagor:	STARKS CHRISTOPHER M		
		Mortgagee:	WINTRUST MORTGAGE		
	Serial # DJ2930		Doc # 01-2018-5459	$326,880.00	1-2 Family Residence
		250	Mortgage Tax County	$1,634.50	East Fishkill
		260	Mortgage Tax MTA Share	$950.70	
		275	1-6 Family	$817.25	

Dutchess County Clerk
Mortgage Tax Report

9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$3,402.45	
			Receipt Total:	$3,402.45	
28338	9/4/2018	Mortgagor:	RYAN CAROLYN M		
		Mortgagee:	SEFCU		
	Serial # DJ2931		Doc # 01-2018-5460	$80,100.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$400.50	Red Hook
		260	Mortgage Tax MTA Share	$210.30	
		276	Mortgage Tax Local	$0.00	
				$610.80	
			Receipt Total:	$610.80	
28342	9/4/2018	Mortgagor:	MCCALLUM ALOMIE		
		Mortgagee:	BANKERS INSURANCE CO		
	Serial # DJ2932		Doc # 01-2018-5461	$8,000.00	1-2 Family Residence
		250	Mortgage Tax County	$40.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$0.00	
		275	1-6 Family	$20.00	
		276	Mortgage Tax Local	$0.00	
				$60.00	
			Receipt Total:	$60.00	
28375	9/4/2018	Mortgagor:	JOHNSON MOISE MARIA		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ2933		Doc # 01-2018-5462	$338,345.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$1,691.50	Fishkill
		260	Mortgage Tax MTA Share	$984.90	
		276	Mortgage Tax Local	$0.00	
				$2,676.40	
			Receipt Total:	$2,676.40	
28377	9/4/2018	Mortgagor:	FU ANNA		
		Mortgagee:	THIRD FED SVGS & LOAN		
	Serial # DJ2934		Doc # 01-2018-5463	$90,200.00	1-2 Family Residence
		250	Mortgage Tax County	$451.00	La Grange
		260	Mortgage Tax MTA Share	$240.60	
		275	1-6 Family	$225.50	
		276	Mortgage Tax Local	$0.00	
				$917.10	
			Receipt Total:	$917.10	
28378	9/4/2018	Mortgagor:	TASETANO FAMILY TRUST		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ2935		Doc # 01-2018-5464	$240,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,200.00	Fishkill

Dutchess County Clerk
Mortgage Tax Report

9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		260	Mortgage Tax MTA Share	$690.00	
		275	1-6 Family	$600.00	
		276	Mortgage Tax Local	$0.00	
				$2,490.00	
			Receipt Total:	$2,490.00	
28409	9/5/2018	Mortgagor:	LANDOR STACEY J		Comments:
		Mortgagee:	DITECH FINANCIAL LLC		
	Serial # DJ2937		Doc # 01-2018-5466	$3,355.02	1-2 Family Residence
		250	Mortgage Tax County	$17.00	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$0.00	
		275	1-6 Family	$8.50	
		276	Mortgage Tax Local	$0.00	
				$25.50	
			Receipt Total:	$25.50	
28413	9/5/2018	Mortgagor:	1401 RT 52 LLC		
		Mortgagee:	ORANGE BANK & TRUST CO		
	Serial # DJ2938		Doc # 01-2018-5468	$557,232.00	(NE) Commercial
		250	Mortgage Tax County	$2,786.00	Fishkill
		260	Mortgage Tax MTA Share	$1,671.60	
		270	SONYMA	$1,393.00	
		276	Mortgage Tax Local	$0.00	
				$5,850.60	
			Receipt Total:	$5,850.60	
28416	9/5/2018	Mortgagor:	GIANCOTTI SCOTT D		
		Mortgagee:	JPMORGAN CHASE BANK NA		
	Serial # DJ2939		Doc # 01-2018-5472	$18,500.00	1-2 Family Residence
		250	Mortgage Tax County	$92.50	East Fishkill
		260	Mortgage Tax MTA Share	$25.50	
		275	1-6 Family	$46.25	
		276	Mortgage Tax Local	$0.00	
				$164.25	
			Receipt Total:	$164.25	
28422	9/5/2018	Mortgagor:	THOMPSON RICHARD		
		Mortgagee:	HOMESTEAD FUNDING CORP		
	Serial # DJ2941		Doc # 01-2018-5474	$285,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,425.00	East Fishkill
		260	Mortgage Tax MTA Share	$825.00	
		275	1-6 Family	$712.50	
		276	Mortgage Tax Local	$0.00	
				$2,962.50	
			Receipt Total:	$2,962.50	

Dutchess County Clerk
Mortgage Tax Report

9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
28427	9/5/2018	Mortgagor:	FORTNER NICOLE		
		Mortgagee:	CARRINGTON MORTGAGE SERVS LLC		
	Serial # DJ2940		Doc # 01-2018-5475	$3,721.94	1-2 Family Residence
		250	Mortgage Tax County	$18.50	Fishkill
		260	Mortgage Tax MTA Share	$0.00	
		275	1-6 Family	$9.25	
		276	Mortgage Tax Local	$0.00	
				$27.75	
			Receipt Total:	$27.75	
28434	9/5/2018	Mortgagor:	BARD FAMILY TRUST		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ2942		Doc # 01-2018-5477	$175,000.00	1-2 Family Residence
		250	Mortgage Tax County	$875.00	Milan
		260	Mortgage Tax MTA Share	$495.00	
		275	1-6 Family	$437.50	
		276	Mortgage Tax Local	$0.00	
				$1,807.50	
			Receipt Total:	$1,807.50	
28442	9/5/2018	Mortgagor:	CANNON BRIAN T		
		Mortgagee:	MID HUDSON VALLEY FCU		
	Serial # DJ2943		Doc # 01-2018-5478	$304,100.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$1,520.50	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$882.30	
		276	Mortgage Tax Local	$0.00	
				$2,402.80	
			Receipt Total:	$2,402.80	
28445	9/5/2018	Mortgagor:	HESS LARRY H		
		Mortgagee:	MID HUDSON VALLEY FCU		
	Serial # DJ2944		Doc # 01-2018-5479	$250,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$1,250.00	Milan
		260	Mortgage Tax MTA Share	$720.00	
		276	Mortgage Tax Local	$0.00	
				$1,970.00	
			Receipt Total:	$1,970.00	
28447	9/5/2018	Mortgagor:	VYCITAL RONALD J		
		Mortgagee:	PLAZA HOME MORTGAGE INC		
	Serial # DJ2945		Doc # 01-2018-5480	$269,110.00	1-2 Family Residence
		250	Mortgage Tax County	$1,345.50	Wappinger
		260	Mortgage Tax MTA Share	$777.30	
		275	1-6 Family	$672.75	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$2,795.55	
			Receipt Total:	$2,795.55	
28454	9/5/2018	Mortgagor:	MARTORANA GIUSEPPE MOSCHETTO		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ2946		Doc # 01-2018-5481	$80,000.00	1-2 Family Residence
		250	Mortgage Tax County	$400.00	Pleasant Valley
		260	Mortgage Tax MTA Share	$210.00	
		275	1-6 Family	$200.00	
		276	Mortgage Tax Local	$0.00	
				$810.00	
			Receipt Total:	$810.00	
28466	9/5/2018	Mortgagor:	PETTIGNANO JOSEPH A		
		Mortgagee:	WELLS FARGO BANK NA		
	Serial # DJ2947		Doc # 01-2018-5482	$110,000.00	1-2 Family Residence
		250	Mortgage Tax County	$550.00	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$300.00	
		275	1-6 Family	$275.00	
		276	Mortgage Tax Local	$0.00	
				$1,125.00	
			Receipt Total:	$1,125.00	
28467	9/5/2018	Mortgagor:	PARTRIDGE CAROLYN M		
		Mortgagee:	PRIMELENDING		
	Serial # DJ2948		Doc # 01-2018-5483	$337,250.00	1-2 Family Residence
		250	Mortgage Tax County	$1,686.00	East Fishkill
		260	Mortgage Tax MTA Share	$981.60	
		275	1-6 Family	$843.00	
		276	Mortgage Tax Local	$0.00	
				$3,510.60	
			Receipt Total:	$3,510.60	
28473	9/5/2018	Mortgagor:	KUMAR NIRJA		
		Mortgagee:	JPMORGAN CHASE BANK NA		
	Serial # DJ2949		Doc # 01-2018-5484	$35,000.00	1-2 Family Residence
		250	Mortgage Tax County	$175.00	Red Hook
		260	Mortgage Tax MTA Share	$75.00	
		275	1-6 Family	$87.50	
		276	Mortgage Tax Local	$0.00	
				$337.50	
			Receipt Total:	$337.50	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
28474	9/5/2018	Mortgagor: LASUSA BRIAN J Mortgagee: TEG FCU			
	Serial # DJ2950	Doc # 01-2018-5485		$70,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$350.00	Beekman
		260	Mortgage Tax MTA Share	$180.00	
		276	Mortgage Tax Local	$0.00	
				$530.00	
			Receipt Total:	$530.00	
28476	9/5/2018	Mortgagor: MCGANN BRENDAN J Mortgagee: TEG FCU			
	Serial # DJ2951	Doc # 01-2018-5486		$21,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$105.00	Wappinger
		260	Mortgage Tax MTA Share	$33.00	
		276	Mortgage Tax Local	$0.00	
				$138.00	
			Receipt Total:	$138.00	
28477	9/5/2018	Mortgagor: HERBAGE ROBERT A Mortgagee: TEG FCU			
	Serial # DJ2952	Doc # 01-2018-5487		$70,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$350.00	Fishkill
		260	Mortgage Tax MTA Share	$180.00	
		276	Mortgage Tax Local	$0.00	
				$530.00	
			Receipt Total:	$530.00	
28482	9/5/2018	Mortgagor: WAGNER STACI A Mortgagee: TEG FCU			
	Serial # DJ2953	Doc # 01-2018-5488		$128,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$640.00	Wappinger
		260	Mortgage Tax MTA Share	$354.00	
		276	Mortgage Tax Local	$0.00	
				$994.00	
			Receipt Total:	$994.00	
28484	9/5/2018	Mortgagor: MARIANNE FRANCIS TRUST Mortgagee: TD BANK NA			
	Serial # DJ2954	Doc # 01-2018-5489		$200,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,000.00	Fishkill
		260	Mortgage Tax MTA Share	$570.00	
		275	1-6 Family	$500.00	
		276	Mortgage Tax Local	$0.00	
				$2,070.00	
			Receipt Total:	$2,070.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
28490	9/5/2018	Mortgagor:	MACDONALD DAVID		
		Mortgagee:	MANUFACTURERS & TRADERS TRUST CO		
	Serial # DJ2955		Doc # 01-2018-5491	$100,000.00	1-2 Family Residence
		250	Mortgage Tax County	$500.00	Red Hook
		260	Mortgage Tax MTA Share	$270.00	
		275	1-6 Family	$250.00	
		276	Mortgage Tax Local	$0.00	
				$1,020.00	
			Receipt Total:	$1,020.00	
28496	9/5/2018	Mortgagor:	GUZMAN ERIK		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ2956		Doc # 01-2018-5492	$380,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,900.00	Stanford
		260	Mortgage Tax MTA Share	$1,110.00	
		275	1-6 Family	$950.00	
		276	Mortgage Tax Local	$0.00	
				$3,960.00	
			Receipt Total:	$3,960.00	
28499	9/5/2018	Mortgagor:	MURRAY DENNIS P		
		Mortgagee:	PENTAGON FCU		
	Serial # DJ2958		Doc # 01-2018-5493	$30,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$150.00	Wappinger
		260	Mortgage Tax MTA Share	$60.00	
		276	Mortgage Tax Local	$0.00	
				$210.00	
			Receipt Total:	$210.00	
28501	9/5/2018	Mortgagor:	MARTINEZ BRIAN E		
		Mortgagee:	NBKC BANK		
	Serial # DJ2959		Doc # 01-2018-5494	$365,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,825.00	La Grange
		260	Mortgage Tax MTA Share	$1,065.00	
		275	1-6 Family	$912.50	
		276	Mortgage Tax Local	$0.00	
				$3,802.50	
			Receipt Total:	$3,802.50	
28502	9/5/2018	Mortgagor:	SAINT LOUIS SCOTT C		
		Mortgagee:	NATIONSTAR MORTGAGE LLC		
	Serial # DJ2960		Doc # 01-2018-5495	$241,789.00	1-2 Family Residence
		250	Mortgage Tax County	$1,209.00	La Grange
		260	Mortgage Tax MTA Share	$695.40	
		275	1-6 Family	$604.50	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$2,508.90	
			Receipt Total:	$2,508.90	
28506	9/5/2018	Mortgagor:	MATTEO JOSEPH J		
		Mortgagee:	TEG FCU		
	Serial # DJ2961		Doc # 01-2018-5496	$36,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$180.00	North East
		260	Mortgage Tax MTA Share	$78.00	
		276	Mortgage Tax Local	$0.00	
				$258.00	
			Receipt Total:	$258.00	
28518	9/5/2018	Mortgagor:	MITCHELL PETER M		
		Mortgagee:	HSBC BANK USA NA		
	Serial # DJ2962		Doc # 01-2018-5497	$100,000.00	1-2 Family Residence
		250	Mortgage Tax County	$500.00	Union Vale
		260	Mortgage Tax MTA Share	$270.00	
		275	1-6 Family	$250.00	
		276	Mortgage Tax Local	$0.00	
				$1,020.00	
			Receipt Total:	$1,020.00	
28521	9/5/2018	Mortgagor:	MORIARTY WILLIAM G		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ2963		Doc # 01-2018-5498	$142,497.00	1-2 Family Residence
		250	Mortgage Tax County	$712.50	Stanford
		260	Mortgage Tax MTA Share	$397.50	
		275	1-6 Family	$356.25	
		276	Mortgage Tax Local	$0.00	
				$1,466.25	
			Receipt Total:	$1,466.25	
28523	9/5/2018	Mortgagor:	LANGDON RONNI D		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ2964		Doc # 01-2018-5499	$180,500.00	1-2 Family Residence
		250	Mortgage Tax County	$902.50	Fishkill
		260	Mortgage Tax MTA Share	$511.50	
		275	1-6 Family	$451.25	
		276	Mortgage Tax Local	$0.00	
				$1,865.25	
			Receipt Total:	$1,865.25	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
28526	9/5/2018	Mortgagor:	KRESGE DEAN		
		Mortgagee:	WELLS FARGO BANK NA		
	Serial # DJ2965		Doc # 01-2018-5500	$274,753.00	1-2 Family Residence
		250	Mortgage Tax County	$1,374.00	Clinton
		260	Mortgage Tax MTA Share	$794.40	
		275	1-6 Family	$687.00	
		276	Mortgage Tax Local	$0.00	
				$2,855.40	
			Receipt Total:	$2,855.40	
28530	9/5/2018	Mortgagor:	OCONNOR MATTHEW R		
		Mortgagee:	PRIMELENDING		
	Serial # DJ2966		Doc # 01-2018-5501	$201,120.00	1-2 Family Residence
		250	Mortgage Tax County	$1,005.50	East Fishkill
		260	Mortgage Tax MTA Share	$573.30	
		275	1-6 Family	$502.75	
		276	Mortgage Tax Local	$0.00	
				$2,081.55	
			Receipt Total:	$2,081.55	
28533	9/5/2018	Mortgagor:	KONG RAYMOND W		
		Mortgagee:	JPMORGAN CHASE BANK NA		
	Serial # DJ2968		Doc # 01-2018-5502	$7,169.59	1-2 Family Residence
		250	Mortgage Tax County	$36.00	Fishkill
		260	Mortgage Tax MTA Share	$0.00	
		275	1-6 Family	$18.00	
		276	Mortgage Tax Local	$0.00	
				$54.00	
			Receipt Total:	$54.00	
28534	9/5/2018	Mortgagor:	KIMELMAN ISABELLA		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ2967		Doc # 01-2018-5503	$96,996.40	1-2 Family Residence
		250	Mortgage Tax County	$485.00	Washington
		260	Mortgage Tax MTA Share	$261.00	
		275	1-6 Family	$242.50	
		276	Mortgage Tax Local	$0.00	
				$988.50	
			Receipt Total:	$988.50	
28541	9/5/2018	Mortgagor:	HARVEY OLIVER		
		Mortgagee:	SPECIALIZED LOAN SERVICING LLC		
	Serial # DJ2969		Doc # 01-2018-5507	$22,523.79	1-2 Family Residence
		250	Mortgage Tax County	$112.50	Wappinger
		260	Mortgage Tax MTA Share	$37.50	
		275	1-6 Family	$56.25	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$206.25	
			Receipt Total:	$206.25	
28543	9/5/2018	Mortgagor:	SKEENS FRANK E		
		Mortgagee:	TD BANK NA		
	Serial # DJ2970		Doc # 01-2018-5508	$100,000.00	1-2 Family Residence
		250	Mortgage Tax County	$500.00	Hyde Park
		260	Mortgage Tax MTA Share	$270.00	
		275	1-6 Family	$250.00	
		276	Mortgage Tax Local	$0.00	
				$1,020.00	
			Receipt Total:	$1,020.00	
28544	9/5/2018	Mortgagor:	RUSSELL KEITH		
		Mortgagee:	LOANDEPOT COM LLC		
	Serial # DJ2971		Doc # 01-2018-5509	$71,500.00	1-2 Family Residence
		250	Mortgage Tax County	$357.50	Dover
		260	Mortgage Tax MTA Share	$184.50	
		275	1-6 Family	$178.75	
		276	Mortgage Tax Local	$0.00	
				$720.75	
			Receipt Total:	$720.75	
28545	9/5/2018	Mortgagor:	MCLAUGHLIN JOSEPH T		
		Mortgagee:	RAYMOND JAMES BANK NA		
	Serial # DJ2973		Doc # 01-2018-5510	$216,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,080.00	Pleasant Valley
		260	Mortgage Tax MTA Share	$618.00	
		275	1-6 Family	$540.00	
		276	Mortgage Tax Local	$0.00	
				$2,238.00	
			Receipt Total:	$2,238.00	
28546	9/5/2018	Mortgagor:	MEAD ROBERT		
		Mortgagee:	LOANDEPOT COM LLC		
	Serial # DJ2972		Doc # 01-2018-5511	$104,000.00	1-2 Family Residence
		250	Mortgage Tax County	$520.00	Amenia
		260	Mortgage Tax MTA Share	$282.00	
		275	1-6 Family	$260.00	
		276	Mortgage Tax Local	$0.00	
				$1,062.00	
			Receipt Total:	$1,062.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
28547	9/5/2018	Mortgagor:	DAWSON MATTHEW S		
		Mortgagee:	ULSTER SVGS BANK		
	Serial # DJ2974		Doc # 01-2018-5512	$1,260,000.00	1-2 Family Residence
		250	Mortgage Tax County	$6,300.00	Rhinebeck
		260	Mortgage Tax MTA Share	$3,750.00	
		275	1-6 Family	$3,150.00	
		276	Mortgage Tax Local	$0.00	
				$13,200.00	
			Receipt Total:	$13,200.00	
28548	9/6/2018	Mortgagor:	SNIHUR LEOCADIA		
		Mortgagee:	JPMORGAN CHASE BANK NA		
	Serial # DJ2975		Doc # 01-2018-5513	$50,000.00	1-2 Family Residence
		250	Mortgage Tax County	$250.00	Fishkill
		260	Mortgage Tax MTA Share	$120.00	
		275	1-6 Family	$125.00	
		276	Mortgage Tax Local	$0.00	
				$495.00	
			Receipt Total:	$495.00	
28551	9/6/2018	Mortgagor:	WILBER JOSEFINE		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ2976		Doc # 01-2018-5514	$342,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$1,710.00	Red Hook
		260	Mortgage Tax MTA Share	$996.00	
		276	Mortgage Tax Local	$0.00	
				$2,706.00	
			Receipt Total:	$2,706.00	
28552	9/6/2018	Mortgagor:	FRIEL JOHN J		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ2977		Doc # 01-2018-5515	$80,500.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$402.50	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$211.50	
		276	Mortgage Tax Local	$0.00	
				$614.00	
			Receipt Total:	$614.00	
28557	9/6/2018	Mortgagor:	KELLER MICHAEL J		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ2978		Doc # 01-2018-5516	$55,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$275.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$135.00	
		276	Mortgage Tax Local	$0.00	
				$410.00	
			Receipt Total:	$410.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
28562	9/6/2018	Mortgagor:	FERRUSI ROBERT		
		Mortgagee:	ULSTER SVGS BANK		
	Serial # DJ2979		Doc # 01-2018-5517	$15,861.00	1-2 Family Residence
		250	Mortgage Tax County	$79.50	Red Hook
		260	Mortgage Tax MTA Share	$17.70	
		275	1-6 Family	$39.75	
		276	Mortgage Tax Local	$0.00	
				$136.95	
			Receipt Total:	$136.95	
28565	9/6/2018	Mortgagor:	GUERRERO LESLIE A		
		Mortgagee:	PRIMELENDING		
	Serial # DJ2980		Doc # 01-2018-5519	$159,200.00	1-2 Family Residence
		250	Mortgage Tax County	$796.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$447.60	
		275	1-6 Family	$398.00	
		276	Mortgage Tax Local	$0.00	
				$1,641.60	
			Receipt Total:	$1,641.60	
28567	9/6/2018	Mortgagor:	M M2 RE HOLDINGS 4 LLC		
		Mortgagee:	TEG FCU		
	Serial # DJ2983		Doc # 01-2018-5520	$500,000.00	1-2 Family Residence
		280	Mortgage Tax Held	$5,220.00	Other
				$5,220.00	
			Receipt Total:	$5,220.00	
28571	9/6/2018	Mortgagor:	SWANSON KURT M		
		Mortgagee:	ULSTER SVGS BANK		
	Serial # DJ2981		Doc # 01-2018-5522	$6,068.54	1-2 Family Residence
		250	Mortgage Tax County	$30.50	Red Hook
		260	Mortgage Tax MTA Share	$0.00	
		275	1-6 Family	$15.25	
		276	Mortgage Tax Local	$0.00	
				$45.75	
			Receipt Total:	$45.75	
28576	9/6/2018	Mortgagor:	BUILT PARCEL TWO LLC		
		Mortgagee:	RHINEBECK BANK		
	Serial # DJ2984		Doc # 01-2018-5524	$228,000.00	(NE) Commercial
		250	Mortgage Tax County	$1,140.00	Pleasant Valley
		260	Mortgage Tax MTA Share	$684.00	
		270	SONYMA	$570.00	
		276	Mortgage Tax Local	$0.00	
				$2,394.00	
			Receipt Total:	$2,394.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
28579	9/6/2018	Mortgagor:	BALDWIN CRAIG		
		Mortgagee:	WINTRUST MORTGAGE		
	Serial # DJ2985		Doc # 01-2018-5525	$346,750.00	1-2 Family Residence
		250	Mortgage Tax County	$1,733.50	Red Hook
		260	Mortgage Tax MTA Share	$1,010.10	
		275	1-6 Family	$866.75	
		276	Mortgage Tax Local	$0.00	
				$3,610.35	
			Receipt Total:	$3,610.35	
28580	9/6/2018	Mortgagor:	CARBONARE NICOLE		
		Mortgagee:	CITIBANK NA		
	Serial # DJ2986		Doc # 01-2018-5526	$300,800.00	1-2 Family Residence
		250	Mortgage Tax County	$1,504.00	East Fishkill
		260	Mortgage Tax MTA Share	$872.40	
		275	1-6 Family	$752.00	
		276	Mortgage Tax Local	$0.00	
				$3,128.40	
			Receipt Total:	$3,128.40	
28586	9/6/2018	Mortgagor:	TODRIFF TIMOTHY J JR		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ2988		Doc # 01-2018-5527	$184,900.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$924.50	Dover
		260	Mortgage Tax MTA Share	$524.70	
		276	Mortgage Tax Local	$0.00	
				$1,449.20	
			Receipt Total:	$1,449.20	
28598	9/6/2018	Mortgagor:	PAGANO SALVATORE J		
		Mortgagee:	WEICHERT FINANCIAL SERVS		
	Serial # DJ2990		Doc # 01-2018-5528	$305,900.00	1-2 Family Residence
		250	Mortgage Tax County	$1,529.50	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$887.70	
		275	1-6 Family	$764.75	
		276	Mortgage Tax Local	$0.00	
				$3,181.95	
			Receipt Total:	$3,181.95	
28600	9/6/2018	Mortgagor:	ADAMSON NORMAN D		
		Mortgagee:	WELLS FARGO BANK NA		
	Serial # DJ2991		Doc # 01-2018-5529	$244,800.00	1-2 Family Residence
		250	Mortgage Tax County	$1,224.00	Fishkill
		260	Mortgage Tax MTA Share	$704.40	
		275	1-6 Family	$612.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$2,540.40	
			Receipt Total:	$2,540.40	
28602	9/6/2018	Mortgagor:	CASTRO JOSE		
		Mortgagee:	PRIMELENDING		
	Serial # DJ2992		Doc # 01-2018-5530	$220,924.00	1-2 Family Residence
		250	Mortgage Tax County	$1,104.50	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$632.70	
		275	1-6 Family	$552.25	
		276	Mortgage Tax Local	$0.00	
				$2,289.45	
			Receipt Total:	$2,289.45	
28606	9/6/2018	Mortgagor:	BARNARD ANDREW O		
		Mortgagee:	HOMESTEAD FUNDING CORP		
	Serial # DJ2993		Doc # 01-2018-5531	$494,700.00	1-2 Family Residence
		250	Mortgage Tax County	$2,473.50	East Fishkill
		260	Mortgage Tax MTA Share	$1,454.10	
		275	1-6 Family	$1,236.75	
		276	Mortgage Tax Local	$0.00	
				$5,164.35	
			Receipt Total:	$5,164.35	
28611	9/6/2018	Mortgagor:	PLANT CHRISTOPHER J		
		Mortgagee:	ULSTER SVGS BANK		
	Serial # DJ2994		Doc # 01-2018-5532	$270,750.00	1-2 Family Residence
		250	Mortgage Tax County	$1,353.50	Wappinger
		260	Mortgage Tax MTA Share	$782.10	
		275	1-6 Family	$676.75	
		276	Mortgage Tax Local	$0.00	
				$2,812.35	
			Receipt Total:	$2,812.35	
28613	9/6/2018	Mortgagor:	LAO JON WEN		
		Mortgagee:	JPMORGAN CHASE BANK NA		
	Serial # DJ2995		Doc # 01-2018-5533	$96,000.00	1-2 Family Residence
		250	Mortgage Tax County	$480.00	City of Beacon
		260	Mortgage Tax MTA Share	$258.00	
		275	1-6 Family	$240.00	
		276	Mortgage Tax Local	$0.00	
				$978.00	
			Receipt Total:	$978.00	

Dutchess County Clerk
Mortgage Tax Report

9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
28615	9/6/2018	Mortgagor:	ROBINSON WILLIAM		
		Mortgagee:	USAA FED SVGS BANK		
	Serial # DJ2996		Doc # 01-2018-5534	$394,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,970.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$1,152.00	
		275	1-6 Family	$985.00	
		276	Mortgage Tax Local	$0.00	
				$4,107.00	
			Receipt Total:	$4,107.00	
28619	9/6/2018	Mortgagor:	VONBURG SARA		
		Mortgagee:	WELLS FARGO BANK NA		
	Serial # DJ2997		Doc # 01-2018-5535	$294,400.00	1-2 Family Residence
		250	Mortgage Tax County	$1,472.00	Wappinger
		260	Mortgage Tax MTA Share	$853.20	
		275	1-6 Family	$736.00	
		276	Mortgage Tax Local	$0.00	
				$3,061.20	
			Receipt Total:	$3,061.20	
28624	9/6/2018	Mortgagor:	VANDERWEIDE BRADLEY		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ2998		Doc # 01-2018-5536	$267,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$1,335.00	Fishkill
		260	Mortgage Tax MTA Share	$771.00	
		276	Mortgage Tax Local	$0.00	
				$2,106.00	
			Receipt Total:	$2,106.00	
28634	9/6/2018	Mortgagor:	STAMBULI HENRY M		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ2999		Doc # 01-2018-5537	$55,000.00	1-2 Family Residence
		250	Mortgage Tax County	$275.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$135.00	
		275	1-6 Family	$137.50	
		276	Mortgage Tax Local	$0.00	
				$547.50	
			Receipt Total:	$547.50	
28637	9/6/2018	Mortgagor:	KOERNER JOSEPH P		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3000		Doc # 01-2018-5538	$130,000.00	1-2 Family Residence
		250	Mortgage Tax County	$650.00	Pawling
		260	Mortgage Tax MTA Share	$360.00	
		275	1-6 Family	$325.00	
		276	Mortgage Tax Local	$0.00	
				$1,335.00	
			Receipt Total:	$1,335.00	

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
28638	9/6/2018	Mortgagor:	SCHIAVO PATRICK J		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3001		Doc # 01-2018-5539	$10,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$50.00	La Grange
		260	Mortgage Tax MTA Share	$0.00	
		276	Mortgage Tax Local	$0.00	
				$50.00	
			Receipt Total:	$50.00	
28640	9/6/2018	Mortgagor:	SKIDGELL WILLIAM		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3002		Doc # 01-2018-5540	$35,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$175.00	East Fishkill
		260	Mortgage Tax MTA Share	$75.00	
		276	Mortgage Tax Local	$0.00	
				$250.00	
			Receipt Total:	$250.00	
28641	9/6/2018	Mortgagor:	SPENCER DENIS		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3003		Doc # 01-2018-5541	$58,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$290.00	City of Beacon
		260	Mortgage Tax MTA Share	$144.00	
		276	Mortgage Tax Local	$0.00	
				$434.00	
			Receipt Total:	$434.00	
28644	9/6/2018	Mortgagor:	HAVNER KATHLEEN E		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3004		Doc # 01-2018-5542	$100,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$500.00	East Fishkill
		260	Mortgage Tax MTA Share	$270.00	
		276	Mortgage Tax Local	$0.00	
				$770.00	
			Receipt Total:	$770.00	
28645	9/6/2018	Mortgagor:	DAVIS EDWARD R JR		
		Mortgagee:	SALISBURY BANK & TRUST CO		
	Serial # DJ3005		Doc # 01-2018-5543	$225,000.14	(NE) Commercial
		276	Mortgage Tax Local	$0.00	
		270	SONYMA	$562.50	
		260	Mortgage Tax MTA Share	$675.00	
		250	Mortgage Tax County	$1,125.00	Beekman
				$2,362.50	
			Receipt Total:	$2,362.50	

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
28647	9/6/2018	Mortgagor:	CAPOZZI LYNDA		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3007		Doc # 01-2018-5544	$40,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$200.00	Wappinger
		260	Mortgage Tax MTA Share	$90.00	
		276	Mortgage Tax Local	$0.00	
				$290.00	
			Receipt Total:	$290.00	
28648	9/6/2018	Mortgagor:	SANSONE LAURENCE		
		Mortgagee:	GUARANTEED RATE INC		
	Serial # DJ3006		Doc # 01-2018-5545	$153,750.00	1-2 Family Residence
		250	Mortgage Tax County	$768.50	City of Beacon
		260	Mortgage Tax MTA Share	$431.10	
		275	1-6 Family	$384.25	
		276	Mortgage Tax Local	$0.00	
				$1,583.85	
			Receipt Total:	$1,583.85	
28652	9/6/2018	Mortgagor:	COLTON DANIEL R		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3008		Doc # 01-2018-5546	$60,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$300.00	Hyde Park
		260	Mortgage Tax MTA Share	$150.00	
		276	Mortgage Tax Local	$0.00	
				$450.00	
			Receipt Total:	$450.00	
28657	9/6/2018	Mortgagor:	GEPHARD CHRISTOPHER JAMES		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3009		Doc # 01-2018-5547	$55,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$275.00	Rhinebeck
		260	Mortgage Tax MTA Share	$135.00	
		276	Mortgage Tax Local	$0.00	
				$410.00	
			Receipt Total:	$410.00	
28663	9/6/2018	Mortgagor:	THATCHER JEFFREY G		
		Mortgagee:	VISIONS FCU		
	Serial # DJ3010		Doc # 01-2018-5548	$281,600.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$1,408.00	Stanford
		260	Mortgage Tax MTA Share	$814.80	
		276	Mortgage Tax Local	$0.00	
				$2,222.80	
			Receipt Total:	$2,222.80	

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
28666	9/6/2018	Mortgagor:	PECI MICHAEL J		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3011		Doc # 01-2018-5549	$50,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$250.00	La Grange
		260	Mortgage Tax MTA Share	$120.00	
		276	Mortgage Tax Local	$0.00	
				$370.00	
			Receipt Total:	$370.00	
28669	9/6/2018	Mortgagor:	DHANABALA DINORSHAN		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3012		Doc # 01-2018-5550	$221,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,105.00	Hyde Park
		260	Mortgage Tax MTA Share	$633.00	
		275	1-6 Family	$552.50	
		276	Mortgage Tax Local	$0.00	
				$2,290.50	
			Receipt Total:	$2,290.50	
28675	9/7/2018	Mortgagor:	TEICH BARBARA		
		Mortgagee:	FAIRWAY INDEPENDENT MORTGAGE CORP		
	Serial # DJ3013		Doc # 01-2018-5551	$250,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,250.00	East Fishkill
		260	Mortgage Tax MTA Share	$720.00	
		275	1-6 Family	$625.00	
		276	Mortgage Tax Local	$0.00	
				$2,595.00	
			Receipt Total:	$2,595.00	
28677	9/7/2018	Mortgagor:	CHRYSLER JACK		
		Mortgagee:	JPMORGAN CHASE BANK NA		
	Serial # DJ3014		Doc # 01-2018-5552	$250,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,250.00	Red Hook
		260	Mortgage Tax MTA Share	$720.00	
		275	1-6 Family	$625.00	
		276	Mortgage Tax Local	$0.00	
				$2,595.00	
			Receipt Total:	$2,595.00	
28693	9/7/2018	Mortgagor:	MCMAHON JALAL		
		Mortgagee:	PLAZA HOME MORTGAGE INC		
	Serial # DJ3015		Doc # 01-2018-5553	$294,566.00	1-2 Family Residence
		250	Mortgage Tax County	$1,473.00	Wappinger
		260	Mortgage Tax MTA Share	$853.80	
		275	1-6 Family	$736.50	

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$3,063.30	
			Receipt Total:	$3,063.30	
28697	9/7/2018	Mortgagor:	GARCIA RICARDO J		
		Mortgagee:	JPMORGAN CHASE BANK NA		
	Serial # DJ3016		Doc # 01-2018-5554	$276,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,380.00	East Fishkill
		260	Mortgage Tax MTA Share	$798.00	
		275	1-6 Family	$690.00	
		276	Mortgage Tax Local	$0.00	
				$2,868.00	
			Receipt Total:	$2,868.00	
28702	9/7/2018	Mortgagor:	SMITH GERALD W JR		Comments:
		Mortgagee:	CHASE HOME FINANCE LLC		INSTRUMENT NOT ENTITLED TO BE RECORDED PER NYS TAX LAW SECTION 258a
	Serial # DJ3017		Doc # 01-2018-5555	$39,776.03	1-2 Family Residence
		250	Mortgage Tax County	$199.00	Beekman
		260	Mortgage Tax MTA Share	$119.40	
		275	1-6 Family	$99.50	
		276	Mortgage Tax Local	$0.00	
				$417.90	
			Receipt Total:	$417.90	
28708	9/7/2018	Mortgagor:	SINGH SHRIRAM S		
		Mortgagee:	FREEDOM MORTGAGE CORP		
	Serial # DJ3018		Doc # 01-2018-5556	$236,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,180.00	Fishkill
		260	Mortgage Tax MTA Share	$678.00	
		275	1-6 Family	$590.00	
		276	Mortgage Tax Local	$0.00	
				$2,448.00	
			Receipt Total:	$2,448.00	
28712	9/7/2018	Mortgagor:	SCHWEIGER CHERYL L		
		Mortgagee:	HOMEBRIDGE FINANCIAL SERVS INC		
	Serial # DJ3019		Doc # 01-2018-5557	$213,675.00	1-2 Family Residence
		250	Mortgage Tax County	$1,068.50	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$611.10	
		275	1-6 Family	$534.25	
		276	Mortgage Tax Local	$0.00	
				$2,213.85	
			Receipt Total:	$2,213.85	

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
28718	9/7/2018	Mortgagor:	SMITH JANET I		
		Mortgagee:	RHINEBECK BANK		
	Serial # DJ3021		Doc # 01-2018-5558	$100,000.00	1-2 Family Residence
		250	Mortgage Tax County	$500.00	Hyde Park
		260	Mortgage Tax MTA Share	$270.00	
		275	1-6 Family	$250.00	
		276	Mortgage Tax Local	$0.00	
				$1,020.00	
			Receipt Total:	$1,020.00	
28719	9/7/2018	Mortgagor:	FINSMITH RENA		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3020		Doc # 01-2018-5559	$250,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,250.00	Fishkill
		260	Mortgage Tax MTA Share	$720.00	
		275	1-6 Family	$625.00	
		276	Mortgage Tax Local	$0.00	
				$2,595.00	
			Receipt Total:	$2,595.00	
28720	9/7/2018	Mortgagor:	CARBONE ANTHONY		
		Mortgagee:	CITIBANK NA		
	Serial # DJ3022		Doc # 01-2018-5560	$328,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,640.00	Beekman
		260	Mortgage Tax MTA Share	$954.00	
		275	1-6 Family	$820.00	
		276	Mortgage Tax Local	$0.00	
				$3,414.00	
			Receipt Total:	$3,414.00	
28721	9/7/2018	Mortgagor:	BRADFORD BARRY S		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3023		Doc # 01-2018-5561	$190,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$950.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$540.00	
		276	Mortgage Tax Local	$0.00	
				$1,490.00	
			Receipt Total:	$1,490.00	
28722	9/7/2018	Mortgagor:	ANTONELLI MICHELE		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3024		Doc # 01-2018-5562	$80,000.00	(E) CR Un/Nat Pr
		276	Mortgage Tax Local	$0.00	
		260	Mortgage Tax MTA Share	$210.00	

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		250	Mortgage Tax County	$400.00	Town of Poughkeepsie
				$610.00	
			Receipt Total:	$610.00	
28724	9/7/2018	Mortgagor:	KOZAK RICHARD J		
		Mortgagee:	WELLS FARGO BANK NA		
	Serial # DJ3025		Doc # 01-2018-5563	$35,000.00	1-2 Family Residence
		250	Mortgage Tax County	$175.00	Wappinger
		260	Mortgage Tax MTA Share	$75.00	
		275	1-6 Family	$87.50	
		276	Mortgage Tax Local	$0.00	
				$337.50	
			Receipt Total:	$337.50	
28727	9/7/2018	Mortgagor:	ROBINSON JENNIE M		
		Mortgagee:	HOMESTEAD FUNDING CORP		
	Serial # DJ3026		Doc # 01-2018-5564	$213,750.00	1-2 Family Residence
		250	Mortgage Tax County	$1,068.50	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$611.10	
		275	1-6 Family	$534.25	
		276	Mortgage Tax Local	$0.00	
				$2,213.85	
			Receipt Total:	$2,213.85	
28735	9/7/2018	Mortgagor:	DIDOMIZIO ANTHONY		
		Mortgagee:	ULSTER SVGS BANK		
	Serial # DJ3027		Doc # 01-2018-5565	$344,350.00	1-2 Family Residence
		250	Mortgage Tax County	$1,721.50	East Fishkill
		260	Mortgage Tax MTA Share	$1,002.90	
		275	1-6 Family	$860.75	
		276	Mortgage Tax Local	$0.00	
				$3,585.15	
			Receipt Total:	$3,585.15	
28739	9/7/2018	Mortgagor:	GEMMELL GAIL C		
		Mortgagee:	JPMORGAN CHASE BANK NA		
	Serial # DJ3028		Doc # 01-2018-5566	$168,750.00	1-2 Family Residence
		250	Mortgage Tax County	$843.50	Hyde Park
		260	Mortgage Tax MTA Share	$476.10	
		275	1-6 Family	$421.75	
		276	Mortgage Tax Local	$0.00	
				$1,741.35	
			Receipt Total:	$1,741.35	

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
28741	9/7/2018	Mortgagor:	MONTAGNINO JOHN		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ3029		Doc # 01-2018-5567	$237,600.00	1-2 Family Residence
		250	Mortgage Tax County	$1,188.00	Wappinger
		260	Mortgage Tax MTA Share	$682.80	
		275	1-6 Family	$594.00	
		276	Mortgage Tax Local	$0.00	
				$2,464.80	
			Receipt Total:	$2,464.80	
28744	9/7/2018	Mortgagor:	MARR JOHN W		
		Mortgagee:	CALIBER HOME LOANS INC		
	Serial # DJ3030		Doc # 01-2018-5568	$300,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,500.00	Beekman
		260	Mortgage Tax MTA Share	$870.00	
		275	1-6 Family	$750.00	
		276	Mortgage Tax Local	$0.00	
				$3,120.00	
			Receipt Total:	$3,120.00	
28749	9/7/2018	Mortgagor:	PROBST GLENN H		
		Mortgagee:	MAHOPAC BANK		
	Serial # DJ3031		Doc # 01-2018-5569	$150,000.00	1-2 Family Residence
		250	Mortgage Tax County	$750.00	Wappinger
		260	Mortgage Tax MTA Share	$420.00	
		275	1-6 Family	$375.00	
		276	Mortgage Tax Local	$0.00	
				$1,545.00	
			Receipt Total:	$1,545.00	
28753	9/7/2018	Mortgagor:	JULIANO CHRISTI M		
		Mortgagee:	FREEDOM MORTGAGE CORP		
	Serial # DJ3032		Doc # 01-2018-5570	$469,342.00	1-2 Family Residence
		250	Mortgage Tax County	$2,346.50	La Grange
		260	Mortgage Tax MTA Share	$1,377.90	
		275	1-6 Family	$1,173.25	
		276	Mortgage Tax Local	$0.00	
				$4,897.65	
			Receipt Total:	$4,897.65	
28763	9/7/2018	Mortgagor:	TESFAMARIAM BINIAM		
		Mortgagee:	HOMESTEAD FUNDING CORP		
	Serial # DJ3033		Doc # 01-2018-5571	$407,550.00	1-2 Family Residence
		250	Mortgage Tax County	$2,037.50	Fishkill
		260	Mortgage Tax MTA Share	$1,192.50	
		275	1-6 Family	$1,018.75	

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$4,248.75	
			Receipt Total:	$4,248.75	
28767	9/7/2018	Mortgagor:	BELLINGER QUENTIN A		
		Mortgagee:	EAST COAST CAPITAL CORP		
	Serial # DJ3034		Doc # 01-2018-5572	$459,031.00	1-2 Family Residence
		250	Mortgage Tax County	$2,295.00	East Fishkill
		260	Mortgage Tax MTA Share	$1,347.00	
		275	1-6 Family	$1,147.50	
		276	Mortgage Tax Local	$0.00	
				$4,789.50	
			Receipt Total:	$4,789.50	
28768	9/7/2018	Mortgagor:	SCOTT OMAR		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3035		Doc # 01-2018-5573	$130,000.00	1-2 Family Residence
		250	Mortgage Tax County	$650.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$360.00	
		275	1-6 Family	$325.00	
		276	Mortgage Tax Local	$0.00	
				$1,335.00	
			Receipt Total:	$1,335.00	
28772	9/7/2018	Mortgagor:	CHEN YUWEN		
		Mortgagee:	TEG FCU		
	Serial # DJ3036		Doc # 01-2018-5574	$679,650.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$3,398.00	Wappinger
		260	Mortgage Tax MTA Share	$2,008.80	
		276	Mortgage Tax Local	$0.00	
				$5,406.80	
28772	9/7/2018	Mortgagor:	CHEN YUWEN		
		Mortgagee:	TEG FCU		
	Serial # DJ3037		Doc # 01-2018-5575	$209,550.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$1,047.50	Wappinger
		260	Mortgage Tax MTA Share	$598.50	
		276	Mortgage Tax Local	$0.00	
				$1,646.00	
			Receipt Total:	$7,052.80	
28775	9/7/2018	Mortgagor:	CARRINGTON CONSTRUCTION CORP		
		Mortgagee:	WILTSE PROSPECT HILL LLC		
	Serial # DJ3038		Doc # 01-2018-5576	$48,000.00	1-2 Family Residence
		250	Mortgage Tax County	$240.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$114.00	
		275	1-6 Family	$120.00	

Dutchess County Clerk
Mortgage Tax Report

9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$474.00	
			Receipt Total:	$474.00	
28783	9/7/2018	Mortgagor:	HELLER DEBRA		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ3039		Doc # 01-2018-5577	$320,100.00	1-2 Family Residence
		250	Mortgage Tax County	$1,600.50	Beekman
		260	Mortgage Tax MTA Share	$930.30	
		275	1-6 Family	$800.25	
		276	Mortgage Tax Local	$0.00	
				$3,331.05	
			Receipt Total:	$3,331.05	
28801	9/7/2018	Mortgagor:	HOWARD KAREN F		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ3041		Doc # 01-2018-5578	$135,900.00	1-2 Family Residence
		250	Mortgage Tax County	$679.50	Pleasant Valley
		260	Mortgage Tax MTA Share	$377.70	
		275	1-6 Family	$339.75	
		276	Mortgage Tax Local	$0.00	
				$1,396.95	
			Receipt Total:	$1,396.95	
28809	9/7/2018	Mortgagor:	SOLOMON MILDRED Z		
		Mortgagee:	BANK OF AMERICA NA		
	Serial # DJ3042		Doc # 01-2018-5579	$576,000.00	1-2 Family Residence
		250	Mortgage Tax County	$2,880.00	Fishkill
		260	Mortgage Tax MTA Share	$1,698.00	
		275	1-6 Family	$1,440.00	
		276	Mortgage Tax Local	$0.00	
				$6,018.00	
			Receipt Total:	$6,018.00	
28817	9/10/2018	Mortgagor:	MCCARTNEY CHERYL E		
		Mortgagee:	UNITED WHOLESALE MORTGAGE		
	Serial # DJ3043		Doc # 01-2018-5580	$376,475.00	1-2 Family Residence
		250	Mortgage Tax County	$1,882.50	East Fishkill
		260	Mortgage Tax MTA Share	$1,099.50	
		275	1-6 Family	$941.25	
		276	Mortgage Tax Local	$0.00	
				$3,923.25	
			Receipt Total:	$3,923.25	

Dutchess County Clerk
Mortgage Tax Report

9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
28825	9/10/2018	Mortgagor:	NJENGA MARTIN		
		Mortgagee:	BANK OF AMERICA NA		
	Serial # DJ3044		Doc # 01-2018-5581	$259,350.00	1-2 Family Residence
		250	Mortgage Tax County	$1,296.50	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$747.90	
		275	1-6 Family	$648.25	
		276	Mortgage Tax Local	$0.00	
				$2,692.65	
			Receipt Total:	$2,692.65	
28837	9/10/2018	Mortgagor:	HOLTZ LIVING TRUST		
		Mortgagee:	RONDOUT SVGS BANK		
	Serial # DJ3045		Doc # 01-2018-5582	$85,000.00	1-2 Family Residence
		250	Mortgage Tax County	$425.00	Hyde Park
		260	Mortgage Tax MTA Share	$225.00	
		275	1-6 Family	$212.50	
		276	Mortgage Tax Local	$0.00	
				$862.50	
			Receipt Total:	$862.50	
28842	9/10/2018	Mortgagor:	DEVEAU JOSEPH E		
		Mortgagee:	TEG FCU		
	Serial # DJ3047		Doc # 01-2018-5583	$170,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$850.00	Stanford
		260	Mortgage Tax MTA Share	$480.00	
		276	Mortgage Tax Local	$0.00	
				$1,330.00	
			Receipt Total:	$1,330.00	
28843	9/10/2018	Mortgagor:	MOORE MICHAEL S		
		Mortgagee:	HOMESTEAD FUNDING CORP		
	Serial # DJ3046		Doc # 01-2018-5584	$177,575.00	1-2 Family Residence
		250	Mortgage Tax County	$888.00	Hyde Park
		260	Mortgage Tax MTA Share	$502.80	
		275	1-6 Family	$444.00	
		276	Mortgage Tax Local	$0.00	
				$1,834.80	
			Receipt Total:	$1,834.80	
28851	9/10/2018	Mortgagor:	DUGGER AUSTIN		
		Mortgagee:	TOTAL MORTGAGE SERVS LLC		
	Serial # DJ3048		Doc # 01-2018-5585	$185,915.00	1-2 Family Residence
		250	Mortgage Tax County	$929.50	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$527.70	
		275	1-6 Family	$464.75	
		276	Mortgage Tax Local	$0.00	
				$1,921.95	
			Receipt Total:	$1,921.95	

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Mortgage Tax Report

9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
28852	9/10/2018	Mortgagor:	DEOLIVEIRA OSMILDO R		
		Mortgagee:	LOANDEPOT COM LLC		
	Serial # DJ3049		Doc # 01-2018-5586	$79,000.00	1-2 Family Residence
		250	Mortgage Tax County	$395.00	Wappinger
		260	Mortgage Tax MTA Share	$207.00	
		275	1-6 Family	$197.50	
		276	Mortgage Tax Local	$0.00	
				$799.50	
			Receipt Total:	$799.50	
28863	9/10/2018	Mortgagor:	VALDIVIA MANUEL III		
		Mortgagee:	SUSTAINABLE NEIGHBORHOODS LLC		
	Serial # DJ3050		Doc # 01-2018-5587	$21,972.80	1-2 Family Residence
		250	Mortgage Tax County	$110.00	Wappinger
		260	Mortgage Tax MTA Share	$36.00	
		275	1-6 Family	$55.00	
		276	Mortgage Tax Local	$0.00	
				$201.00	
			Receipt Total:	$201.00	
28868	9/10/2018	Mortgagor:	LICARI AIMEE		
		Mortgagee:	CARRINGTON MORTGAGE SERVS LLC		
	Serial # DJ3051		Doc # 01-2018-5588	$289,987.00	1-2 Family Residence
		250	Mortgage Tax County	$1,450.00	Pleasant Valley
		260	Mortgage Tax MTA Share	$840.00	
		275	1-6 Family	$725.00	
		276	Mortgage Tax Local	$0.00	
				$3,015.00	
			Receipt Total:	$3,015.00	
28872	9/10/2018	Mortgagor:	MANESIS IFAGENIA		
		Mortgagee:	MID HUDSON VALLEY FCU		
	Serial # DJ3052		Doc # 01-2018-5589	$60,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$300.00	Beekman
		260	Mortgage Tax MTA Share	$150.00	
		276	Mortgage Tax Local	$0.00	
				$450.00	
			Receipt Total:	$450.00	
28877	9/10/2018	Mortgagor:	BECKINGHAM ZACHARY E		
		Mortgagee:	NAVY FCU		
	Serial # DJ3053		Doc # 01-2018-5590	$199,703.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$998.50	Pine Plains
		260	Mortgage Tax MTA Share	$569.10	

Dutchess County Clerk
Mortgage Tax Report

9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$1,567.60	
			Receipt Total:	$1,567.60	
28904	9/10/2018	Mortgagor:	AZZARO RAYMOND F		
		Mortgagee:	PRIMELENDING		
	Serial # DJ3056		Doc # 01-2018-5592	$280,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,400.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$810.00	
		275	1-6 Family	$700.00	
		276	Mortgage Tax Local	$0.00	
				$2,910.00	
			Receipt Total:	$2,910.00	
28906	9/10/2018	Mortgagor:	NAKOS ALEXIS J		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ3057		Doc # 01-2018-5593	$192,000.00	1-2 Family Residence
		250	Mortgage Tax County	$960.00	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$546.00	
		275	1-6 Family	$480.00	
		276	Mortgage Tax Local	$0.00	
				$1,986.00	
			Receipt Total:	$1,986.00	
28930	9/10/2018	Mortgagor:	FISCHER ZACHARY F		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3058		Doc # 01-2018-5594	$139,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$695.00	Hyde Park
		260	Mortgage Tax MTA Share	$387.00	
		276	Mortgage Tax Local	$0.00	
				$1,082.00	
			Receipt Total:	$1,082.00	
28934	9/10/2018	Mortgagor:	ULRICH BRETT J		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3059		Doc # 01-2018-5595	$18,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$90.00	Pawling
		260	Mortgage Tax MTA Share	$24.00	
		276	Mortgage Tax Local	$0.00	
				$114.00	
			Receipt Total:	$114.00	
28937	9/10/2018	Mortgagor:	WAY LIZANN		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3060		Doc # 01-2018-5596	$25,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$125.00	City of Beacon

Dutchess County Clerk
Mortgage Tax Report

9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		260	Mortgage Tax MTA Share	$45.00	
		276	Mortgage Tax Local	$0.00	
				$170.00	
			Receipt Total:	$170.00	
28941	9/10/2018	Mortgagor:	BOSHART JENNIFER E		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3061		Doc # 01-2018-5597	$70,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$350.00	East Fishkill
		260	Mortgage Tax MTA Share	$180.00	
		276	Mortgage Tax Local	$0.00	
				$530.00	
			Receipt Total:	$530.00	
28944	9/10/2018	Mortgagor:	SASVARY TANYA M		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3062		Doc # 01-2018-5598	$50,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$250.00	Red Hook
		260	Mortgage Tax MTA Share	$120.00	
		276	Mortgage Tax Local	$0.00	
				$370.00	
			Receipt Total:	$370.00	
28945	9/10/2018	Mortgagor:	MARSHALL TIMOTHY		
		Mortgagee:	FARM CR EAST ACA		
	Serial # DJ3063		Doc # 01-2018-5599	$200,000.00	No Tax / Serial #
		250	Mortgage Tax County	$0.00	Washington
				$0.00	
			Receipt Total:	$0.00	
28947	9/10/2018	Mortgagor:	BORKOWSKI ARKADIUSZ		
		Mortgagee:	AMERICAN INTERNET MORTGAGE INC		
	Serial # DJ3064		Doc # 01-2018-5600	$217,500.00	1-2 Family Residence
		250	Mortgage Tax County	$1,087.50	Fishkill
		260	Mortgage Tax MTA Share	$622.50	
		275	1-6 Family	$543.75	
		276	Mortgage Tax Local	$0.00	
				$2,253.75	
			Receipt Total:	$2,253.75	
28955	9/11/2018	Mortgagor:	DOWDEN WILLIAM W IV		
		Mortgagee:	RHINEBECK BANK		
	Serial # DJ3065		Doc # 01-2018-5601	$307,128.20	1-2 Family Residence
		250	Mortgage Tax County	$1,535.50	Rhinebeck
		260	Mortgage Tax MTA Share	$891.30	
		275	1-6 Family	$767.75	

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$3,194.55	
			Receipt Total:	$3,194.55	
28960	9/11/2018	Mortgagor:	HARWOOD WILLIAM T JR		
		Mortgagee:	RHINEBECK BANK		
	Serial # DJ3066		Doc # 01-2018-5603	$200,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,000.00	Rhinebeck
		260	Mortgage Tax MTA Share	$570.00	
		275	1-6 Family	$500.00	
		276	Mortgage Tax Local	$0.00	
				$2,070.00	
			Receipt Total:	$2,070.00	
28969	9/11/2018	Mortgagor:	HONG JENNIFER		
		Mortgagee:	UNITED WHOLESALE MORTGAGE		
	Serial # DJ3067		Doc # 01-2018-5604	$297,600.00	1-2 Family Residence
		250	Mortgage Tax County	$1,488.00	Red Hook
		260	Mortgage Tax MTA Share	$862.80	
		275	1-6 Family	$744.00	
		276	Mortgage Tax Local	$0.00	
				$3,094.80	
			Receipt Total:	$3,094.80	
28977	9/11/2018	Mortgagor:	STRANG WILLIAM STEVEN		
		Mortgagee:	STRANG JAMES WARREN		
	Serial # DJ3068		Doc # 01-2018-5605	$54,000.00	(E) CR Un/Nat Pr
		276	Mortgage Tax Local	$0.00	
		260	Mortgage Tax MTA Share	$132.00	
		250	Mortgage Tax County	$270.00	Stanford
				$402.00	
			Receipt Total:	$402.00	
28986	9/11/2018	Mortgagor:	PESCE KERYL		
		Mortgagee:	MANUFACTURERS & TRADERS TRUST CO		
	Serial # DJ3069		Doc # 01-2018-5606	$50,000.00	1-2 Family Residence
		250	Mortgage Tax County	$250.00	City of Beacon
		260	Mortgage Tax MTA Share	$120.00	
		275	1-6 Family	$125.00	
		276	Mortgage Tax Local	$0.00	
				$495.00	
			Receipt Total:	$495.00	

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
28993	9/11/2018	Mortgagor:	PODOLSKY FAMILY TRUST		
		Mortgagee:	MANUFACTURERS & TRADERS TRUST CO		
	Serial # DJ3070		Doc # 01-2018-5607	$392,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,960.00	Clinton
		260	Mortgage Tax MTA Share	$1,146.00	
		275	1-6 Family	$980.00	
		276	Mortgage Tax Local	$0.00	
				$4,086.00	
			Receipt Total:	$4,086.00	
28998	9/11/2018	Mortgagor:	WEICKEL RAYMOND C		
		Mortgagee:	CAPITAL COMMUNICATIONS FCU		
	Serial # DJ3071		Doc # 01-2018-5608	$15,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$75.00	Wappinger
		260	Mortgage Tax MTA Share	$15.00	
		276	Mortgage Tax Local	$0.00	
				$90.00	
			Receipt Total:	$90.00	
29006	9/11/2018	Mortgagor:	WATSON FAITH		
		Mortgagee:	TD BANK NA		
	Serial # DJ3072		Doc # 01-2018-5609	$53,000.00	1-2 Family Residence
		250	Mortgage Tax County	$265.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$129.00	
		275	1-6 Family	$132.50	
		276	Mortgage Tax Local	$0.00	
				$526.50	
			Receipt Total:	$526.50	
29013	9/11/2018	Mortgagor:	CURTHOYS JOSEPH		
		Mortgagee:	MANUFACTURERS & TRADERS TRUST CO		
	Serial # DJ3073		Doc # 01-2018-5610	$200,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,000.00	Rhinebeck
		260	Mortgage Tax MTA Share	$570.00	
		275	1-6 Family	$500.00	
		276	Mortgage Tax Local	$0.00	
				$2,070.00	
			Receipt Total:	$2,070.00	
29019	9/11/2018	Mortgagor:	RENNA ALFONSO J		
		Mortgagee:	MANUFACTURERS & TRADERS TRUST CO		
	Serial # DJ3074		Doc # 01-2018-5611	$25,000.00	1-2 Family Residence
		250	Mortgage Tax County	$125.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$45.00	
		275	1-6 Family	$62.50	

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$232.50	
			Receipt Total:	$232.50	
29020	9/11/2018	Mortgagor:	ACKERT KAREN		
		Mortgagee:	MANUFACTURERS & TRADERS TRUST CO		
	Serial # DJ3075		Doc # 01-2018-5612	$236,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,180.00	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$678.00	
		275	1-6 Family	$590.00	
		276	Mortgage Tax Local	$0.00	
				$2,448.00	
			Receipt Total:	$2,448.00	
29021	9/11/2018	Mortgagor:	TURNER LISA SUE		
		Mortgagee:	MANUFACTURERS & TRADERS TRUST CO		
	Serial # DJ3076		Doc # 01-2018-5613	$100,000.00	1-2 Family Residence
		250	Mortgage Tax County	$500.00	Wappinger
		260	Mortgage Tax MTA Share	$270.00	
		275	1-6 Family	$250.00	
		276	Mortgage Tax Local	$0.00	
				$1,020.00	
			Receipt Total:	$1,020.00	
29036	9/11/2018	Mortgagor:	VHA HOLDINGS LLC		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3077		Doc # 01-2018-5614	$58,000.00	(NE) Commercial
		250	Mortgage Tax County	$290.00	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$174.00	
		270	SONYMA	$145.00	
		276	Mortgage Tax Local	$0.00	
				$609.00	
			Receipt Total:	$609.00	
29037	9/11/2018	Mortgagor:	CHANAOUI SAID		
		Mortgagee:	M&T BANK		
	Serial # DJ3079		Doc # 01-2018-5616	$209,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,045.00	Wappinger
		260	Mortgage Tax MTA Share	$597.00	
		275	1-6 Family	$522.50	
		276	Mortgage Tax Local	$0.00	
				$2,164.50	
			Receipt Total:	$2,164.50	

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
29038	9/11/2018	Mortgagor:	BARLOW DAVID N		Comments:
		Mortgagee:	BAYVIEW LOAN SERVICING LLC		INSTRUMENT NOT ENTITLED TO BE RECORDED PER NYS TAX LAW SECTION 258a
	Serial # DJ3078		Doc # 01-2018-5617	$52,206.54	1-2 Family Residence
		250	Mortgage Tax County	$261.00	Pawling
		260	Mortgage Tax MTA Share	$126.60	
		275	1-6 Family	$130.50	
		276	Mortgage Tax Local	$0.00	
				$518.10	
			Receipt Total:	$518.10	
29049	9/11/2018	Mortgagor:	MESLER STACEY		
		Mortgagee:	CITIBANK NA		
	Serial # DJ3080		Doc # 01-2018-5618	$250,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,250.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$720.00	
		275	1-6 Family	$625.00	
		276	Mortgage Tax Local	$0.00	
				$2,595.00	
			Receipt Total:	$2,595.00	
29063	9/11/2018	Mortgagor:	CRETELLA DIANA M		
		Mortgagee:	LOANDEPOT COM LLC		
	Serial # DJ3081		Doc # 01-2018-5619	$251,250.00	1-2 Family Residence
		250	Mortgage Tax County	$1,256.00	Pawling
		260	Mortgage Tax MTA Share	$723.60	
		275	1-6 Family	$628.00	
		276	Mortgage Tax Local	$0.00	
				$2,607.60	
			Receipt Total:	$2,607.60	
29081	9/11/2018	Mortgagor:	VITUCCI CONTI ELIZABETH J		
		Mortgagee:	IMPAC MORTGAGE CORP		
	Serial # DJ3082		Doc # 01-2018-5620	$200,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,000.00	East Fishkill
		260	Mortgage Tax MTA Share	$570.00	
		275	1-6 Family	$500.00	
		276	Mortgage Tax Local	$0.00	
				$2,070.00	
			Receipt Total:	$2,070.00	
29085	9/11/2018	Mortgagor:	LOWRY BREANDAN		
		Mortgagee:	RHINEBECK BANK		
	Serial # DJ3083		Doc # 01-2018-5621	$105,000.00	1-2 Family Residence
		250	Mortgage Tax County	$525.00	Red Hook
		260	Mortgage Tax MTA Share	$285.00	

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		275	1-6 Family	$262.50	
		276	Mortgage Tax Local	$0.00	
				$1,072.50	
			Receipt Total:	$1,072.50	
29086	9/11/2018	Mortgagor:	CLEARWATER ROBERT P		
		Mortgagee:	RHINEBECK BANK		
	Serial # DJ3084		Doc # 01-2018-5622	$100,000.00	1-2 Family Residence
		250	Mortgage Tax County	$500.00	Hyde Park
		260	Mortgage Tax MTA Share	$270.00	
		275	1-6 Family	$250.00	
		276	Mortgage Tax Local	$0.00	
				$1,020.00	
			Receipt Total:	$1,020.00	
29108	9/11/2018	Mortgagor:	PRESSANO JOSEPH		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ3085		Doc # 01-2018-5624	$230,200.00	1-2 Family Residence
		250	Mortgage Tax County	$1,151.00	East Fishkill
		260	Mortgage Tax MTA Share	$660.60	
		275	1-6 Family	$575.50	
		276	Mortgage Tax Local	$0.00	
				$2,387.10	
			Receipt Total:	$2,387.10	
29122	9/12/2018	Mortgagor:	SMITH DEBORAH		
		Mortgagee:	PRIMELENDING		
	Serial # DJ3086		Doc # 01-2018-5626	$190,400.00	1-2 Family Residence
		250	Mortgage Tax County	$952.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$541.20	
		275	1-6 Family	$476.00	
		276	Mortgage Tax Local	$0.00	
				$1,969.20	
			Receipt Total:	$1,969.20	
29126	9/12/2018	Mortgagor:	VERTICAL BRIDGE CC FM LLC		
		Mortgagee:	WILMINGTON TRUST NATL ASSOC		
	Serial # DJ3087		Doc # 01-2018-5627	$445,226.00	(NE) Commercial
		250	Mortgage Tax County	$2,226.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$1,335.60	
		270	SONYMA	$1,113.00	
		276	Mortgage Tax Local	$0.00	
				$4,674.60	
			Receipt Total:	$4,674.60	
29128	9/12/2018	Mortgagor:	LOTSPEICH JAMES MATTHEW		
		Mortgagee:	ULSTER SVGS BANK		
	Serial # DJ3089		Doc # 01-2018-5628	$135,000.00	1-2 Family Residence
		250	Mortgage Tax County	$675.00	Town of Poughkeepsie

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		260	Mortgage Tax MTA Share	$375.00	
		275	1-6 Family	$337.50	
		276	Mortgage Tax Local	$0.00	
				$1,387.50	
			Receipt Total:	$1,387.50	
29151	9/12/2018	Mortgagor:	WILSON DALY CATHY A		
		Mortgagee:	PRIMELENDING		
	Serial # DJ3091		Doc # 01-2018-5630	$413,200.00	1-2 Family Residence
		250	Mortgage Tax County	$2,066.00	La Grange
		260	Mortgage Tax MTA Share	$1,209.60	
		275	1-6 Family	$1,033.00	
		276	Mortgage Tax Local	$0.00	
				$4,308.60	
			Receipt Total:	$4,308.60	
29197	9/12/2018	Mortgagor:	GAROFALO VINCENT W		
		Mortgagee:	JPMORGAN CHASE BANK NA		
	Serial # DJ3092		Doc # 01-2018-5632	$161,500.00	1-2 Family Residence
		250	Mortgage Tax County	$807.50	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$454.50	
		275	1-6 Family	$403.75	
		276	Mortgage Tax Local	$0.00	
				$1,665.75	
			Receipt Total:	$1,665.75	
29202	9/12/2018	Mortgagor:	DAVIS ARTHUR		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3093		Doc # 01-2018-5633	$50,000.00	1-2 Family Residence
		250	Mortgage Tax County	$250.00	Beekman
		260	Mortgage Tax MTA Share	$120.00	
		275	1-6 Family	$125.00	
		276	Mortgage Tax Local	$0.00	
				$495.00	
			Receipt Total:	$495.00	
29204	9/12/2018	Mortgagor:	ROTHVOSS CLAYTON L		
		Mortgagee:	MAGNOLIA BANK INC		
	Serial # DJ3095		Doc # 01-2018-5634	$165,954.00	1-2 Family Residence
		250	Mortgage Tax County	$830.00	Milan
		260	Mortgage Tax MTA Share	$468.00	
		275	1-6 Family	$415.00	
		276	Mortgage Tax Local	$0.00	
				$1,713.00	
			Receipt Total:	$1,713.00	

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
29205	9/12/2018	Mortgagor:	ASTROLOGO DENNIS J		
		Mortgagee:	UNITED WHOLESALE MORTGAGE		
	Serial # DJ3096		Doc # 01-2018-5635	$342,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,710.00	East Fishkill
		260	Mortgage Tax MTA Share	$996.00	
		275	1-6 Family	$855.00	
		276	Mortgage Tax Local	$0.00	
				$3,561.00	
			Receipt Total:	$3,561.00	
29206	9/12/2018	Mortgagor:	MORANO CHRISTINE M		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3094		Doc # 01-2018-5636	$136,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$680.00	Beekman
		260	Mortgage Tax MTA Share	$378.00	
		276	Mortgage Tax Local	$0.00	
				$1,058.00	
			Receipt Total:	$1,058.00	
29209	9/12/2018	Mortgagor:	NICHOLS CHAMPION		
		Mortgagee:	RESIDENTIAL HOME FUNDING CORP		
	Serial # DJ3099		Doc # 01-2018-5637	$194,500.00	1-2 Family Residence
		250	Mortgage Tax County	$972.50	Pleasant Valley
		260	Mortgage Tax MTA Share	$553.50	
		275	1-6 Family	$486.25	
		276	Mortgage Tax Local	$0.00	
				$2,012.25	
			Receipt Total:	$2,012.25	
29211	9/12/2018	Mortgagor:	CODD STEPHEN		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ3098		Doc # 01-2018-5638	$154,660.00	1-2 Family Residence
		250	Mortgage Tax County	$773.50	Hyde Park
		260	Mortgage Tax MTA Share	$434.10	
		275	1-6 Family	$386.75	
		276	Mortgage Tax Local	$0.00	
				$1,594.35	
			Receipt Total:	$1,594.35	
29212	9/12/2018	Mortgagor:	BARIS JOSEPH		
		Mortgagee:	JPMORGAN CHASE BANK NA		
	Serial # DJ3097		Doc # 01-2018-5639	$300,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,500.00	East Fishkill
		260	Mortgage Tax MTA Share	$870.00	
		275	1-6 Family	$750.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$3,120.00	
			Receipt Total:	$3,120.00	
29221	9/12/2018	Mortgagor:	TREINISH MATTHEW		
		Mortgagee:	WELLS FARGO BANK NA		
	Serial # DJ3100		Doc # 01-2018-5640	$350,960.00	1-2 Family Residence
		250	Mortgage Tax County	$1,755.00	East Fishkill
		260	Mortgage Tax MTA Share	$1,023.00	
		275	1-6 Family	$877.50	
		276	Mortgage Tax Local	$0.00	
				$3,655.50	
			Receipt Total:	$3,655.50	
29227	9/12/2018	Mortgagor:	TOYGAN ERKUT		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ3101		Doc # 01-2018-5641	$219,520.00	1-2 Family Residence
		250	Mortgage Tax County	$1,097.50	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$628.50	
		275	1-6 Family	$548.75	
		276	Mortgage Tax Local	$0.00	
				$2,274.75	
			Receipt Total:	$2,274.75	
29231	9/12/2018	Mortgagor:	FLIPPIN AMADANS INC		
		Mortgagee:	LENDINGHOME FUNDING CORP		
	Serial # DJ3102		Doc # 01-2018-5642	$115,100.00	1-2 Family Residence
		250	Mortgage Tax County	$575.50	Hyde Park
		260	Mortgage Tax MTA Share	$315.30	
		275	1-6 Family	$287.75	
		276	Mortgage Tax Local	$0.00	
				$1,178.55	
			Receipt Total:	$1,178.55	
29235	9/12/2018	Mortgagor:	CLARY DROGE ROSE E TRUST		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3103		Doc # 01-2018-5643	$220,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$1,100.00	Wappinger
		260	Mortgage Tax MTA Share	$630.00	
		276	Mortgage Tax Local	$0.00	
				$1,730.00	
			Receipt Total:	$1,730.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
29236	9/12/2018	Mortgagor:	MANGANARO THOMAS		
		Mortgagee:	HOMESTEAD FUNDING CORP		
	Serial # DJ3104		Doc # 01-2018-5644	$319,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,595.00	La Grange
		260	Mortgage Tax MTA Share	$927.00	
		275	1-6 Family	$797.50	
		276	Mortgage Tax Local	$0.00	
				$3,319.50	
			Receipt Total:	$3,319.50	
29238	9/12/2018	Mortgagor:	RODRIGUEZ PATTIJO		
		Mortgagee:	FLAGSTAR BANK FSB		
	Serial # DJ3105		Doc # 01-2018-5645	$265,109.00	1-2 Family Residence
		250	Mortgage Tax County	$1,325.50	Wappinger
		260	Mortgage Tax MTA Share	$765.30	
		275	1-6 Family	$662.75	
		276	Mortgage Tax Local	$0.00	
				$2,753.55	
			Receipt Total:	$2,753.55	
29239	9/12/2018	Mortgagor:	VOLPE KENNETH J		
		Mortgagee:	RONDOUT SVGS BANK		
	Serial # DJ3106		Doc # 01-2018-5646	$146,250.00	1-2 Family Residence
		250	Mortgage Tax County	$731.00	Stanford
		260	Mortgage Tax MTA Share	$408.60	
		275	1-6 Family	$365.50	
		276	Mortgage Tax Local	$0.00	
				$1,505.10	
			Receipt Total:	$1,505.10	
29251	9/12/2018	Mortgagor:	GIRLS & A GOAT LLC		
		Mortgagee:	USTER SVGS BANK		
	Serial # DJ3107		Doc # 01-2018-5647	$601,600.00	(NE) Commercial
		250	Mortgage Tax County	$3,008.00	La Grange
		260	Mortgage Tax MTA Share	$1,804.80	
		270	SONYMA	$1,504.00	
		276	Mortgage Tax Local	$0.00	
				$6,316.80	
			Receipt Total:	$6,316.80	
29255	9/12/2018	Mortgagor:	VOLPE JOSEPH		
		Mortgagee:	WELLS FARGO BANK NA		
	Serial # DJ3108		Doc # 01-2018-5649	$268,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,340.00	Beekman
		260	Mortgage Tax MTA Share	$774.00	
		275	1-6 Family	$670.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$2,784.00	
			Receipt Total:	$2,784.00	
29280	9/12/2018	Mortgagor:	RICHARDS RONALD		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ3110		Doc # 01-2018-5650	$211,029.00	1-2 Family Residence
		250	Mortgage Tax County	$1,055.00	Pawling
		260	Mortgage Tax MTA Share	$603.00	
		275	1-6 Family	$527.50	
		276	Mortgage Tax Local	$0.00	
				$2,185.50	
			Receipt Total:	$2,185.50	
29282	9/12/2018	Mortgagor:	SCHWARTZ ABRAHAM		
		Mortgagee:	HOME POINT FINANCIAL CORP		
	Serial # DJ3111		Doc # 01-2018-5651	$115,500.00	1-2 Family Residence
		250	Mortgage Tax County	$577.50	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$316.50	
		275	1-6 Family	$288.75	
		276	Mortgage Tax Local	$0.00	
				$1,182.75	
			Receipt Total:	$1,182.75	
29284	9/12/2018	Mortgagor:	FORMISANO ANIELLO		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ3112		Doc # 01-2018-5652	$110,000.00	1-2 Family Residence
		250	Mortgage Tax County	$550.00	Red Hook
		260	Mortgage Tax MTA Share	$300.00	
		275	1-6 Family	$275.00	
		276	Mortgage Tax Local	$0.00	
				$1,125.00	
			Receipt Total:	$1,125.00	
29289	9/12/2018	Mortgagor:	RHOADES KRISTINE M		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ3113		Doc # 01-2018-5653	$224,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,120.00	Stanford
		260	Mortgage Tax MTA Share	$642.00	
		275	1-6 Family	$560.00	
		276	Mortgage Tax Local	$0.00	
				$2,322.00	
			Receipt Total:	$2,322.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
29294	9/12/2018	Mortgagor:	LABANCA CHRISTOPHER J		
		Mortgagee:	HOME AMERICA LENDING CORP		
	Serial # DJ3114		Doc # 01-2018-5654	$288,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,440.00	East Fishkill
		260	Mortgage Tax MTA Share	$834.00	
		275	1-6 Family	$720.00	
		276	Mortgage Tax Local	$0.00	
				$2,994.00	
			Receipt Total:	$2,994.00	
29322	9/12/2018	Mortgagor:	DAVIS BRYAN		
		Mortgagee:	NEW PENN FINANCIAL LLC		
	Serial # DJ3115		Doc # 01-2018-5656	$215,710.00	1-2 Family Residence
		250	Mortgage Tax County	$1,078.50	La Grange
		260	Mortgage Tax MTA Share	$617.10	
		275	1-6 Family	$539.25	
		276	Mortgage Tax Local	$0.00	
				$2,234.85	
			Receipt Total:	$2,234.85	
29324	9/12/2018	Mortgagor:	BRAJANOVIC ADISA		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3116		Doc # 01-2018-5657	$155,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$775.00	City of Beacon
		260	Mortgage Tax MTA Share	$435.00	
		276	Mortgage Tax Local	$0.00	
				$1,210.00	
			Receipt Total:	$1,210.00	
29327	9/12/2018	Mortgagor:	SHADOAN JESSE		
		Mortgagee:	ULSTER SVGS BANK		
	Serial # DJ3117		Doc # 01-2018-5658	$278,856.00	1-2 Family Residence
		250	Mortgage Tax County	$1,394.50	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$806.70	
		275	1-6 Family	$697.25	
		276	Mortgage Tax Local	$0.00	
				$2,898.45	
			Receipt Total:	$2,898.45	
29336	9/13/2018	Mortgagor:	MARCOJOHN LISA JANE		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3118		Doc # 01-2018-5659	$76,800.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$384.00	Wappinger
		260	Mortgage Tax MTA Share	$200.40	
		276	Mortgage Tax Local	$0.00	
				$584.40	
			Receipt Total:	$584.40	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
29338	9/13/2018	Mortgagor:	PAPALEO JASEN		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3119		Doc # 01-2018-5660	$30,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$150.00	Wappinger
		260	Mortgage Tax MTA Share	$60.00	
		276	Mortgage Tax Local	$0.00	
				$210.00	
			Receipt Total:	$210.00	
29340	9/13/2018	Mortgagor:	MINARD SUSAN A		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3120		Doc # 01-2018-5661	$65,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$325.00	La Grange
		260	Mortgage Tax MTA Share	$165.00	
		276	Mortgage Tax Local	$0.00	
				$490.00	
			Receipt Total:	$490.00	
29341	9/13/2018	Mortgagor:	ARTHUR ADAM J		
		Mortgagee:	HOMESTEAD FUNDING CORP		
	Serial # DJ3121		Doc # 01-2018-5662	$228,779.00	1-2 Family Residence
		250	Mortgage Tax County	$1,144.00	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$656.40	
		275	1-6 Family	$572.00	
		276	Mortgage Tax Local	$0.00	
				$2,372.40	
			Receipt Total:	$2,372.40	
29344	9/13/2018	Mortgagor:	MARGIEWICZ JOHN		
		Mortgagee:	PCSB BANK		
	Serial # DJ3122		Doc # 01-2018-5663	$200,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,000.00	Dover
		260	Mortgage Tax MTA Share	$570.00	
		275	1-6 Family	$500.00	
		276	Mortgage Tax Local	$0.00	
				$2,070.00	
			Receipt Total:	$2,070.00	
29347	9/13/2018	Mortgagor:	RIZZI ROBERT JR		
		Mortgagee:	RHINEBECK BANK		
	Serial # DJ3123		Doc # 01-2018-5664	$296,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,480.00	East Fishkill
		260	Mortgage Tax MTA Share	$858.00	
		275	1-6 Family	$740.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$3,078.00	
			Receipt Total:	$3,078.00	
29351	9/13/2018	Mortgagor:	HERBIN OLIVIER		
		Mortgagee:	FIRSTBANK		
	Serial # DJ3124		Doc # 01-2018-5665	$200,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,000.00	North East
		260	Mortgage Tax MTA Share	$570.00	
		275	1-6 Family	$500.00	
		276	Mortgage Tax Local	$0.00	
				$2,070.00	
			Receipt Total:	$2,070.00	
29353	9/13/2018	Mortgagor:	VIRGADAMO STELLA L		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3125		Doc # 01-2018-5666	$234,740.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$1,173.50	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$674.10	
		276	Mortgage Tax Local	$0.00	
				$1,847.60	
			Receipt Total:	$1,847.60	
29354	9/13/2018	Mortgagor:	OXANA PROPERTIES LLC		
		Mortgagee:	VISIO FINANCIAL SERVS INC		
	Serial # DJ3126		Doc # 01-2018-5667	$177,000.00	1-2 Family Residence
		250	Mortgage Tax County	$885.00	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$501.00	
		275	1-6 Family	$442.50	
		276	Mortgage Tax Local	$0.00	
				$1,828.50	
			Receipt Total:	$1,828.50	
29361	9/13/2018	Mortgagor:	TAYLOR CHRISTOPHER MICHAEL		
		Mortgagee:	PLAZA HOME MORTGAGE INC		
	Serial # DJ3127		Doc # 01-2018-5668	$171,830.00	1-2 Family Residence
		250	Mortgage Tax County	$859.00	Pleasant Valley
		260	Mortgage Tax MTA Share	$485.40	
		275	1-6 Family	$429.50	
		276	Mortgage Tax Local	$0.00	
				$1,773.90	
			Receipt Total:	$1,773.90	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
29369	9/13/2018	Mortgagor:	SCHWARZ JESSICA L		
		Mortgagee:	TRUSTCO BANK		
	Serial # DJ3128		Doc # 01-2018-5669	$371,425.00	1-2 Family Residence
		250	Mortgage Tax County	$1,857.00	East Fishkill
		260	Mortgage Tax MTA Share	$1,084.20	
		275	1-6 Family	$928.50	
		276	Mortgage Tax Local	$0.00	
				$3,869.70	
			Receipt Total:	$3,869.70	
29375	9/13/2018	Mortgagor:	KENNINGTON SUSAN E		
		Mortgagee:	HOMESTEAD FUNDING CORP		
	Serial # DJ3129		Doc # 01-2018-5670	$254,915.00	1-2 Family Residence
		250	Mortgage Tax County	$1,274.50	Fishkill
		260	Mortgage Tax MTA Share	$734.70	
		275	1-6 Family	$637.25	
		276	Mortgage Tax Local	$0.00	
				$2,646.45	
			Receipt Total:	$2,646.45	
29377	9/13/2018	Mortgagor:	TABOR JASON M		
		Mortgagee:	HOMESTEAD FUNDING CORP		
	Serial # DJ3130		Doc # 01-2018-5671	$301,500.00	1-2 Family Residence
		250	Mortgage Tax County	$1,507.50	Red Hook
		260	Mortgage Tax MTA Share	$874.50	
		275	1-6 Family	$753.75	
		276	Mortgage Tax Local	$0.00	
				$3,135.75	
			Receipt Total:	$3,135.75	
29379	9/13/2018	Mortgagor:	SWEENEY LAUREN C		
		Mortgagee:	TEG FCU		
	Serial # DJ3131		Doc # 01-2018-5672	$142,500.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$712.50	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$397.50	
		276	Mortgage Tax Local	$0.00	
				$1,110.00	
			Receipt Total:	$1,110.00	
29383	9/13/2018	Mortgagor:	CONKLIN DANIEL		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ3132		Doc # 01-2018-5673	$149,246.00	1-2 Family Residence
		250	Mortgage Tax County	$746.00	Hyde Park
		260	Mortgage Tax MTA Share	$417.60	
		275	1-6 Family	$373.00	
		276	Mortgage Tax Local	$0.00	
				$1,536.60	
			Receipt Total:	$1,536.60	

Dutchess County Clerk
Mortgage Tax Report

9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
29386	9/13/2018	Mortgagor:	VASSAR PLAZA REALTY LLC		
		Mortgagee:	MID HUDSON VALLEY FCU		
	Serial # DJ3133		Doc # 01-2018-5674	$708,000.00	(NE) Commercial
		250	Mortgage Tax County	$3,540.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$2,124.00	
		270	SONYMA	$1,770.00	
		276	Mortgage Tax Local	$0.00	
				$7,434.00	
			Receipt Total:	$7,434.00	
29392	9/13/2018	Mortgagor:	DALEY TIMOTHY P		
		Mortgagee:	HOMEBRIDGE FINANCIAL SERVS INC		
	Serial # DJ3134		Doc # 01-2018-5677	$240,463.00	1-2 Family Residence
		250	Mortgage Tax County	$1,202.50	Dover
		260	Mortgage Tax MTA Share	$691.50	
		275	1-6 Family	$601.25	
		276	Mortgage Tax Local	$0.00	
				$2,495.25	
			Receipt Total:	$2,495.25	
29397	9/13/2018	Mortgagor:	OMOIGBERAI SMITH ROWLANDA A		
		Mortgagee:	MEADOWBROOK FINANCIAL MORTGAGE BANKERS CORP		
	Serial # DJ3135		Doc # 01-2018-5678	$260,300.00	1-2 Family Residence
		250	Mortgage Tax County	$1,301.50	Hyde Park
		260	Mortgage Tax MTA Share	$750.90	
		275	1-6 Family	$650.75	
		276	Mortgage Tax Local	$0.00	
				$2,703.15	
			Receipt Total:	$2,703.15	
29406	9/13/2018	Mortgagor:	ENGLERT ROBERT		
		Mortgagee:	HOMESTEAD FUNDING CORP		
	Serial # DJ3136		Doc # 01-2018-5679	$296,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,480.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$858.00	
		275	1-6 Family	$740.00	
		276	Mortgage Tax Local	$0.00	
				$3,078.00	
			Receipt Total:	$3,078.00	
29411	9/13/2018	Mortgagor:	GIES SUSAN R		
		Mortgagee:	TRUSTCO BANK		
	Serial # DJ3137		Doc # 01-2018-5680	$25,000.00	1-2 Family Residence
		250	Mortgage Tax County	$125.00	Red Hook
		260	Mortgage Tax MTA Share	$45.00	
		275	1-6 Family	$62.50	

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$232.50	
			Receipt Total:	$232.50	
29413	9/13/2018	Mortgagor:	ABARNO SHARON D		
		Mortgagee:	TRUSTCO BANK		
	Serial # DJ3139		Doc # 01-2018-5681	$155,000.00	1-2 Family Residence
		250	Mortgage Tax County	$775.00	Beekman
		260	Mortgage Tax MTA Share	$435.00	
		275	1-6 Family	$387.50	
		276	Mortgage Tax Local	$0.00	
				$1,597.50	
			Receipt Total:	$1,597.50	
29415	9/13/2018	Mortgagor:	OSTERMAN PAUL A		
		Mortgagee:	PRIMELENDING		
	Serial # DJ3138		Doc # 01-2018-5682	$446,500.00	1-2 Family Residence
		250	Mortgage Tax County	$2,232.50	Stanford
		260	Mortgage Tax MTA Share	$1,309.50	
		275	1-6 Family	$1,116.25	
		276	Mortgage Tax Local	$0.00	
				$4,658.25	
			Receipt Total:	$4,658.25	
29418	9/13/2018	Mortgagor:	VARGAS ARROYO MARISOL		
		Mortgagee:	TIAA FSB		
	Serial # DJ3140		Doc # 01-2018-5683	$513,837.00	1-2 Family Residence
		250	Mortgage Tax County	$2,569.00	Wappinger
		260	Mortgage Tax MTA Share	$1,511.40	
		275	1-6 Family	$1,284.50	
		276	Mortgage Tax Local	$0.00	
				$5,364.90	
			Receipt Total:	$5,364.90	
29421	9/13/2018	Mortgagor:	MARTINEZ REGINA		
		Mortgagee:	USAA FED SVGS BANK		
	Serial # DJ3141		Doc # 01-2018-5684	$183,125.00	1-2 Family Residence
		250	Mortgage Tax County	$915.50	City of Beacon
		260	Mortgage Tax MTA Share	$519.30	
		275	1-6 Family	$457.75	
		276	Mortgage Tax Local	$0.00	
				$1,892.55	
			Receipt Total:	$1,892.55	

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
29426	9/13/2018	Mortgagor:	BYRNES ROBERT		
		Mortgagee:	TD BANK NA		
	Serial # DJ3142		Doc # 01-2018-5685	$280,250.00	1-2 Family Residence
		250	Mortgage Tax County	$1,401.00	Stanford
		260	Mortgage Tax MTA Share	$810.60	
		275	1-6 Family	$700.50	
		276	Mortgage Tax Local	$0.00	
				$2,912.10	
			Receipt Total:	$2,912.10	
29428	9/13/2018	Mortgagor:	BRIGGS THEODORE H II		
		Mortgagee:	BANK OF MILLBROOK		
	Serial # DJ3143		Doc # 01-2018-5686	$75,000.00	1-2 Family Residence
		250	Mortgage Tax County	$375.00	Washington
		260	Mortgage Tax MTA Share	$195.00	
		275	1-6 Family	$187.50	
		276	Mortgage Tax Local	$0.00	
				$757.50	
			Receipt Total:	$757.50	
29432	9/13/2018	Mortgagor:	MORLOCK HENRIETTA S		
		Mortgagee:	BANK OF AMERICA NA		
	Serial # DJ3144		Doc # 01-2018-5687	$800,000.00	1-2 Family Residence
		250	Mortgage Tax County	$4,000.00	North East
		260	Mortgage Tax MTA Share	$2,370.00	
		275	1-6 Family	$2,000.00	
		276	Mortgage Tax Local	$0.00	
				$8,370.00	
			Receipt Total:	$8,370.00	
29434	9/13/2018	Mortgagor:	FAIELLA WILLIAM J		
		Mortgagee:	TRUSTCO BANK		
	Serial # DJ3145		Doc # 01-2018-5688	$41,278.61	1-2 Family Residence
		250	Mortgage Tax County	$206.50	City of Beacon
		260	Mortgage Tax MTA Share	$93.90	
		275	1-6 Family	$103.25	
		276	Mortgage Tax Local	$0.00	
				$403.65	
			Receipt Total:	$403.65	
29436	9/13/2018	Mortgagor:	PALMER THERESA		
		Mortgagee:	TRUSTCO BANK		
	Serial # DJ3146		Doc # 01-2018-5689	$160,000.00	1-2 Family Residence
		250	Mortgage Tax County	$800.00	Clinton
		260	Mortgage Tax MTA Share	$450.00	
		275	1-6 Family	$400.00	

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$1,650.00	
			Receipt Total:	$1,650.00	
29438	9/13/2018	Mortgagor:	GALANO MICHAEL L		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3147		Doc # 01-2018-5690	$118,000.00	(E) CR Un/Nat Pr
		276	Mortgage Tax Local	$0.00	
		260	Mortgage Tax MTA Share	$324.00	
		250	Mortgage Tax County	$590.00	Union Vale
				$914.00	
			Receipt Total:	$914.00	
29440	9/13/2018	Mortgagor:	PATARO JOSEPH F		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3148		Doc # 01-2018-5691	$112,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$560.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$306.00	
		276	Mortgage Tax Local	$0.00	
				$866.00	
			Receipt Total:	$866.00	
29443	9/13/2018	Mortgagor:	CORSETTI ANN T		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3149		Doc # 01-2018-5692	$24,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$120.00	Hyde Park
		260	Mortgage Tax MTA Share	$42.00	
		276	Mortgage Tax Local	$0.00	
				$162.00	
			Receipt Total:	$162.00	
29451	9/13/2018	Mortgagor:	OLIVET UNIVERSITY		
		Mortgagee:	PUTNAM COUNTY NATL BANK OF CARMEL		
	Serial # DJ3150		Doc # 01-2018-5693	$700,000.00	(NE) Commercial
		250	Mortgage Tax County	$3,500.00	Dover
		260	Mortgage Tax MTA Share	$2,100.00	
		270	SONYMA	$1,750.00	
		276	Mortgage Tax Local	$0.00	
				$7,350.00	
			Receipt Total:	$7,350.00	
29453	9/13/2018	Mortgagor:	OROFINO LOUIS J JR		
		Mortgagee:	HOMEBRIDGE FINANCIAL SERVS INC		
	Serial # DJ3151		Doc # 01-2018-5696	$321,772.00	1-2 Family Residence
		250	Mortgage Tax County	$1,609.00	Beekman

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		260	Mortgage Tax MTA Share	$935.40	
		275	1-6 Family	$804.50	
		276	Mortgage Tax Local	$0.00	
				$3,348.90	
			Receipt Total:	$3,348.90	
29457	9/13/2018	Mortgagor:	ELDREDGE BENJAMIN W		
		Mortgagee:	USALLIANCE FCU		
	Serial # DJ3152		Doc # 01-2018-5697	$1,469,553.82	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$7,348.00	Union Vale
		260	Mortgage Tax MTA Share	$4,378.80	
		276	Mortgage Tax Local	$0.00	
				$11,726.80	
			Receipt Total:	$11,726.80	
29470	9/13/2018	Mortgagor:	WALLACE LEIGHA N		
		Mortgagee:	TOTAL MORTGAGE SERVS LLC		
	Serial # DJ3153		Doc # 01-2018-5699	$285,600.00	1-2 Family Residence
		250	Mortgage Tax County	$1,428.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$826.80	
		275	1-6 Family	$714.00	
		276	Mortgage Tax Local	$0.00	
				$2,968.80	
			Receipt Total:	$2,968.80	
29485	9/14/2018	Mortgagor:	GREENE ADAM H		
		Mortgagee:	GREENWAY MORTGAGE FUNDING CORP		
	Serial # DJ3154		Doc # 01-2018-5700	$252,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,260.00	Fishkill
		260	Mortgage Tax MTA Share	$726.00	
		275	1-6 Family	$630.00	
		276	Mortgage Tax Local	$0.00	
				$2,616.00	
			Receipt Total:	$2,616.00	
29500	9/14/2018	Mortgagor:	QUINN DARREN M		
		Mortgagee:	TEACHERS FCU		
	Serial # DJ3155		Doc # 01-2018-5701	$432,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$2,160.00	La Grange
		260	Mortgage Tax MTA Share	$1,266.00	
		276	Mortgage Tax Local	$0.00	
				$3,426.00	
			Receipt Total:	$3,426.00	
29504	9/14/2018	Mortgagor:	KELSAY EVAN		
		Mortgagee:	VALLEY NATL BANK		
	Serial # DJ3156		Doc # 01-2018-5702	$316,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,580.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$918.00	

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		275	1-6 Family	$790.00	
		276	Mortgage Tax Local	$0.00	
				$3,288.00	
			Receipt Total:	$3,288.00	
29505	9/14/2018	Mortgagor:	STERLING PROPERTY ENTERPRISES LLC		
		Mortgagee:	PCSB BANK		
	Serial # DJ3157		Doc # 01-2018-5703	$180,000.00	1-2 Family Residence
		250	Mortgage Tax County	$900.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$510.00	
		275	1-6 Family	$450.00	
		276	Mortgage Tax Local	$0.00	
				$1,860.00	
			Receipt Total:	$1,860.00	
29509	9/14/2018	Mortgagor:	HONOHAN THOMAS L III		
		Mortgagee:	PCSB BANK		
	Serial # DJ3158		Doc # 01-2018-5704	$175,000.00	1-2 Family Residence
		250	Mortgage Tax County	$875.00	Wappinger
		260	Mortgage Tax MTA Share	$495.00	
		275	1-6 Family	$437.50	
		276	Mortgage Tax Local	$0.00	
				$1,807.50	
			Receipt Total:	$1,807.50	
29513	9/14/2018	Mortgagor:	SOTO LUIS		
		Mortgagee:	JPMORGAN CHASE BANK NA		
	Serial # DJ3159		Doc # 01-2018-5705	$122,000.00	1-2 Family Residence
		250	Mortgage Tax County	$610.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$336.00	
		275	1-6 Family	$305.00	
		276	Mortgage Tax Local	$0.00	
				$1,251.00	
			Receipt Total:	$1,251.00	
29514	9/14/2018	Mortgagor:	ZHUO XIAO YU		
		Mortgagee:	CATHAY BANK		
	Serial # DJ3160		Doc # 01-2018-5706	$168,000.00	1-2 Family Residence
		250	Mortgage Tax County	$840.00	Hyde Park
		260	Mortgage Tax MTA Share	$474.00	
		275	1-6 Family	$420.00	
		276	Mortgage Tax Local	$0.00	
				$1,734.00	
			Receipt Total:	$1,734.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
29517	9/14/2018	Mortgagor:	TAYLOR KEVIN		
		Mortgagee:	SALISBURY BANK & TRUST CO		
	Serial # DJ3161		Doc # 01-2018-5707	$310,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,550.00	Dover
		260	Mortgage Tax MTA Share	$900.00	
		275	1-6 Family	$775.00	
		276	Mortgage Tax Local	$0.00	
				$3,225.00	
			Receipt Total:	$3,225.00	
29525	9/14/2018	Mortgagor:	DULBERG JUDITH L		
		Mortgagee:	MANUFACTURERS & TRADERS TRUST CO		
	Serial # DJ3162		Doc # 01-2018-5708	$125,000.00	1-2 Family Residence
		250	Mortgage Tax County	$625.00	Rhinebeck
		260	Mortgage Tax MTA Share	$345.00	
		275	1-6 Family	$312.50	
		276	Mortgage Tax Local	$0.00	
				$1,282.50	
			Receipt Total:	$1,282.50	
29526	9/14/2018	Mortgagor:	WILLIAMS RICHARD S		
		Mortgagee:	ELLSWORTH DANIEL L		
	Serial # DJ3163		Doc # 01-2018-5709	$248,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,240.00	La Grange
		260	Mortgage Tax MTA Share	$714.00	
		275	1-6 Family	$620.00	
		276	Mortgage Tax Local	$0.00	
				$2,574.00	
			Receipt Total:	$2,574.00	
29530	9/14/2018	Mortgagor:	WINIARSKI ANGELA		
		Mortgagee:	FIRST INTERNET BANK OF INDIANA		
	Serial # DJ3164		Doc # 01-2018-5710	$245,471.00	1-2 Family Residence
		250	Mortgage Tax County	$1,227.50	Wappinger
		260	Mortgage Tax MTA Share	$706.50	
		275	1-6 Family	$613.75	
		276	Mortgage Tax Local	$0.00	
				$2,547.75	
			Receipt Total:	$2,547.75	
29537	9/14/2018	Mortgagor:	HOGAR COMMUNITY REINVESTMENT LLC		
		Mortgagee:	GOLDMAN SACHS BANK USA		
	Serial # DJ3165		Doc # 01-2018-5711	$117,433.00	1-2 Family Residence
		250	Mortgage Tax County	$587.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$322.20	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		275	1-6 Family	$293.50	
		276	Mortgage Tax Local	$0.00	
				$1,202.70	
29537	9/14/2018	Mortgagor:	HOGAR COMMUNITY REINVESTMENT LLC		
		Mortgagee:	GOLDMAN SACHS BANK USA		
	Serial # DJ3166		Doc # 01-2018-5712	$43,585.00	1-2 Family Residence
		250	Mortgage Tax County	$218.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$100.80	
		275	1-6 Family	$109.00	
		276	Mortgage Tax Local	$0.00	
				$427.80	
			Receipt Total:	$1,630.50	
29539	9/14/2018	Mortgagor:	ROHRBACH CATHERINE		
		Mortgagee:	PRIMELENDING		
	Serial # DJ3167		Doc # 01-2018-5713	$121,908.00	1-2 Family Residence
		276	Mortgage Tax Local	$0.00	
		275	1-6 Family	$304.75	
		260	Mortgage Tax MTA Share	$335.70	
		250	Mortgage Tax County	$609.50	City of Poughkeepsie
				$1,249.95	
			Receipt Total:	$1,249.95	
29543	9/14/2018	Mortgagor:	PALJEVIC VIOLETA		
		Mortgagee:	CROSSCOUNTRY MORTGAGE INC		
	Serial # DJ3168		Doc # 01-2018-5714	$276,500.00	1-2 Family Residence
		280	Mortgage Tax Held	$2,873.25	Other
				$2,873.25	
			Receipt Total:	$2,873.25	
29552	9/14/2018	Mortgagor:	DECICCO VINCENT R		
		Mortgagee:	MID HUDSON VALLEY FCU		
	Serial # DJ3169		Doc # 01-2018-5715	$46,900.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$234.50	Red Hook
		260	Mortgage Tax MTA Share	$110.70	
		276	Mortgage Tax Local	$0.00	
				$345.20	
			Receipt Total:	$345.20	
29553	9/14/2018	Mortgagor:	GILBERT THOMAS E		
		Mortgagee:	MID HUDSON VALLEY FCU		
	Serial # DJ3170		Doc # 01-2018-5716	$30,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$150.00	Red Hook
		260	Mortgage Tax MTA Share	$60.00	
		276	Mortgage Tax Local	$0.00	
				$210.00	
			Receipt Total:	$210.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
29572	9/14/2018	Mortgagor:	RELEASES		Comments:
		Mortgagee:	RELEASES		SHARE CASE #312225
	Serial # DJ3171		Doc # 01-2018-5717	$168,000.00	1-2 Family Residence
		250	Mortgage Tax County	$57.03	Milan
		260	Mortgage Tax MTA Share	$32.18	
		275	1-6 Family	$28.52	
		276	Mortgage Tax Local	$0.00	
				$117.73	
			Receipt Total:	$117.73	
29603	9/14/2018	Mortgagor:	WILLIAMS RANDY		
		Mortgagee:	MACAL DEVELOPMENT CORP		
	Serial # DJ3172		Doc # 01-2018-5718	$262,800.00	1-2 Family Residence
		250	Mortgage Tax County	$1,314.00	East Fishkill
		260	Mortgage Tax MTA Share	$758.40	
		275	1-6 Family	$657.00	
		276	Mortgage Tax Local	$0.00	
				$2,729.40	
			Receipt Total:	$2,729.40	
29609	9/14/2018	Mortgagor:	KAHN ROSALIE		
		Mortgagee:	WELLS FARGO BANK NA		
	Serial # DJ3173		Doc # 01-2018-5719	$250,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,250.00	Rhinebeck
		260	Mortgage Tax MTA Share	$720.00	
		275	1-6 Family	$625.00	
		276	Mortgage Tax Local	$0.00	
				$2,595.00	
			Receipt Total:	$2,595.00	
29610	9/14/2018	Mortgagor:	HASTINGS ASHLEY		
		Mortgagee:	TEG FCU		
	Serial # DJ3174		Doc # 01-2018-5720	$193,030.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$965.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$549.00	
		276	Mortgage Tax Local	$0.00	
				$1,514.00	
			Receipt Total:	$1,514.00	
29617	9/14/2018	Mortgagor:	PUPCENOKS JURIS		
		Mortgagee:	TEG FCU		
	Serial # DJ3175		Doc # 01-2018-5721	$229,200.00	Corr / Re-Rec / Col. Sec.
		250	Mortgage Tax County	$0.00	Fishkill
				$0.00	
			Receipt Total:	$0.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
29629	9/14/2018	Mortgagor:	WALKER NEIDRA		
		Mortgagee:	BANK OF AMERICA NA		
	Serial # DJ3177		Doc # 01-2018-5722	$303,975.00	1-2 Family Residence
		276	Mortgage Tax Local	$0.00	
		275	1-6 Family	$760.00	
		260	Mortgage Tax MTA Share	$882.00	
		250	Mortgage Tax County	$1,520.00	Union Vale
				$3,162.00	
			Receipt Total:	$3,162.00	
29630	9/14/2018	Mortgagor:	DELIA CORINNE		
		Mortgagee:	TRUSTCO BANK		
	Serial # DJ3176		Doc # 01-2018-5723	$250,600.00	1-2 Family Residence
		250	Mortgage Tax County	$1,253.00	East Fishkill
		260	Mortgage Tax MTA Share	$721.80	
		275	1-6 Family	$626.50	
		276	Mortgage Tax Local	$0.00	
				$2,601.30	
			Receipt Total:	$2,601.30	
29637	9/14/2018	Mortgagor:	MORALES JUSTIN E		
		Mortgagee:	1ST 2ND MORTGAGE CO OF NJ INC		
	Serial # DJ3178		Doc # 01-2018-5724	$281,300.00	1-2 Family Residence
		250	Mortgage Tax County	$1,406.50	Hyde Park
		260	Mortgage Tax MTA Share	$813.90	
		275	1-6 Family	$703.25	
		276	Mortgage Tax Local	$0.00	
				$2,923.65	
			Receipt Total:	$2,923.65	
29639	9/14/2018	Mortgagor:	SMITH HEATHER A		
		Mortgagee:	HOMESTEAD FUNDING CORP		
	Serial # DJ3179		Doc # 01-2018-5725	$351,515.00	1-2 Family Residence
		250	Mortgage Tax County	$1,757.50	Union Vale
		260	Mortgage Tax MTA Share	$1,024.50	
		275	1-6 Family	$878.75	
		276	Mortgage Tax Local	$0.00	
				$3,660.75	
			Receipt Total:	$3,660.75	
29646	9/14/2018	Mortgagor:	CORA EDWIN K		
		Mortgagee:	UNITED WHOLESALE MORTGAGE		
	Serial # DJ3180		Doc # 01-2018-5726	$174,000.00	1-2 Family Residence
		250	Mortgage Tax County	$870.00	Hyde Park
		260	Mortgage Tax MTA Share	$492.00	
		275	1-6 Family	$435.00	

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Mortgage Tax Report

9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$1,797.00	
			Receipt Total:	$1,797.00	
29651	9/14/2018	Mortgagor:	PALAIS ALLISON R		
		Mortgagee:	PCSB BANK		
	Serial # DJ3181		Doc # 01-2018-5727	$273,750.00	(NE) Commercial
		250	Mortgage Tax County	$1,368.50	Dover
		260	Mortgage Tax MTA Share	$821.10	
		270	SONYMA	$684.25	
		276	Mortgage Tax Local	$0.00	
				$2,873.85	
			Receipt Total:	$2,873.85	
29654	9/14/2018	Mortgagor:	FERNANDES ANTONIO B		
		Mortgagee:	WELLS FARGO BANK NA		
	Serial # DJ3182		Doc # 01-2018-5729	$105,000.00	1-2 Family Residence
		250	Mortgage Tax County	$525.00	East Fishkill
		260	Mortgage Tax MTA Share	$285.00	
		275	1-6 Family	$262.50	
		276	Mortgage Tax Local	$0.00	
				$1,072.50	
			Receipt Total:	$1,072.50	
29655	9/14/2018	Mortgagor:	NIGHTINGALE JACK E JR		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3183		Doc # 01-2018-5730	$187,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$935.00	City of Beacon
		260	Mortgage Tax MTA Share	$531.00	
		276	Mortgage Tax Local	$0.00	
				$1,466.00	
			Receipt Total:	$1,466.00	
29656	9/14/2018	Mortgagor:	MANSOUR AHMED H		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3184		Doc # 01-2018-5731	$250,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$1,250.00	Rhinebeck
		260	Mortgage Tax MTA Share	$720.00	
		276	Mortgage Tax Local	$0.00	
				$1,970.00	
			Receipt Total:	$1,970.00	
29657	9/14/2018	Mortgagor:	TAYLOR CHERI L		
		Mortgagee:	PRIMELENDING		
	Serial # DJ3185		Doc # 01-2018-5732	$350,100.00	1-2 Family Residence
		250	Mortgage Tax County	$1,750.50	Town of Poughkeepsie

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		260	Mortgage Tax MTA Share	$1,020.30	
		275	1-6 Family	$875.25	
		276	Mortgage Tax Local	$0.00	
				$3,646.05	
			Receipt Total:	$3,646.05	
29668	9/17/2018	Mortgagor:	ROCHFORT MATTHEW F		
		Mortgagee:	BANK OF MILLBROOK		
	Serial # DJ3186		Doc # 01-2018-5733	$120,000.00	1-2 Family Residence
		250	Mortgage Tax County	$600.00	Washington
		260	Mortgage Tax MTA Share	$330.00	
		275	1-6 Family	$300.00	
		276	Mortgage Tax Local	$0.00	
				$1,230.00	
			Receipt Total:	$1,230.00	
29674	9/17/2018	Mortgagor:	SLU PROPERTIES INC		
		Mortgagee:	FLF II PROPERTIES INC		
	Serial # DJ3187		Doc # 01-2018-5734	$153,457.10	(NE) Commercial
		250	Mortgage Tax County	$767.50	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$460.50	
		270	SONYMA	$383.75	
		276	Mortgage Tax Local	$0.00	
				$1,611.75	
			Receipt Total:	$1,611.75	
29676	9/17/2018	Mortgagor:	LATHAM STEVEN		
		Mortgagee:	1ST 2ND MORTGAGE CO OF NJ INC		
	Serial # DJ3188		Doc # 01-2018-5735	$336,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,680.00	City of Beacon
		260	Mortgage Tax MTA Share	$978.00	
		275	1-6 Family	$840.00	
		276	Mortgage Tax Local	$0.00	
				$3,498.00	
			Receipt Total:	$3,498.00	
29677	9/17/2018	Mortgagor:	LEDIOYT JEFFREY		
		Mortgagee:	RONDOUT SVGS BANK		
	Serial # DJ3189		Doc # 01-2018-5736	$80,000.00	1-2 Family Residence
		250	Mortgage Tax County	$400.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$210.00	
		275	1-6 Family	$200.00	
		276	Mortgage Tax Local	$0.00	
				$810.00	
			Receipt Total:	$810.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
29680	9/17/2018	Mortgagor:	BENGEL BRAD		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3190		Doc # 01-2018-5737	$297,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$1,485.00	East Fishkill
		260	Mortgage Tax MTA Share	$861.00	
		276	Mortgage Tax Local	$0.00	
				$2,346.00	
			Receipt Total:	$2,346.00	
29687	9/17/2018	Mortgagor:	FOSTER STUART		
		Mortgagee:	BANK OF AMERICA NA		
	Serial # DJ3192		Doc # 01-2018-5738	$233,600.00	1-2 Family Residence
		250	Mortgage Tax County	$1,168.00	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$670.80	
		275	1-6 Family	$584.00	
		276	Mortgage Tax Local	$0.00	
				$2,422.80	
			Receipt Total:	$2,422.80	
29688	9/17/2018	Mortgagor:	URIBE MARLEN ACUNA		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3193		Doc # 01-2018-5739	$194,500.00	1-2 Family Residence
		250	Mortgage Tax County	$972.50	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$553.50	
		275	1-6 Family	$486.25	
		276	Mortgage Tax Local	$0.00	
				$2,012.25	
			Receipt Total:	$2,012.25	
29689	9/17/2018	Mortgagor:	JOHNSON TERRI A		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ3194		Doc # 01-2018-5740	$114,605.00	1-2 Family Residence
		250	Mortgage Tax County	$573.00	Hyde Park
		260	Mortgage Tax MTA Share	$313.80	
		275	1-6 Family	$286.50	
		276	Mortgage Tax Local	$0.00	
				$1,173.30	
			Receipt Total:	$1,173.30	
29691	9/17/2018	Mortgagor:	FALLOON MARY JANE		
		Mortgagee:	CITIZENS BANK NA		
	Serial # DJ3195		Doc # 01-2018-5741	$100,000.00	1-2 Family Residence
		250	Mortgage Tax County	$500.00	Fishkill
		260	Mortgage Tax MTA Share	$270.00	
		275	1-6 Family	$250.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$1,020.00	
			Receipt Total:	$1,020.00	
29694	9/17/2018	Mortgagor:	LAURICELLA RALPH		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3196		Doc # 01-2018-5742	$160,000.00	1-2 Family Residence
		250	Mortgage Tax County	$800.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$450.00	
		275	1-6 Family	$400.00	
		276	Mortgage Tax Local	$0.00	
				$1,650.00	
			Receipt Total:	$1,650.00	
29702	9/17/2018	Mortgagor:	BLACKWELL BRETT L		
		Mortgagee:	CITIZENS BANK NA		
	Serial # DJ3197		Doc # 01-2018-5743	$160,000.00	1-2 Family Residence
		250	Mortgage Tax County	$800.00	La Grange
		260	Mortgage Tax MTA Share	$450.00	
		275	1-6 Family	$400.00	
		276	Mortgage Tax Local	$0.00	
				$1,650.00	
			Receipt Total:	$1,650.00	
29727	9/17/2018	Mortgagor:	FERRIS TAMMY M		
		Mortgagee:	PRIMELENDING		
	Serial # DJ3198		Doc # 01-2018-5744	$141,600.00	1-2 Family Residence
		250	Mortgage Tax County	$708.00	Hyde Park
		260	Mortgage Tax MTA Share	$394.80	
		275	1-6 Family	$354.00	
		276	Mortgage Tax Local	$0.00	
				$1,456.80	
			Receipt Total:	$1,456.80	
29728	9/17/2018	Mortgagor:	BLAKESLEE JEFFREY M		
		Mortgagee:	TIAA FSB		
	Serial # DJ3199		Doc # 01-2018-5745	$254,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,270.00	City of Beacon
		260	Mortgage Tax MTA Share	$732.00	
		275	1-6 Family	$635.00	
		276	Mortgage Tax Local	$0.00	
				$2,637.00	
			Receipt Total:	$2,637.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
29730	9/17/2018	Mortgagor:	SANBORN DAVID A		
		Mortgagee:	GUARANTEED RATE INC		
	Serial # DJ3200		Doc # 01-2018-5746	$186,666.00	1-2 Family Residence
		250	Mortgage Tax County	$933.50	Pawling
		260	Mortgage Tax MTA Share	$530.10	
		275	1-6 Family	$466.75	
		276	Mortgage Tax Local	$0.00	
				$1,930.35	
			Receipt Total:	$1,930.35	
29751	9/17/2018	Mortgagor:	HUDSON VALLEY DEVELOPMENT PARTNERS LLC		
		Mortgagee:	LENDINGHOME FUNDING CORP		
	Serial # DJ3201		Doc # 01-2018-5747	$214,800.00	1-2 Family Residence
		250	Mortgage Tax County	$1,074.00	East Fishkill
		260	Mortgage Tax MTA Share	$614.40	
		275	1-6 Family	$537.00	
		276	Mortgage Tax Local	$0.00	
				$2,225.40	
			Receipt Total:	$2,225.40	
29752	9/17/2018	Mortgagor:	JENSEN PAUL R		
		Mortgagee:	SILVERMINE VENTURES LLC		
	Serial # DJ3202		Doc # 01-2018-5748	$203,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,015.00	Dover
		260	Mortgage Tax MTA Share	$579.00	
		275	1-6 Family	$507.50	
		276	Mortgage Tax Local	$0.00	
				$2,101.50	
			Receipt Total:	$2,101.50	
29753	9/17/2018	Mortgagor:	VENTURINA JOSE		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ3203		Doc # 01-2018-5749	$182,750.00	Corr / Re-Rec / Col. Sec.
		250	Mortgage Tax County	$0.00	Pawling
				$0.00	
			Receipt Total:	$0.00	
29760	9/17/2018	Mortgagor:	KNOX ROBERT A		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ3204		Doc # 01-2018-5753	$261,250.00	1-2 Family Residence
		250	Mortgage Tax County	$1,306.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$753.60	
		275	1-6 Family	$653.00	
		276	Mortgage Tax Local	$0.00	
				$2,712.60	
			Receipt Total:	$2,712.60	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
29764	9/17/2018	Mortgagor:	SILO RIDGE LLC		
		Mortgagee:	WELLS FARGO BANK NA		
	Serial # DJ3205		Doc # 01-2018-5754	$1,575,000.00	1-2 Family Residence
		250	Mortgage Tax County	$7,875.00	Amenia
		260	Mortgage Tax MTA Share	$4,695.00	
		275	1-6 Family	$3,937.50	
		276	Mortgage Tax Local	$0.00	
				$16,507.50	
			Receipt Total:	$16,507.50	
29776	9/17/2018	Mortgagor:	HARWOOD JAY		
		Mortgagee:	CITIZENS BANK NA		
	Serial # DJ3207		Doc # 01-2018-5755	$368,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,840.00	Rhinebeck
		260	Mortgage Tax MTA Share	$1,074.00	
		275	1-6 Family	$920.00	
		276	Mortgage Tax Local	$0.00	
				$3,834.00	
			Receipt Total:	$3,834.00	
29782	9/17/2018	Mortgagor:	PATERSON LESLIE M		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3208		Doc # 01-2018-5756	$35,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$175.00	La Grange
		260	Mortgage Tax MTA Share	$75.00	
		276	Mortgage Tax Local	$0.00	
				$250.00	
			Receipt Total:	$250.00	
29789	9/17/2018	Mortgagor:	EVE DENISE A		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3209		Doc # 01-2018-5757	$45,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$225.00	City of Beacon
		260	Mortgage Tax MTA Share	$105.00	
		276	Mortgage Tax Local	$0.00	
				$330.00	
			Receipt Total:	$330.00	
29792	9/17/2018	Mortgagor:	LOPEZ DEBORAH		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ3210		Doc # 01-2018-5758	$187,700.00	1-2 Family Residence
		250	Mortgage Tax County	$938.50	Rhinebeck
		260	Mortgage Tax MTA Share	$533.10	
		275	1-6 Family	$469.25	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$1,940.85	
			Receipt Total:	$1,940.85	
29799	9/17/2018	Mortgagor:	VALLONE PHILIP JR		
		Mortgagee:	PLAZA HOME MORTGAGE INC		
	Serial # DJ3211		Doc # 01-2018-5759	$387,281.00	1-2 Family Residence
		250	Mortgage Tax County	$1,936.50	Fishkill
		260	Mortgage Tax MTA Share	$1,131.90	
		275	1-6 Family	$968.25	
		276	Mortgage Tax Local	$0.00	
				$4,036.65	
			Receipt Total:	$4,036.65	
29816	9/17/2018	Mortgagor:	GREGORIO CHRIS		
		Mortgagee:	M&T BANK		
	Serial # DJ3212		Doc # 01-2018-5760	$200,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,000.00	Fishkill
		260	Mortgage Tax MTA Share	$570.00	
		275	1-6 Family	$500.00	
		276	Mortgage Tax Local	$0.00	
				$2,070.00	
			Receipt Total:	$2,070.00	
29821	9/17/2018	Mortgagor:	ROACH KYLE R		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3213		Doc # 01-2018-5761	$50,000.00	1-2 Family Residence
		250	Mortgage Tax County	$250.00	Hyde Park
		260	Mortgage Tax MTA Share	$120.00	
		275	1-6 Family	$125.00	
		276	Mortgage Tax Local	$0.00	
				$495.00	
			Receipt Total:	$495.00	
29833	9/18/2018	Mortgagor:	CHAAR MITCHELL Y		
		Mortgagee:	JPMORGAN CHASE BANK NA		
	Serial # DJ3214		Doc # 01-2018-5762	$506,000.00	1-2 Family Residence
		250	Mortgage Tax County	$2,530.00	Rhinebeck
		260	Mortgage Tax MTA Share	$1,488.00	
		275	1-6 Family	$1,265.00	
		276	Mortgage Tax Local	$0.00	
				$5,283.00	
			Receipt Total:	$5,283.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
29846	9/18/2018	Mortgagor:	JONES SARA		
		Mortgagee:	JPMORGAN CHASE BANK NA		
	Serial # DJ3215		Doc # 01-2018-5763	$319,200.00	1-2 Family Residence
		250	Mortgage Tax County	$1,596.00	La Grange
		260	Mortgage Tax MTA Share	$927.60	
		275	1-6 Family	$798.00	
		276	Mortgage Tax Local	$0.00	
				$3,321.60	
			Receipt Total:	$3,321.60	
29850	9/18/2018	Mortgagor:	SANTIAGO DIANAJADE		
		Mortgagee:	UNITED WHOLESALE MORTGAGE		
	Serial # DJ3216		Doc # 01-2018-5764	$224,910.00	1-2 Family Residence
		250	Mortgage Tax County	$1,124.50	Pleasant Valley
		260	Mortgage Tax MTA Share	$644.70	
		275	1-6 Family	$562.25	
		276	Mortgage Tax Local	$0.00	
				$2,331.45	
			Receipt Total:	$2,331.45	
29869	9/18/2018	Mortgagor:	DEGRAW DANIELLE L		
		Mortgagee:	TIAA FSB		
	Serial # DJ3217		Doc # 01-2018-5766	$216,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,080.00	Hyde Park
		260	Mortgage Tax MTA Share	$618.00	
		275	1-6 Family	$540.00	
		276	Mortgage Tax Local	$0.00	
				$2,238.00	
			Receipt Total:	$2,238.00	
29896	9/18/2018	Mortgagor:	MARTIN ROBERT E JR		
		Mortgagee:	WELLS FARGO BANK NA		
	Serial # DJ3218		Doc # 01-2018-5767	$50,000.00	1-2 Family Residence
		250	Mortgage Tax County	$250.00	Beekman
		260	Mortgage Tax MTA Share	$120.00	
		275	1-6 Family	$125.00	
		276	Mortgage Tax Local	$0.00	
				$495.00	
			Receipt Total:	$495.00	
29899	9/18/2018	Mortgagor:	KUMAR AMARDEEP S		
		Mortgagee:	CITIZENS BANK NA		
	Serial # DJ3219		Doc # 01-2018-5768	$59,000.00	1-2 Family Residence
		250	Mortgage Tax County	$295.00	Beekman
		260	Mortgage Tax MTA Share	$147.00	
		275	1-6 Family	$147.50	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$589.50	
			Receipt Total:	$589.50	
29907	9/18/2018	Mortgagor:	MAZAHREH ANNAL		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3220		Doc # 01-2018-5770	$70,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$350.00	Union Vale
		260	Mortgage Tax MTA Share	$180.00	
		276	Mortgage Tax Local	$0.00	
				$530.00	
			Receipt Total:	$530.00	
29911	9/18/2018	Mortgagor:	HASKELL KIRK S		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3221		Doc # 01-2018-5771	$75,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$375.00	Pleasant Valley
		260	Mortgage Tax MTA Share	$195.00	
		276	Mortgage Tax Local	$0.00	
				$570.00	
			Receipt Total:	$570.00	
29913	9/18/2018	Mortgagor:	REINHARD DANIELLE S		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3222		Doc # 01-2018-5772	$12,500.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$62.50	Dover
		260	Mortgage Tax MTA Share	$7.50	
		276	Mortgage Tax Local	$0.00	
				$70.00	
			Receipt Total:	$70.00	
29916	9/18/2018	Mortgagor:	SENA CHRISTINE		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3223		Doc # 01-2018-5773	$30,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$150.00	Wappinger
		260	Mortgage Tax MTA Share	$60.00	
		276	Mortgage Tax Local	$0.00	
				$210.00	
			Receipt Total:	$210.00	
29921	9/18/2018	Mortgagor:	MORGAN NATE		
		Mortgagee:	BANK OF AMERICA NA		
	Serial # DJ3224		Doc # 01-2018-5774	$87,276.06	1-2 Family Residence
		276	Mortgage Tax Local	$0.00	
		275	1-6 Family	$218.25	
		260	Mortgage Tax MTA Share	$231.90	

Dutchess County Clerk
Mortgage Tax Report

9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		250	Mortgage Tax County	$436.50	City of Beacon
				$886.65	
			Receipt Total:	$886.65	
29932	9/18/2018	Mortgagor:	MEDICK SHANE		
		Mortgagee:	ULSTER SVGS BANK		
	Serial # DJ3225		Doc # 01-2018-5776	$227,950.00	1-2 Family Residence
		250	Mortgage Tax County	$1,139.50	Stanford
		260	Mortgage Tax MTA Share	$653.70	
		275	1-6 Family	$569.75	
		276	Mortgage Tax Local	$0.00	
				$2,362.95	
29932	9/18/2018	Mortgagor:	MEDICK SHANE		
		Mortgagee:	ULSTER SVGS BANK		
	Serial # DJ3226		Doc # 01-2018-5777	$26,732.00	1-2 Family Residence
		250	Mortgage Tax County	$133.50	Stanford
		260	Mortgage Tax MTA Share	$50.10	
		275	1-6 Family	$66.75	
		276	Mortgage Tax Local	$0.00	
				$250.35	
			Receipt Total:	$2,613.30	
29934	9/18/2018	Mortgagor:	COHN PAUL		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ3227		Doc # 01-2018-5778	$282,699.00	1-2 Family Residence
		250	Mortgage Tax County	$1,413.50	Fishkill
		260	Mortgage Tax MTA Share	$818.10	
		275	1-6 Family	$706.75	
		276	Mortgage Tax Local	$0.00	
				$2,938.35	
			Receipt Total:	$2,938.35	
29938	9/18/2018	Mortgagor:	LUPPINO RICHARD J		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ3228		Doc # 01-2018-5779	$265,944.00	1-2 Family Residence
		250	Mortgage Tax County	$1,329.50	Wappinger
		260	Mortgage Tax MTA Share	$767.70	
		275	1-6 Family	$664.75	
		276	Mortgage Tax Local	$0.00	
				$2,761.95	
			Receipt Total:	$2,761.95	
29942	9/18/2018	Mortgagor:	PALMER YVONNE		
		Mortgagee:	UNITED WHOLESALE MORTGAGE		
	Serial # DJ3229		Doc # 01-2018-5780	$362,700.00	1-2 Family Residence
		250	Mortgage Tax County	$1,813.50	Wappinger

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		260	Mortgage Tax MTA Share	$1,058.10	
		275	1-6 Family	$906.75	
		276	Mortgage Tax Local	$0.00	
				$3,778.35	
			Receipt Total:	$3,778.35	
29945	9/18/2018	Mortgagor:	MARKS PHILIP J		
		Mortgagee:	ULSTER SVGS BANK		
	Serial # DJ3230		Doc # 01-2018-5781	$75,000.00	1-2 Family Residence
		250	Mortgage Tax County	$375.00	Rhinebeck
		260	Mortgage Tax MTA Share	$195.00	
		275	1-6 Family	$187.50	
		276	Mortgage Tax Local	$0.00	
				$757.50	
			Receipt Total:	$757.50	
29965	9/18/2018	Mortgagor:	ESPOSITO GARY F		
		Mortgagee:	M&T BANK		
	Serial # DJ3231		Doc # 01-2018-5783	$24,280.43	1-2 Family Residence
		250	Mortgage Tax County	$121.50	Beekman
		260	Mortgage Tax MTA Share	$42.90	
		275	1-6 Family	$60.75	
		276	Mortgage Tax Local	$0.00	
				$225.15	
			Receipt Total:	$225.15	
29985	9/18/2018	Mortgagor:	VOSOUGHI ARDESHIR L		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3232		Doc # 01-2018-5784	$150,000.00	1-2 Family Residence
		250	Mortgage Tax County	$750.00	East Fishkill
		260	Mortgage Tax MTA Share	$420.00	
		275	1-6 Family	$375.00	
		276	Mortgage Tax Local	$0.00	
				$1,545.00	
			Receipt Total:	$1,545.00	
29994	9/18/2018	Mortgagor:	BURROWS PAUL D		
		Mortgagee:	MANUFACTURERS & TRADERS TRUST CO		
	Serial # DJ3233		Doc # 01-2018-5786	$200,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,000.00	East Fishkill
		260	Mortgage Tax MTA Share	$570.00	
		275	1-6 Family	$500.00	
		276	Mortgage Tax Local	$0.00	
				$2,070.00	
			Receipt Total:	$2,070.00	

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
29999	9/18/2018	Mortgagor:	PAGONES JAMES D		
		Mortgagee:	MANUFACTURERS & TRADERS TRUST CO		
	Serial # DJ3234		Doc # 01-2018-5787	$250,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,250.00	Fishkill
		260	Mortgage Tax MTA Share	$720.00	
		275	1-6 Family	$625.00	
		276	Mortgage Tax Local	$0.00	
				$2,595.00	
			Receipt Total:	$2,595.00	
30005	9/18/2018	Mortgagor:	KATZ DANIEL M		
		Mortgagee:	CITIZENS BANK NA		
	Serial # DJ3235		Doc # 01-2018-5788	$144,000.00	1-2 Family Residence
		250	Mortgage Tax County	$720.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$402.00	
		275	1-6 Family	$360.00	
		276	Mortgage Tax Local	$0.00	
				$1,482.00	
			Receipt Total:	$1,482.00	
30006	9/18/2018	Mortgagor:	DALEY PAUL E		
		Mortgagee:	CITIZENS BANK NA		
	Serial # DJ3236		Doc # 01-2018-5789	$68,000.00	1-2 Family Residence
		250	Mortgage Tax County	$340.00	Dover
		260	Mortgage Tax MTA Share	$174.00	
		275	1-6 Family	$170.00	
		276	Mortgage Tax Local	$0.00	
				$684.00	
			Receipt Total:	$684.00	
30011	9/18/2018	Mortgagor:	PELLERIN AARON		
		Mortgagee:	US BANK TRUST NA		
	Serial # DJ3237		Doc # 01-2018-5790	$10,013.76	1-2 Family Residence
		250	Mortgage Tax County	$50.00	Fishkill
		260	Mortgage Tax MTA Share	$0.00	
		275	1-6 Family	$25.00	
		276	Mortgage Tax Local	$0.00	
				$75.00	
			Receipt Total:	$75.00	
30012	9/18/2018	Mortgagor:	SOLIMENE KRISTEN		
		Mortgagee:	MANUFACTURERS & TRADERS TRUST CO		
	Serial # DJ3238		Doc # 01-2018-5791	$50,000.00	1-2 Family Residence
		250	Mortgage Tax County	$250.00	Beekman
		260	Mortgage Tax MTA Share	$120.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		275	1-6 Family	$125.00	
		276	Mortgage Tax Local	$0.00	
				$495.00	
			Receipt Total:	$495.00	
30013	9/18/2018	Mortgagor:	CETOLA JOSEPH M		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3239		Doc # 01-2018-5792	$250,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,250.00	Fishkill
		260	Mortgage Tax MTA Share	$720.00	
		275	1-6 Family	$625.00	
		276	Mortgage Tax Local	$0.00	
				$2,595.00	
			Receipt Total:	$2,595.00	
30014	9/18/2018	Mortgagor:	CETOLA JOSEPH M		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3240		Doc # 01-2018-5793	$42,500.00	1-2 Family Residence
		250	Mortgage Tax County	$212.50	Fishkill
		260	Mortgage Tax MTA Share	$97.50	
		275	1-6 Family	$106.25	
		276	Mortgage Tax Local	$0.00	
				$416.25	
			Receipt Total:	$416.25	
30018	9/18/2018	Mortgagor:	MORRISETTE GORDON W		
		Mortgagee:	US BANK TRUST NA		
	Serial # DJ3241		Doc # 01-2018-5794	$109,766.37	1-2 Family Residence
		250	Mortgage Tax County	$549.00	Pleasant Valley
		260	Mortgage Tax MTA Share	$299.40	
		275	1-6 Family	$274.50	
		276	Mortgage Tax Local	$0.00	
				$1,122.90	
			Receipt Total:	$1,122.90	
30031	9/19/2018	Mortgagor:	ROSS LAURA A		
		Mortgagee:	USALLIANCE FCU		
	Serial # DJ3242		Doc # 01-2018-5795	$125,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$625.00	Beekman
		260	Mortgage Tax MTA Share	$345.00	
		276	Mortgage Tax Local	$0.00	
				$970.00	
			Receipt Total:	$970.00	
30038	9/19/2018	Mortgagor:	JACCINO RUSSELL R		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3243		Doc # 01-2018-5796	$100,000.00	1-2 Family Residence
		250	Mortgage Tax County	$500.00	Beekman
		260	Mortgage Tax MTA Share	$270.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		275	1-6 Family	$250.00	
		276	Mortgage Tax Local	$0.00	
				$1,020.00	
			Receipt Total:	$1,020.00	
30041	9/19/2018	Mortgagor:	MORAN MEGHAN B		
		Mortgagee:	WELLS FARGO BANK NA		
	Serial # DJ3244		Doc # 01-2018-5797	$15,184.76	1-2 Family Residence
		250	Mortgage Tax County	$76.00	Wappinger
		260	Mortgage Tax MTA Share	$15.60	
		275	1-6 Family	$38.00	
		276	Mortgage Tax Local	$0.00	
				$129.60	
			Receipt Total:	$129.60	
30049	9/19/2018	Mortgagor:	CARRIL ANTHONY		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3245		Doc # 01-2018-5798	$150,000.00	1-2 Family Residence
		250	Mortgage Tax County	$750.00	La Grange
		260	Mortgage Tax MTA Share	$420.00	
		275	1-6 Family	$375.00	
		276	Mortgage Tax Local	$0.00	
				$1,545.00	
			Receipt Total:	$1,545.00	
30059	9/19/2018	Mortgagor:	MERTZ BERYL		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3246		Doc # 01-2018-5799	$85,000.00	1-2 Family Residence
		250	Mortgage Tax County	$425.00	Pawling
		260	Mortgage Tax MTA Share	$225.00	
		275	1-6 Family	$212.50	
		276	Mortgage Tax Local	$0.00	
				$862.50	
			Receipt Total:	$862.50	
30072	9/19/2018	Mortgagor:	PEREZ CHAD		
		Mortgagee:	CALIBER HOME LOANS INC		
	Serial # DJ3247		Doc # 01-2018-5800	$194,750.00	1-2 Family Residence
		250	Mortgage Tax County	$973.50	East Fishkill
		260	Mortgage Tax MTA Share	$554.10	
		275	1-6 Family	$486.75	
		276	Mortgage Tax Local	$0.00	
				$2,014.35	
			Receipt Total:	$2,014.35	
30075	9/19/2018	Mortgagor:	MERCEDES JUAN		
		Mortgagee:	CITIBANK NA		
	Serial # DJ3248		Doc # 01-2018-5801	$279,818.00	1-2 Family Residence
		250	Mortgage Tax County	$1,399.00	Town of Poughkeepsie

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		260	Mortgage Tax MTA Share	$809.40	
		275	1-6 Family	$699.50	
		276	Mortgage Tax Local	$0.00	
				$2,907.90	
			Receipt Total:	$2,907.90	
30079	9/19/2018	Mortgagor:	SCHLISSEL LISA		Comments:
		Mortgagee:	BAYVIEW LOAN SERVICING		INSTRUMENT NOT ENTITLED TO BE RECORDED PER NYS TAX LAW SECTION 258a
	Serial # DJ3250		Doc # 01-2018-5803	$175,657.44	1-2 Family Residence
		250	Mortgage Tax County	$878.50	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$497.10	
		275	1-6 Family	$439.25	
		276	Mortgage Tax Local	$0.00	
				$1,814.85	
			Receipt Total:	$1,814.85	
30080	9/19/2018	Mortgagor:	BOSCO CHERYL A		
		Mortgagee:	MANUFACTURERS & TRADERS TRUST CO		
	Serial # DJ3251		Doc # 01-2018-5804	$92,000.00	1-2 Family Residence
		250	Mortgage Tax County	$460.00	Fishkill
		260	Mortgage Tax MTA Share	$246.00	
		275	1-6 Family	$230.00	
		276	Mortgage Tax Local	$0.00	
				$936.00	
			Receipt Total:	$936.00	
30082	9/19/2018	Mortgagor:	CULLEN MICHAEL		
		Mortgagee:	ULSTER SVGS BANK		
	Serial # DJ3252		Doc # 01-2018-5805	$86,000.00	1-2 Family Residence
		250	Mortgage Tax County	$430.00	Wappinger
		260	Mortgage Tax MTA Share	$228.00	
		275	1-6 Family	$215.00	
		276	Mortgage Tax Local	$0.00	
				$873.00	
			Receipt Total:	$873.00	
30095	9/19/2018	Mortgagor:	EM RETAIL 3 LLC		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3253		Doc # 01-2018-5806	$206,800.00	(NE) Commercial
		250	Mortgage Tax County	$1,034.00	City of Beacon
		260	Mortgage Tax MTA Share	$620.40	
		270	SONYMA	$517.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$2,171.40	
			Receipt Total:	$2,171.40	
30112	9/19/2018	Mortgagor:	PARVAR IRAJ		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3255		Doc # 01-2018-5809	$158,500.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$792.50	Pleasant Valley
		260	Mortgage Tax MTA Share	$445.50	
		276	Mortgage Tax Local	$0.00	
				$1,238.00	
			Receipt Total:	$1,238.00	
30114	9/19/2018	Mortgagor:	DESARIO STEPHEN		
		Mortgagee:	UNITED WHOLESALE MORTGAGE		
	Serial # DJ3256		Doc # 01-2018-5810	$170,000.00	1-2 Family Residence
		250	Mortgage Tax County	$850.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$480.00	
		275	1-6 Family	$425.00	
		276	Mortgage Tax Local	$0.00	
				$1,755.00	
			Receipt Total:	$1,755.00	
30141	9/19/2018	Mortgagor:	CHAVANNE KLAUS		
		Mortgagee:	JPMORGAN CHASE BANK NA		
	Serial # DJ3257		Doc # 01-2018-5811	$8,510.33	1-2 Family Residence
		250	Mortgage Tax County	$42.50	La Grange
		260	Mortgage Tax MTA Share	$0.00	
		275	1-6 Family	$21.25	
		276	Mortgage Tax Local	$0.00	
				$63.75	
			Receipt Total:	$63.75	
30143	9/19/2018	Mortgagor:	NELSON JENNIFER J		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ3258		Doc # 01-2018-5813	$243,375.00	1-2 Family Residence
		250	Mortgage Tax County	$1,217.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$700.20	
		275	1-6 Family	$608.50	
		276	Mortgage Tax Local	$0.00	
				$2,525.70	
			Receipt Total:	$2,525.70	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
30146	9/19/2018	Mortgagor:	SMITH MARIBETH		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3259		Doc # 01-2018-5814	$28,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$140.00	Union Vale
		260	Mortgage Tax MTA Share	$54.00	
		276	Mortgage Tax Local	$0.00	
				$194.00	
			Receipt Total:	$194.00	
30148	9/19/2018	Mortgagor:	LIFRIERI FRANK		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3260		Doc # 01-2018-5815	$72,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$360.00	Wappinger
		260	Mortgage Tax MTA Share	$186.00	
		276	Mortgage Tax Local	$0.00	
				$546.00	
			Receipt Total:	$546.00	
30154	9/20/2018	Mortgagor:	BOAHENE AARON		
		Mortgagee:	SILVERMINE VENTURES LLC		
	Serial # DJ3261		Doc # 01-2018-5816	$233,750.00	1-2 Family Residence
		276	Mortgage Tax Local	$0.00	
		275	1-6 Family	$584.25	
		260	Mortgage Tax MTA Share	$671.10	
		250	Mortgage Tax County	$1,168.50	La Grange
				$2,423.85	
			Receipt Total:	$2,423.85	
30159	9/20/2018	Mortgagor:	FARMVILLE LLC		
		Mortgagee:	SALISBURY BANK & TRUST CO		
	Serial # DJ3263		Doc # 01-2018-5817	$474,000.00	(NE) Commercial
		250	Mortgage Tax County	$2,370.00	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$1,422.00	
		270	SONYMA	$1,185.00	
		276	Mortgage Tax Local	$0.00	
				$4,977.00	
30159	9/20/2018	Mortgagor:	FARMVILLE LLC		
		Mortgagee:	SALISBURY BANK & TRUST CO		
	Serial # DJ3264		Doc # 01-2018-5818	$0.00	No Tax / Serial #
		250	Mortgage Tax County	$0.00	City of Poughkeepsie
				$0.00	
			Receipt Total:	$4,977.00	
30167	9/20/2018	Mortgagor:	GALLAGHER KATHLEEN A		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3265		Doc # 01-2018-5819	$40,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$200.00	East Fishkill
		260	Mortgage Tax MTA Share	$90.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$290.00	
			Receipt Total:	$290.00	
30171	9/20/2018	Mortgagor:	WHITESELL EDWARD F		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3266		Doc # 01-2018-5820	$49,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$245.00	Hyde Park
		260	Mortgage Tax MTA Share	$117.00	
		276	Mortgage Tax Local	$0.00	
				$362.00	
			Receipt Total:	$362.00	
30172	9/20/2018	Mortgagor:	MAY D ANDREW C		
		Mortgagee:	ROCHESTER HOME EQUITY INC		
	Serial # DJ3267		Doc # 01-2018-5821	$310,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,550.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$900.00	
		275	1-6 Family	$775.00	
		276	Mortgage Tax Local	$0.00	
				$3,225.00	
			Receipt Total:	$3,225.00	
30175	9/20/2018	Mortgagor:	SAPOSNICK LEO R		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3268		Doc # 01-2018-5822	$50,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$250.00	Wappinger
		260	Mortgage Tax MTA Share	$120.00	
		276	Mortgage Tax Local	$0.00	
				$370.00	
			Receipt Total:	$370.00	
30184	9/20/2018	Mortgagor:	ALBANESE JOHN J		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3269		Doc # 01-2018-5823	$66,400.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$332.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$169.20	
		276	Mortgage Tax Local	$0.00	
				$501.20	
			Receipt Total:	$501.20	
30185	9/20/2018	Mortgagor:	RIFINO NANCY LYNN		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3270		Doc # 01-2018-5824	$30,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$150.00	East Fishkill
		260	Mortgage Tax MTA Share	$60.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$210.00	
			Receipt Total:	$210.00	
30199	9/20/2018	Mortgagor:	HAVILAND SCOTT		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ3271		Doc # 01-2018-5825	$322,500.00	1-2 Family Residence
		250	Mortgage Tax County	$1,612.50	Union Vale
		260	Mortgage Tax MTA Share	$937.50	
		275	1-6 Family	$806.25	
		276	Mortgage Tax Local	$0.00	
				$3,356.25	
			Receipt Total:	$3,356.25	
30213	9/20/2018	Mortgagor:	SMITH DOREEN M		
		Mortgagee:	BANK OF AMERICA NA		
	Serial # DJ3272		Doc # 01-2018-5826	$3,757.98	1-2 Family Residence
		250	Mortgage Tax County	$19.00	Hyde Park
		260	Mortgage Tax MTA Share	$0.00	
		275	1-6 Family	$9.50	
		276	Mortgage Tax Local	$0.00	
				$28.50	
			Receipt Total:	$28.50	
30223	9/20/2018	Mortgagor:	HOOPER BRIAN C		
		Mortgagee:	TIAA FSB		
	Serial # DJ3273		Doc # 01-2018-5827	$150,000.00	1-2 Family Residence
		276	Mortgage Tax Local	$0.00	
		275	1-6 Family	$375.00	
		260	Mortgage Tax MTA Share	$420.00	
		250	Mortgage Tax County	$750.00	Town of Poughkeepsie
				$1,545.00	
			Receipt Total:	$1,545.00	
30229	9/20/2018	Mortgagor:	MAYE MATTHEW J		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ3274		Doc # 01-2018-5828	$335,825.00	1-2 Family Residence
		250	Mortgage Tax County	$1,679.00	Fishkill
		260	Mortgage Tax MTA Share	$977.40	
		275	1-6 Family	$839.50	
		276	Mortgage Tax Local	$0.00	
				$3,495.90	
			Receipt Total:	$3,495.90	

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Mortgage Tax Report

9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
30233	9/20/2018	Mortgagor:	RIOFRIO HECTOR R		
		Mortgagee:	TOTAL MORTGAGE SERVS LLC		
	Serial # DJ3275		Doc # 01-2018-5829	$257,744.00	1-2 Family Residence
		250	Mortgage Tax County	$1,288.50	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$743.10	
		275	1-6 Family	$644.25	
		276	Mortgage Tax Local	$0.00	
				$2,675.85	
			Receipt Total:	$2,675.85	
30240	9/20/2018	Mortgagor:	WINTHER JOSEPH T		
		Mortgagee:	HOMESTEAD FUNDING CORP		
	Serial # DJ3276		Doc # 01-2018-5830	$269,040.00	1-2 Family Residence
		250	Mortgage Tax County	$1,345.00	Fishkill
		260	Mortgage Tax MTA Share	$777.00	
		275	1-6 Family	$672.50	
		276	Mortgage Tax Local	$0.00	
				$2,794.50	
			Receipt Total:	$2,794.50	
30242	9/20/2018	Mortgagor:	METZGER JULIA L		
		Mortgagee:	FREEDOM MORTGAGE CORP		
	Serial # DJ3277		Doc # 01-2018-5831	$217,716.00	1-2 Family Residence
		250	Mortgage Tax County	$1,088.50	Hyde Park
		260	Mortgage Tax MTA Share	$623.10	
		275	1-6 Family	$544.25	
		276	Mortgage Tax Local	$0.00	
				$2,255.85	
			Receipt Total:	$2,255.85	
30255	9/20/2018	Mortgagor:	TETRAULT ROBERT S		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3278		Doc # 01-2018-5832	$64,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$320.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$162.00	
		276	Mortgage Tax Local	$0.00	
				$482.00	
			Receipt Total:	$482.00	
30275	9/20/2018	Mortgagor:	WILLIAMS DANIEL		
		Mortgagee:	MEADOWBROOK FINANCIAL MORTGAGE BANKERS CORP		
	Serial # DJ3279		Doc # 01-2018-5833	$225,735.00	1-2 Family Residence
		250	Mortgage Tax County	$1,128.50	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$647.10	
		275	1-6 Family	$564.25	

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Mortgage Tax Report

9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$2,339.85	
			Receipt Total:	$2,339.85	
30299	9/20/2018	Mortgagor:	OLANIPEKUN AYO O		
		Mortgagee:	PENTAGON FCU		
	Serial # DJ3280		Doc # 01-2018-5834	$41,700.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$208.50	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$95.10	
		276	Mortgage Tax Local	$0.00	
				$303.60	
			Receipt Total:	$303.60	
30327	9/20/2018	Mortgagor:	JOYCE MICHAEL K		
		Mortgagee:	MANUFACTURERS & TRADERS TRUST CO		
	Serial # DJ3281		Doc # 01-2018-5835	$50,000.00	1-2 Family Residence
		250	Mortgage Tax County	$250.00	East Fishkill
		260	Mortgage Tax MTA Share	$120.00	
		275	1-6 Family	$125.00	
		276	Mortgage Tax Local	$0.00	
				$495.00	
			Receipt Total:	$495.00	
30330	9/20/2018	Mortgagor:	MCSPEDON JADE		
		Mortgagee:	UNITED NORTHERN MORTGAGE BANKERS LTD		
	Serial # DJ3283		Doc # 01-2018-5836	$323,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,615.00	Pawling
		260	Mortgage Tax MTA Share	$939.00	
		275	1-6 Family	$807.50	
		276	Mortgage Tax Local	$0.00	
				$3,361.50	
			Receipt Total:	$3,361.50	
30337	9/21/2018	Mortgagor:	HILLER RUSSELL G		
		Mortgagee:	CITIZENS BANK NA		
	Serial # DJ3284		Doc # 01-2018-5837	$250,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,250.00	Fishkill
		260	Mortgage Tax MTA Share	$720.00	
		275	1-6 Family	$625.00	
		276	Mortgage Tax Local	$0.00	
				$2,595.00	
			Receipt Total:	$2,595.00	

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
30339	9/21/2018	Mortgagor:	SAVASTANO ANTHONY		
		Mortgagee:	CITIZENS BANK NA		
	Serial # DJ3285		Doc # 01-2018-5838	$24,000.00	1-2 Family Residence
		250	Mortgage Tax County	$120.00	Wappinger
		260	Mortgage Tax MTA Share	$42.00	
		275	1-6 Family	$60.00	
		276	Mortgage Tax Local	$0.00	
				$222.00	
			Receipt Total:	$222.00	
30346	9/21/2018	Mortgagor:	GORTHALA RAVI		
		Mortgagee:	PENTAGON FEDERAL C U		
	Serial # DJ3286		Doc # 01-2018-5839	$88,610.02	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$443.00	East Fishkill
		260	Mortgage Tax MTA Share	$235.80	
		276	Mortgage Tax Local	$0.00	
				$678.80	
			Receipt Total:	$678.80	
30347	9/21/2018	Mortgagor:	AULT ADRIANNA M		
		Mortgagee:	BANK OF GREENE COUNTY		
	Serial # DJ3287		Doc # 01-2018-5841	$226,500.00	1-2 Family Residence
		250	Mortgage Tax County	$1,132.50	Rhinebeck
		260	Mortgage Tax MTA Share	$649.50	
		275	1-6 Family	$566.25	
		276	Mortgage Tax Local	$0.00	
				$2,348.25	
			Receipt Total:	$2,348.25	
30349	9/21/2018	Mortgagor:	BOWSER DAVID M		
		Mortgagee:	RHINEBECK BANK		
	Serial # DJ3288		Doc # 01-2018-5842	$150,500.00	1-2 Family Residence
		276	Mortgage Tax Local	$0.00	
		275	1-6 Family	$376.25	
		260	Mortgage Tax MTA Share	$421.50	
		250	Mortgage Tax County	$752.50	Hyde Park
				$1,550.25	
			Receipt Total:	$1,550.25	
30350	9/21/2018	Mortgagor:	ECKLEMAN PAUL J		
		Mortgagee:	PRIMELENDING		
	Serial # DJ3289		Doc # 01-2018-5843	$136,111.00	1-2 Family Residence
		250	Mortgage Tax County	$680.50	Hyde Park
		260	Mortgage Tax MTA Share	$378.30	
		275	1-6 Family	$340.25	
		276	Mortgage Tax Local	$0.00	
				$1,399.05	
			Receipt Total:	$1,399.05	

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
30351	9/21/2018	Mortgagor:	ARJ MANAGEMENT CORP		
		Mortgagee:	PACIFIC PREMIER BANK		
	Serial # DJ3290		Doc # 01-2018-5844	$1,241,000.00	(NE) Commercial
		250	Mortgage Tax County	$6,205.00	Fishkill
		260	Mortgage Tax MTA Share	$3,723.00	
		270	SONYMA	$3,102.50	
		276	Mortgage Tax Local	$0.00	
				$13,030.50	
			Receipt Total:	$13,030.50	
30352	9/21/2018	Mortgagor:	RICKER MARTIN W SR		
		Mortgagee:	WELLS FARGO BANK NA		
	Serial # DJ3291		Doc # 01-2018-5845	$55,776.87	1-2 Family Residence
		250	Mortgage Tax County	$279.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$137.40	
		275	1-6 Family	$139.50	
		276	Mortgage Tax Local	$0.00	
				$555.90	
			Receipt Total:	$555.90	
30355	9/21/2018	Mortgagor:	WATERS CAITLIN M		
		Mortgagee:	RHINEBECK BANK		
	Serial # DJ3292		Doc # 01-2018-5847	$137,000.00	1-2 Family Residence
		250	Mortgage Tax County	$685.00	Pleasant Valley
		260	Mortgage Tax MTA Share	$381.00	
		275	1-6 Family	$342.50	
		276	Mortgage Tax Local	$0.00	
				$1,408.50	
			Receipt Total:	$1,408.50	
30358	9/21/2018	Mortgagor:	WALZ HALLI R		
		Mortgagee:	BANK OF AMERICA NA		
	Serial # DJ3293		Doc # 01-2018-5848	$227,920.00	1-2 Family Residence
		250	Mortgage Tax County	$1,139.50	Fishkill
		260	Mortgage Tax MTA Share	$653.70	
		275	1-6 Family	$569.75	
		276	Mortgage Tax Local	$0.00	
				$2,362.95	
			Receipt Total:	$2,362.95	
30359	9/21/2018	Mortgagor:	MCCORMACK MOLLY		
		Mortgagee:	PRIMELENDING		
	Serial # DJ3294		Doc # 01-2018-5849	$365,750.00	1-2 Family Residence
		250	Mortgage Tax County	$1,828.50	Beekman
		260	Mortgage Tax MTA Share	$1,067.10	
		275	1-6 Family	$914.25	

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$3,809.85	
			Receipt Total:	$3,809.85	
30362	9/21/2018	Mortgagor:	EGGER AMANDA		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3297		Doc # 01-2018-5850	$205,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$1,025.00	Beekman
		260	Mortgage Tax MTA Share	$585.00	
		276	Mortgage Tax Local	$0.00	
				$1,610.00	
			Receipt Total:	$1,610.00	
30363	9/21/2018	Mortgagor:	WALSH JAMES BRIAN		
		Mortgagee:	SALISBURY BANK & TRUST CO		
	Serial # DJ3296		Doc # 01-2018-5851	$162,000.00	1-2 Family Residence
		250	Mortgage Tax County	$810.00	Amenia
		260	Mortgage Tax MTA Share	$456.00	
		275	1-6 Family	$405.00	
		276	Mortgage Tax Local	$0.00	
				$1,671.00	
			Receipt Total:	$1,671.00	
30364	9/21/2018	Mortgagor:	GALIK KRISTIN		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3295		Doc # 01-2018-5852	$247,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$1,235.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$711.00	
		276	Mortgage Tax Local	$0.00	
				$1,946.00	
			Receipt Total:	$1,946.00	
30365	9/21/2018	Mortgagor:	BETTI LAURA		
		Mortgagee:	RESIDENTIAL HOME FUNDING CORP		
	Serial # DJ3298		Doc # 01-2018-5853	$338,318.00	1-2 Family Residence
		250	Mortgage Tax County	$1,691.50	Clinton
		260	Mortgage Tax MTA Share	$984.90	
		275	1-6 Family	$845.75	
		276	Mortgage Tax Local	$0.00	
				$3,522.15	
			Receipt Total:	$3,522.15	
30368	9/21/2018	Mortgagor:	JONES KRISTEN		
		Mortgagee:	WELLS FARGO BANK NA		
	Serial # DJ3299		Doc # 01-2018-5854	$380,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,900.00	East Fishkill

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		260	Mortgage Tax MTA Share	$1,110.00	
		275	1-6 Family	$950.00	
		276	Mortgage Tax Local	$0.00	
				$3,960.00	
			Receipt Total:	$3,960.00	
30369	9/21/2018	Mortgagor:	SPRING ARTHUR J		
		Mortgagee:	UNITED WHOLESALE MORTGAGE		
	Serial # DJ3300		Doc # 01-2018-5855	$244,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,220.00	Pawling
		260	Mortgage Tax MTA Share	$702.00	
		275	1-6 Family	$610.00	
		276	Mortgage Tax Local	$0.00	
				$2,532.00	
			Receipt Total:	$2,532.00	
30372	9/21/2018	Mortgagor:	DEARY ROBERT		
		Mortgagee:	PRIMELENDING		
	Serial # DJ3301		Doc # 01-2018-5856	$348,500.00	1-2 Family Residence
		250	Mortgage Tax County	$1,742.50	La Grange
		260	Mortgage Tax MTA Share	$1,015.50	
		275	1-6 Family	$871.25	
		276	Mortgage Tax Local	$0.00	
				$3,629.25	
			Receipt Total:	$3,629.25	
30375	9/21/2018	Mortgagor:	DESOLE JOSEPH		
		Mortgagee:	GEMMATI DONATO		
	Serial # DJ3302		Doc # 01-2018-5857	$107,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$535.00	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$291.00	
		276	Mortgage Tax Local	$0.00	
				$826.00	
			Receipt Total:	$826.00	
30382	9/21/2018	Mortgagor:	GIANGRASSO PIERO		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3303		Doc # 01-2018-5858	$53,250.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$266.00	Wappinger
		260	Mortgage Tax MTA Share	$129.60	
		276	Mortgage Tax Local	$0.00	
				$395.60	
			Receipt Total:	$395.60	
30384	9/21/2018	Mortgagor:	COLLIGAN THOMAS F		
		Mortgagee:	FLAGSTAR BANK FSB		
	Serial # DJ3304		Doc # 01-2018-5859	$320,230.00	1-2 Family Residence
		250	Mortgage Tax County	$1,601.00	Beekman
		260	Mortgage Tax MTA Share	$930.60	

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		275	1-6 Family	$800.50	
		276	Mortgage Tax Local	$0.00	
				$3,332.10	
			Receipt Total:	$3,332.10	
30391	9/21/2018	Mortgagor:	DELROSARIO INGINIA R		
		Mortgagee:	JPMORGAN CHASE BANK NA		
	Serial # DJ3305		Doc # 01-2018-5860	$432,437.00	1-2 Family Residence
		276	Mortgage Tax Local	$0.00	
		275	1-6 Family	$1,081.00	
		260	Mortgage Tax MTA Share	$1,267.20	
		250	Mortgage Tax County	$2,162.00	Pawling
				$4,510.20	
			Receipt Total:	$4,510.20	
30398	9/21/2018	Mortgagor:	CUBBIN LIAM M		
		Mortgagee:	FLAGSTAR BANK FSB		
	Serial # DJ3306		Doc # 01-2018-5861	$171,391.00	1-2 Family Residence
		250	Mortgage Tax County	$857.00	Hyde Park
		260	Mortgage Tax MTA Share	$484.20	
		275	1-6 Family	$428.50	
		276	Mortgage Tax Local	$0.00	
				$1,769.70	
			Receipt Total:	$1,769.70	
30399	9/21/2018	Mortgagor:	RISCH MAXWELL ALDEN		
		Mortgagee:	PRIMELENDING		
	Serial # DJ3307		Doc # 01-2018-5862	$100,000.00	1-2 Family Residence
		250	Mortgage Tax County	$500.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$270.00	
		275	1-6 Family	$250.00	
		276	Mortgage Tax Local	$0.00	
				$1,020.00	
			Receipt Total:	$1,020.00	
30400	9/21/2018	Mortgagor:	PASS JODIE		
		Mortgagee:	CLIFFCO INC		
	Serial # DJ3308		Doc # 01-2018-5863	$353,479.00	1-2 Family Residence
		250	Mortgage Tax County	$1,767.50	Wappinger
		260	Mortgage Tax MTA Share	$1,030.50	
		275	1-6 Family	$883.75	
		276	Mortgage Tax Local	$0.00	
				$3,681.75	
			Receipt Total:	$3,681.75	
30411	9/21/2018	Mortgagor:	REJUVENATE PROPERTIES LLC		
		Mortgagee:	SALISBURY BANK & TRUST CO		
	Serial # DJ3309		Doc # 01-2018-5864	$280,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,400.00	City of Poughkeepsie

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		260	Mortgage Tax MTA Share	$810.00	
		275	1-6 Family	$700.00	
		276	Mortgage Tax Local	$0.00	
				$2,910.00	
			Receipt Total:	$2,910.00	
30412	9/21/2018	Mortgagor:	ROBILLARD CHRISTIAN G		
		Mortgagee:	RESIDENTIAL HOME FUNDING CORP		
	Serial # DJ3310		Doc # 01-2018-5866	$185,250.00	1-2 Family Residence
		250	Mortgage Tax County	$926.00	Wappinger
		260	Mortgage Tax MTA Share	$525.60	
		275	1-6 Family	$463.00	
		276	Mortgage Tax Local	$0.00	
				$1,914.60	
			Receipt Total:	$1,914.60	
30418	9/21/2018	Mortgagor:	WRAFTER GLEN E		
		Mortgagee:	TIAA FSB		
	Serial # DJ3311		Doc # 01-2018-5867	$352,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,760.00	City of Beacon
		260	Mortgage Tax MTA Share	$1,026.00	
		275	1-6 Family	$880.00	
		276	Mortgage Tax Local	$0.00	
				$3,666.00	
			Receipt Total:	$3,666.00	
30427	9/21/2018	Mortgagor:	DMF & CJF HOLDINGS LLC		
		Mortgagee:	DEALMAKER SOLUTIONS INC		
	Serial # DJ3312		Doc # 01-2018-5868	$120,000.00	1-2 Family Residence
		250	Mortgage Tax County	$600.00	Hyde Park
		260	Mortgage Tax MTA Share	$330.00	
		275	1-6 Family	$300.00	
		276	Mortgage Tax Local	$0.00	
				$1,230.00	
			Receipt Total:	$1,230.00	
30428	9/21/2018	Mortgagor:	20185WY 40 LLC		
		Mortgagee:	LOAN FUNDER LLC SERIES 4974		
	Serial # DJ3313		Doc # 01-2018-5869	$163,350.00	1-2 Family Residence
		250	Mortgage Tax County	$816.50	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$459.90	
		275	1-6 Family	$408.25	
		276	Mortgage Tax Local	$0.00	
				$1,684.65	
			Receipt Total:	$1,684.65	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
30432	9/21/2018	Mortgagor:	BROWN PATRICIA		
		Mortgagee:	TRUSTCO BANK		
	Serial # DJ3314		Doc # 01-2018-5870	$187,920.00	1-2 Family Residence
		250	Mortgage Tax County	$939.50	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$533.70	
		275	1-6 Family	$469.75	
		276	Mortgage Tax Local	$0.00	
				$1,942.95	
			Receipt Total:	$1,942.95	
30437	9/21/2018	Mortgagor:	BIG5 LLC		
		Mortgagee:	MID HUDSON VALLEY FCU		
	Serial # DJ3315		Doc # 01-2018-5871	$681,000.00	(NE) Commercial
		250	Mortgage Tax County	$3,405.00	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$2,043.00	
		270	SONYMA	$1,702.50	
		276	Mortgage Tax Local	$0.00	
				$7,150.50	
30437	9/21/2018	Mortgagor:	BIG5 LLC		
		Mortgagee:	MID HUDSON VALLEY FCU		
	Serial # DJ3316		Doc # 01-2018-5872	$200,000.00	(NE) Commercial
		250	Mortgage Tax County	$1,000.00	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$600.00	
		270	SONYMA	$500.00	
		276	Mortgage Tax Local	$0.00	
				$2,100.00	
			Receipt Total:	$9,250.50	
30441	9/21/2018	Mortgagor:	KABASHI MUHAMET		
		Mortgagee:	CLASSIC NY MORTGAGE LLC		
	Serial # DJ3317		Doc # 01-2018-5873	$495,000.00	1-2 Family Residence
		250	Mortgage Tax County	$2,475.00	Beekman
		260	Mortgage Tax MTA Share	$1,455.00	
		275	1-6 Family	$1,237.50	
		276	Mortgage Tax Local	$0.00	
				$5,167.50	
			Receipt Total:	$5,167.50	
30468	9/21/2018	Mortgagor:	SKEETE VERONICA P		
		Mortgagee:	CITICORP TRUST BANK FSB		
	Serial # DJ3318		Doc # 01-2018-5880	$148,650.19	1-2 Family Residence
		250	Mortgage Tax County	$743.50	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$416.10	
		275	1-6 Family	$371.75	

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$1,531.35	
			Receipt Total:	$1,531.35	
30470	9/21/2018	Mortgagor:	GARDINEER DENNIS J		
		Mortgagee:	PHH MORTGAGE CORP		
	Serial # DJ3319		Doc # 01-2018-5881	$208,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,040.00	Fishkill
		260	Mortgage Tax MTA Share	$594.00	
		275	1-6 Family	$520.00	
		276	Mortgage Tax Local	$0.00	
				$2,154.00	
			Receipt Total:	$2,154.00	
30476	9/21/2018	Mortgagor:	BORCHERT DALE L		
		Mortgagee:	MAHOPAC BANK		
	Serial # DJ3320		Doc # 01-2018-5882	$60,000.00	1-2 Family Residence
		250	Mortgage Tax County	$300.00	La Grange
		260	Mortgage Tax MTA Share	$150.00	
		275	1-6 Family	$150.00	
		276	Mortgage Tax Local	$0.00	
				$600.00	
			Receipt Total:	$600.00	
30478	9/21/2018	Mortgagor:	SEDLOR JOSEPH J		
		Mortgagee:	CITIZENS BANK NA		
	Serial # DJ3321		Doc # 01-2018-5883	$40,000.00	1-2 Family Residence
		250	Mortgage Tax County	$200.00	East Fishkill
		260	Mortgage Tax MTA Share	$90.00	
		275	1-6 Family	$100.00	
		276	Mortgage Tax Local	$0.00	
				$390.00	
			Receipt Total:	$390.00	
30479	9/21/2018	Mortgagor:	CAVELLERO VALERIE		
		Mortgagee:	ROYAL UNITED MORTGAGE LLC		
	Serial # DJ3322		Doc # 01-2018-5884	$64,000.00	1-2 Family Residence
		250	Mortgage Tax County	$320.00	East Fishkill
		260	Mortgage Tax MTA Share	$162.00	
		275	1-6 Family	$160.00	
		276	Mortgage Tax Local	$0.00	
				$642.00	
			Receipt Total:	$642.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
30491	9/24/2018	Mortgagor:	MORAN TIMOTHY P		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3323		Doc # 01-2018-5885	$208,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,040.00	East Fishkill
		260	Mortgage Tax MTA Share	$594.00	
		275	1-6 Family	$520.00	
		276	Mortgage Tax Local	$0.00	
				$2,154.00	
			Receipt Total:	$2,154.00	
30494	9/24/2018	Mortgagor:	KEATING JOYCE R		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3324		Doc # 01-2018-5886	$50,000.00	1-2 Family Residence
		250	Mortgage Tax County	$250.00	Wappinger
		260	Mortgage Tax MTA Share	$120.00	
		275	1-6 Family	$125.00	
		276	Mortgage Tax Local	$0.00	
				$495.00	
			Receipt Total:	$495.00	
30499	9/24/2018	Mortgagor:	KEATING JOYCE R		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3325		Doc # 01-2018-5887	$25,000.00	1-2 Family Residence
		250	Mortgage Tax County	$125.00	Wappinger
		260	Mortgage Tax MTA Share	$45.00	
		275	1-6 Family	$62.50	
		276	Mortgage Tax Local	$0.00	
				$232.50	
			Receipt Total:	$232.50	
30511	9/24/2018	Mortgagor:	DAMATO JAMES		
		Mortgagee:	WALLKILL VALLEY FED SVGS & LOAN ASSOC		
	Serial # DJ3326		Doc # 01-2018-5888	$473,907.00	1-2 Family Residence
		250	Mortgage Tax County	$2,369.50	East Fishkill
		260	Mortgage Tax MTA Share	$1,391.70	
		275	1-6 Family	$1,184.75	
		276	Mortgage Tax Local	$0.00	
				$4,945.95	
			Receipt Total:	$4,945.95	
30512	9/24/2018	Mortgagor:	RANADIVE NANDAKUMAR		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3327		Doc # 01-2018-5889	$208,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,040.00	Wappinger
		260	Mortgage Tax MTA Share	$594.00	
		275	1-6 Family	$520.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$2,154.00	
			Receipt Total:	$2,154.00	
30514	9/24/2018	Mortgagor:	BREUSCH LAURA		
		Mortgagee:	PARKSIDE LENDING LLC		
	Serial # DJ3328		Doc # 01-2018-5890	$251,750.00	1-2 Family Residence
		250	Mortgage Tax County	$1,258.50	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$725.10	
		275	1-6 Family	$629.25	
		276	Mortgage Tax Local	$0.00	
				$2,612.85	
			Receipt Total:	$2,612.85	
30517	9/24/2018	Mortgagor:	CUNNINGHAM THOMAS A		
		Mortgagee:	TRUSTCO BANK		
	Serial # DJ3329		Doc # 01-2018-5891	$212,200.00	1-2 Family Residence
		250	Mortgage Tax County	$1,061.00	Beekman
		260	Mortgage Tax MTA Share	$606.60	
		275	1-6 Family	$530.50	
		276	Mortgage Tax Local	$0.00	
				$2,198.10	
			Receipt Total:	$2,198.10	
30518	9/24/2018	Mortgagor:	WOHLMUTH NORMAN		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3331		Doc # 01-2018-5892	$169,000.00	1-2 Family Residence
		250	Mortgage Tax County	$845.00	Wappinger
		260	Mortgage Tax MTA Share	$477.00	
		275	1-6 Family	$422.50	
		276	Mortgage Tax Local	$0.00	
				$1,744.50	
			Receipt Total:	$1,744.50	
30533	9/24/2018	Mortgagor:	DINOTTE PETER T		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3333		Doc # 01-2018-5893	$39,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$195.00	Wappinger
		260	Mortgage Tax MTA Share	$87.00	
		276	Mortgage Tax Local	$0.00	
				$282.00	
			Receipt Total:	$282.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
30535	9/24/2018	Mortgagor:	FANELLI BETTY A		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3334		Doc # 01-2018-5894	$80,000.00	(E) CR Un/Nat Pr
		276	Mortgage Tax Local	$0.00	
		260	Mortgage Tax MTA Share	$210.00	
		250	Mortgage Tax County	$400.00	Washington
				$610.00	
			Receipt Total:	$610.00	
30543	9/24/2018	Mortgagor:	JAQUISH ROBERT		
		Mortgagee:	BANK OF MILLBROOK		
	Serial # DJ3336		Doc # 01-2018-5895	$72,800.00	1-2 Family Residence
		250	Mortgage Tax County	$364.00	Amenia
		260	Mortgage Tax MTA Share	$188.40	
		275	1-6 Family	$182.00	
		276	Mortgage Tax Local	$0.00	
				$734.40	
			Receipt Total:	$734.40	
30545	9/24/2018	Mortgagor:	BRODERICK PIPER		
		Mortgagee:	SALISBURY BANK & TRUST CO		
	Serial # DJ3337		Doc # 01-2018-5896	$422,000.00	1-2 Family Residence
		250	Mortgage Tax County	$2,110.00	Washington
		260	Mortgage Tax MTA Share	$1,236.00	
		275	1-6 Family	$1,055.00	
		276	Mortgage Tax Local	$0.00	
				$4,401.00	
			Receipt Total:	$4,401.00	
30557	9/24/2018	Mortgagor:	RELEASES		Comments:
		Mortgagee:	RELEASES		SHARE CASE #312395
	Serial # DJ3338		Doc # 01-2018-5897	$787,500.00	(NE) Commercial
		250	Mortgage Tax County	$1,143.79	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$0.00	
		270	SONYMA	$0.00	
		276	Mortgage Tax Local	$0.00	
				$1,143.79	
			Receipt Total:	$1,143.79	
30575	9/24/2018	Mortgagor:	SIRARD ROBERT		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ3339		Doc # 01-2018-5898	$440,085.00	1-2 Family Residence
		250	Mortgage Tax County	$2,200.50	Beekman
		260	Mortgage Tax MTA Share	$1,290.30	
		275	1-6 Family	$1,100.25	
		276	Mortgage Tax Local	$0.00	
				$4,591.05	
			Receipt Total:	$4,591.05	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
30576	9/24/2018	Mortgagor:	FORCELLI CHARLES P JR		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3340		Doc # 01-2018-5899	$2,402.48	1-2 Family Residence
		250	Mortgage Tax County	$12.00	Wappinger
		260	Mortgage Tax MTA Share	$0.00	
		275	1-6 Family	$6.00	
		276	Mortgage Tax Local	$0.00	
				$18.00	
			Receipt Total:	$18.00	
30580	9/24/2018	Mortgagor:	BLACKBURN KELLY L		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3341		Doc # 01-2018-5901	$57,000.00	1-2 Family Residence
		250	Mortgage Tax County	$285.00	Milan
		260	Mortgage Tax MTA Share	$141.00	
		275	1-6 Family	$142.50	
		276	Mortgage Tax Local	$0.00	
				$568.50	
			Receipt Total:	$568.50	
30620	9/25/2018	Mortgagor:	THID ANDREAS P		
		Mortgagee:	HOMEBRIDGE FINANCIAL SERVS INC		
	Serial # DJ3342		Doc # 01-2018-5902	$458,653.00	1-2 Family Residence
		250	Mortgage Tax County	$2,293.50	Wappinger
		260	Mortgage Tax MTA Share	$1,346.10	
		275	1-6 Family	$1,146.75	
		276	Mortgage Tax Local	$0.00	
				$4,786.35	
			Receipt Total:	$4,786.35	
30631	9/25/2018	Mortgagor:	BUTZBACH REBECCA PROVIDENCE		
		Mortgagee:	PRIMELENDING		
	Serial # DJ3344		Doc # 01-2018-5903	$223,222.00	1-2 Family Residence
		276	Mortgage Tax Local	$0.00	
		275	1-6 Family	$558.00	
		260	Mortgage Tax MTA Share	$639.60	
		250	Mortgage Tax County	$1,116.00	Red Hook
				$2,313.60	
			Receipt Total:	$2,313.60	
30632	9/25/2018	Mortgagor:	COLGAN JOHN		
		Mortgagee:	RONDOUT SVGS BANK		
	Serial # DJ3343		Doc # 01-2018-5904	$157,500.00	1-2 Family Residence
		250	Mortgage Tax County	$787.50	Pleasant Valley
		260	Mortgage Tax MTA Share	$442.50	
		275	1-6 Family	$393.75	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$1,623.75	
			Receipt Total:	$1,623.75	
30655	9/25/2018	Mortgagor:	GUANGALLI CARMY B		
		Mortgagee:	INTERCONTINENTAL CAPITAL GROUP INC		
	Serial # DJ3345		Doc # 01-2018-5905	$227,484.00	1-2 Family Residence
		250	Mortgage Tax County	$1,137.50	Wappinger
		260	Mortgage Tax MTA Share	$652.50	
		275	1-6 Family	$568.75	
		276	Mortgage Tax Local	$0.00	
				$2,358.75	
			Receipt Total:	$2,358.75	
30660	9/25/2018	Mortgagor:	DISANZA DEBORAH A		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3346		Doc # 01-2018-5906	$142,500.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$712.50	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$397.50	
		276	Mortgage Tax Local	$0.00	
				$1,110.00	
			Receipt Total:	$1,110.00	
30671	9/25/2018	Mortgagor:	JUSKIN NICHOLAS		
		Mortgagee:	HOMESTEAD FUNDING CORP		
	Serial # DJ3347		Doc # 01-2018-5907	$368,900.00	1-2 Family Residence
		250	Mortgage Tax County	$1,844.50	East Fishkill
		260	Mortgage Tax MTA Share	$1,076.70	
		275	1-6 Family	$922.25	
		276	Mortgage Tax Local	$0.00	
				$3,843.45	
			Receipt Total:	$3,843.45	
30676	9/25/2018	Mortgagor:	BRILL ROBERT F		
		Mortgagee:	PRIMELENDING		
	Serial # DJ3348		Doc # 01-2018-5908	$135,000.00	1-2 Family Residence
		250	Mortgage Tax County	$675.00	Dover
		260	Mortgage Tax MTA Share	$375.00	
		275	1-6 Family	$337.50	
		276	Mortgage Tax Local	$0.00	
				$1,387.50	
			Receipt Total:	$1,387.50	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
30680	9/25/2018	Mortgagor:	SEMKE CHRISTOPHER G		
		Mortgagee:	HOMESTEAD FUNDING CORP		
	Serial # DJ3349		Doc # 01-2018-5909	$160,000.00	1-2 Family Residence
		250	Mortgage Tax County	$800.00	Hyde Park
		260	Mortgage Tax MTA Share	$450.00	
		275	1-6 Family	$400.00	
		276	Mortgage Tax Local	$0.00	
				$1,650.00	
			Receipt Total:	$1,650.00	
30685	9/25/2018	Mortgagor:	CONNELLY DANIELLE		
		Mortgagee:	TEG FCU		
	Serial # DJ3350		Doc # 01-2018-5910	$242,015.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$1,210.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$696.00	
		276	Mortgage Tax Local	$0.00	
				$1,906.00	
			Receipt Total:	$1,906.00	
30697	9/25/2018	Mortgagor:	PLAMBECK BRAEGAN		
		Mortgagee:	JPMORGAN CHASE BANK NA		
	Serial # DJ3351		Doc # 01-2018-5911	$300,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,500.00	La Grange
		260	Mortgage Tax MTA Share	$870.00	
		275	1-6 Family	$750.00	
		276	Mortgage Tax Local	$0.00	
				$3,120.00	
			Receipt Total:	$3,120.00	
30702	9/25/2018	Mortgagor:	SESSA JACQUELYN N		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3352		Doc # 01-2018-5912	$97,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$485.00	Pleasant Valley
		260	Mortgage Tax MTA Share	$261.00	
		276	Mortgage Tax Local	$0.00	
				$746.00	
			Receipt Total:	$746.00	
30705	9/25/2018	Mortgagor:	JOHNSON MAXINE C		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3353		Doc # 01-2018-5913	$137,750.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$688.50	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$383.10	
		276	Mortgage Tax Local	$0.00	
				$1,071.60	
			Receipt Total:	$1,071.60	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
30706	9/25/2018	Mortgagor:	SACKETT TODD J		
		Mortgagee:	PLAZA HOME MORTGAGE INC		
	Serial # DJ3354		Doc # 01-2018-5914	$196,377.00	1-2 Family Residence
		250	Mortgage Tax County	$982.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$559.20	
		275	1-6 Family	$491.00	
		276	Mortgage Tax Local	$0.00	
				$2,032.20	
			Receipt Total:	$2,032.20	
30707	9/25/2018	Mortgagor:	FORREST KYLE A		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3355		Doc # 01-2018-5915	$208,550.00	1-2 Family Residence
		250	Mortgage Tax County	$1,042.50	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$595.50	
		275	1-6 Family	$521.25	
		276	Mortgage Tax Local	$0.00	
				$2,159.25	
			Receipt Total:	$2,159.25	
30710	9/25/2018	Mortgagor:	CUETO EDWARD		
		Mortgagee:	HOMESTEAD FUNDING CORP		
	Serial # DJ3356		Doc # 01-2018-5916	$430,187.00	1-2 Family Residence
		250	Mortgage Tax County	$2,151.00	Beekman
		260	Mortgage Tax MTA Share	$1,260.60	
		275	1-6 Family	$1,075.50	
		276	Mortgage Tax Local	$0.00	
				$4,487.10	
			Receipt Total:	$4,487.10	
30720	9/25/2018	Mortgagor:	PALMER RYAN		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ3357		Doc # 01-2018-5917	$236,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,180.00	Wappinger
		260	Mortgage Tax MTA Share	$678.00	
		275	1-6 Family	$590.00	
		276	Mortgage Tax Local	$0.00	
				$2,448.00	
			Receipt Total:	$2,448.00	
30724	9/25/2018	Mortgagor:	AMENDOLA JOSEPH V		
		Mortgagee:	HOMESTEAD FUNDING CORP		
	Serial # DJ3358		Doc # 01-2018-5918	$315,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,575.00	La Grange
		260	Mortgage Tax MTA Share	$915.00	
		275	1-6 Family	$787.50	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$3,277.50	
			Receipt Total:	$3,277.50	
30727	9/25/2018	Mortgagor:	OLEARY MICHAEL		
		Mortgagee:	CROSSCOUNTRY MORTGAGE INC		
	Serial # DJ3359		Doc # 01-2018-5919	$232,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,160.00	City of Beacon
		260	Mortgage Tax MTA Share	$666.00	
		275	1-6 Family	$580.00	
		276	Mortgage Tax Local	$0.00	
				$2,406.00	
			Receipt Total:	$2,406.00	
30732	9/25/2018	Mortgagor:	STEPP SUSAN E		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3360		Doc # 01-2018-5920	$177,400.00	1-2 Family Residence
		250	Mortgage Tax County	$887.00	La Grange
		260	Mortgage Tax MTA Share	$502.20	
		275	1-6 Family	$443.50	
		276	Mortgage Tax Local	$0.00	
				$1,832.70	
			Receipt Total:	$1,832.70	
30741	9/25/2018	Mortgagor:	SAGASTUME GUZMAN JOSE H		
		Mortgagee:	TOTAL MORTGAGE SERVS LLC		
	Serial # DJ3361		Doc # 01-2018-5921	$255,290.00	1-2 Family Residence
		250	Mortgage Tax County	$1,276.50	Dover
		260	Mortgage Tax MTA Share	$735.90	
		275	1-6 Family	$638.25	
		276	Mortgage Tax Local	$0.00	
				$2,650.65	
			Receipt Total:	$2,650.65	
30781	9/25/2018	Mortgagor:	SHEEHAN JOHN T		
		Mortgagee:	MID HUDSON VALLEY FCU		
	Serial # DJ3363		Doc # 01-2018-5922	$60,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$300.00	Red Hook
		260	Mortgage Tax MTA Share	$150.00	
		276	Mortgage Tax Local	$0.00	
				$450.00	
			Receipt Total:	$450.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
30784	9/25/2018	Mortgagor:	ORLANDO ROBERT M JR		
		Mortgagee:	LOAN ONE		
	Serial # DJ3364		Doc # 01-2018-5923	$233,516.00	1-2 Family Residence
		250	Mortgage Tax County	$1,167.50	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$670.50	
		275	1-6 Family	$583.75	
		276	Mortgage Tax Local	$0.00	
				$2,421.75	
			Receipt Total:	$2,421.75	
30791	9/25/2018	Mortgagor:	GLADDING DEREK		
		Mortgagee:	TIAA FSB		
	Serial # DJ3365		Doc # 01-2018-5924	$513,000.00	1-2 Family Residence
		276	Mortgage Tax Local	$0.00	
		275	1-6 Family	$1,282.50	
		260	Mortgage Tax MTA Share	$1,509.00	
		250	Mortgage Tax County	$2,565.00	Union Vale
				$5,356.50	
			Receipt Total:	$5,356.50	
30796	9/25/2018	Mortgagor:	NOWLIN JESSICA DICKERSON		
		Mortgagee:	WELLS FARGO BANK NA		
	Serial # DJ3366		Doc # 01-2018-5925	$356,000.00	1-2 Family Residence
		276	Mortgage Tax Local	$0.00	
		275	1-6 Family	$890.00	
		260	Mortgage Tax MTA Share	$1,038.00	
		250	Mortgage Tax County	$1,780.00	La Grange
				$3,708.00	
			Receipt Total:	$3,708.00	
30813	9/25/2018	Mortgagor:	COX KATHRYN G		
		Mortgagee:	ULSTER SVGS BANK		
	Serial # DJ3367		Doc # 01-2018-5926	$250,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,250.00	Rhinebeck
		260	Mortgage Tax MTA Share	$720.00	
		275	1-6 Family	$625.00	
		276	Mortgage Tax Local	$0.00	
				$2,595.00	
			Receipt Total:	$2,595.00	
30836	9/26/2018	Mortgagor:	VINCI LORRAINE		
		Mortgagee:	BANK OF AMERICA NA		
	Serial # DJ3368		Doc # 01-2018-5927	$100,000.00	1-2 Family Residence
		250	Mortgage Tax County	$500.00	Dover
		260	Mortgage Tax MTA Share	$270.00	
		275	1-6 Family	$250.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$1,020.00	
			Receipt Total:	$1,020.00	
30847	9/26/2018	Mortgagor:	RYAN DANIELLE		
		Mortgagee:	WELLS FARGO BANK NA		
	Serial # DJ3369		Doc # 01-2018-5928	$5,456.04	1-2 Family Residence
		250	Mortgage Tax County	$27.50	East Fishkill
		260	Mortgage Tax MTA Share	$0.00	
		275	1-6 Family	$13.75	
		276	Mortgage Tax Local	$0.00	
				$41.25	
			Receipt Total:	$41.25	
30850	9/26/2018	Mortgagor:	OBRIEN CATHERINE		
		Mortgagee:	SANTANDER BANK NA		
	Serial # DJ3370		Doc # 01-2018-5929	$8,720.89	1-2 Family Residence
		250	Mortgage Tax County	$43.50	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$0.00	
		275	1-6 Family	$21.75	
		276	Mortgage Tax Local	$0.00	
				$65.25	
			Receipt Total:	$65.25	
30852	9/26/2018	Mortgagor:	MEYER KATHRYN		
		Mortgagee:	MANUFACTURERS & TRADERS TRUST CO		
	Serial # DJ3371		Doc # 01-2018-5930	$73,500.00	1-2 Family Residence
		250	Mortgage Tax County	$367.50	La Grange
		260	Mortgage Tax MTA Share	$190.50	
		275	1-6 Family	$183.75	
		276	Mortgage Tax Local	$0.00	
				$741.75	
			Receipt Total:	$741.75	
30874	9/26/2018	Mortgagor:	HUBNER GREGG		
		Mortgagee:	ULSTER SVGS BANK		
	Serial # DJ3373		Doc # 01-2018-5931	$40,000.00	1-2 Family Residence
		250	Mortgage Tax County	$200.00	Red Hook
		260	Mortgage Tax MTA Share	$90.00	
		275	1-6 Family	$100.00	
		276	Mortgage Tax Local	$0.00	
				$390.00	
			Receipt Total:	$390.00	

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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
30881	9/26/2018	Mortgagor:	ROBERTS ANN		
		Mortgagee:	WELLS FARGO BANK NA		
	Serial # DJ3374		Doc # 01-2018-5932	$2,032.09	1-2 Family Residence
		250	Mortgage Tax County	$10.00	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$0.00	
		275	1-6 Family	$5.00	
		276	Mortgage Tax Local	$0.00	
				$15.00	
			Receipt Total:	$15.00	
30887	9/26/2018	Mortgagor:	SCHUTZ STEVEN		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3376		Doc # 01-2018-5933	$144,015.03	1-2 Family Residence
		250	Mortgage Tax County	$720.00	Dover
		260	Mortgage Tax MTA Share	$402.00	
		275	1-6 Family	$360.00	
		276	Mortgage Tax Local	$0.00	
				$1,482.00	
30887	9/26/2018	Mortgagor:	SCHUTZ STEVEN		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3378		Doc # 01-2018-5934	$106,500.00	1-2 Family Residence
		250	Mortgage Tax County	$532.50	Dover
		260	Mortgage Tax MTA Share	$289.50	
		275	1-6 Family	$266.25	
		276	Mortgage Tax Local	$0.00	
				$1,088.25	
			Receipt Total:	$2,570.25	
30892	9/26/2018	Mortgagor:	SUCHOW PAUL		
		Mortgagee:	WINTRUST MORTGAGE		
	Serial # DJ3375		Doc # 01-2018-5935	$76,500.00	1-2 Family Residence
		250	Mortgage Tax County	$382.50	City of Beacon
		260	Mortgage Tax MTA Share	$199.50	
		275	1-6 Family	$191.25	
		276	Mortgage Tax Local	$0.00	
				$773.25	
30892	9/26/2018	Mortgagor:	GOREN COUSINS I LLC		
		Mortgagee:	BEAVER BROOK BEACON ACQUISTION LLC		
	Serial # DJ3377		Doc # 01-2018-5937	$0.00	No Tax / Serial #
		250	Mortgage Tax County	$0.00	City of Beacon
				$0.00	
			Receipt Total:	$773.25	
30914	9/26/2018	Mortgagor:	STAWARZ NICHOLAS		
		Mortgagee:	TD BANK NA		
	Serial # DJ3379		Doc # 01-2018-5938	$425,154.00	1-2 Family Residence
		250	Mortgage Tax County	$2,126.00	East Fishkill
		260	Mortgage Tax MTA Share	$1,245.60	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		275	1-6 Family	$1,063.00	
		276	Mortgage Tax Local	$0.00	
				$4,434.60	
			Receipt Total:	$4,434.60	
30917	9/26/2018	Mortgagor:	CASSIERI WILLIAM C		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3380		Doc # 01-2018-5939	$228,500.00	1-2 Family Residence
		250	Mortgage Tax County	$1,142.50	Fishkill
		260	Mortgage Tax MTA Share	$655.50	
		275	1-6 Family	$571.25	
		276	Mortgage Tax Local	$0.00	
				$2,369.25	
30917	9/26/2018	Mortgagor:	CASSIERI WILLIAM C		
		Mortgagee:	KEYBANK NATL ASSOC		
	Serial # DJ3381		Doc # 01-2018-5940	$21,500.00	1-2 Family Residence
		250	Mortgage Tax County	$107.50	Fishkill
		260	Mortgage Tax MTA Share	$34.50	
		275	1-6 Family	$53.75	
		276	Mortgage Tax Local	$0.00	
				$195.75	
			Receipt Total:	$2,565.00	
30920	9/26/2018	Mortgagor:	TOMPKINS JAMES		
		Mortgagee:	LOANDEPOT COM LLC		
	Serial # DJ3382		Doc # 01-2018-5941	$188,237.00	1-2 Family Residence
		250	Mortgage Tax County	$941.00	East Fishkill
		260	Mortgage Tax MTA Share	$534.60	
		275	1-6 Family	$470.50	
		276	Mortgage Tax Local	$0.00	
				$1,946.10	
			Receipt Total:	$1,946.10	
30923	9/26/2018	Mortgagor:	SOYKA MARTIN J		
		Mortgagee:	BANK OF MILLBROOK		
	Serial # DJ3383		Doc # 01-2018-5942	$80,000.00	1-2 Family Residence
		250	Mortgage Tax County	$400.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$210.00	
		275	1-6 Family	$200.00	
		276	Mortgage Tax Local	$0.00	
				$810.00	
			Receipt Total:	$810.00	
30924	9/26/2018	Mortgagor:	SANTIAGO ROBERT R		
		Mortgagee:	PLAZA HOME MORTGAGE INC		
	Serial # DJ3384		Doc # 01-2018-5943	$280,912.00	1-2 Family Residence
		250	Mortgage Tax County	$1,404.50	La Grange
		260	Mortgage Tax MTA Share	$812.70	
		275	1-6 Family	$702.25	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$2,919.45	
			Receipt Total:	$2,919.45	
30925	9/26/2018	Mortgagor:	LACHETA CHRISTOPHER		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ3385		Doc # 01-2018-5944	$93,610.00	1-2 Family Residence
		250	Mortgage Tax County	$468.00	Hyde Park
		260	Mortgage Tax MTA Share	$250.80	
		275	1-6 Family	$234.00	
		276	Mortgage Tax Local	$0.00	
				$952.80	
			Receipt Total:	$952.80	
30926	9/26/2018	Mortgagor:	DIGIANNANTONIO FILIBERTO C JR		
		Mortgagee:	TOTAL MORTGAGE SERVS LLC		
	Serial # DJ3386		Doc # 01-2018-5945	$294,566.00	1-2 Family Residence
		250	Mortgage Tax County	$1,473.00	Beekman
		260	Mortgage Tax MTA Share	$853.80	
		275	1-6 Family	$736.50	
		276	Mortgage Tax Local	$0.00	
				$3,063.30	
			Receipt Total:	$3,063.30	
30928	9/26/2018	Mortgagor:	DASCOLI STEVEN		
		Mortgagee:	JPMORGAN CHASE BANK NA		
	Serial # DJ3387		Doc # 01-2018-5946	$357,600.00	1-2 Family Residence
		250	Mortgage Tax County	$1,788.00	La Grange
		260	Mortgage Tax MTA Share	$1,042.80	
		275	1-6 Family	$894.00	
		276	Mortgage Tax Local	$0.00	
				$3,724.80	
			Receipt Total:	$3,724.80	
30929	9/26/2018	Mortgagor:	HAMILL RENE		
		Mortgagee:	SEFCU		
	Serial # DJ3388		Doc # 01-2018-5947	$244,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$1,220.00	East Fishkill
		260	Mortgage Tax MTA Share	$702.00	
		276	Mortgage Tax Local	$0.00	
				$1,922.00	
			Receipt Total:	$1,922.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
30935	9/26/2018	Mortgagor:	SLATE DANIEL D		
		Mortgagee:	VALLEY NATL BANK		
	Serial # DJ3389		Doc # 01-2018-5948	$175,900.00	1-2 Family Residence
		250	Mortgage Tax County	$879.50	Hyde Park
		260	Mortgage Tax MTA Share	$497.70	
		275	1-6 Family	$439.75	
		276	Mortgage Tax Local	$0.00	
				$1,816.95	
			Receipt Total:	$1,816.95	
30936	9/26/2018	Mortgagor:	FISHER MICHAEL J		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3390		Doc # 01-2018-5949	$371,200.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$1,856.00	Beekman
		260	Mortgage Tax MTA Share	$1,083.60	
		276	Mortgage Tax Local	$0.00	
				$2,939.60	
			Receipt Total:	$2,939.60	
30940	9/26/2018	Mortgagor:	RENDINA FRANK M		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3391		Doc # 01-2018-5950	$274,750.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$1,373.50	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$794.10	
		276	Mortgage Tax Local	$0.00	
				$2,167.60	
			Receipt Total:	$2,167.60	
30944	9/26/2018	Mortgagor:	OLEARY MARY		
		Mortgagee:	QUICKEN LOANS INC		
	Serial # DJ3392		Doc # 01-2018-5951	$250,750.00	1-2 Family Residence
		250	Mortgage Tax County	$1,253.50	Wappinger
		260	Mortgage Tax MTA Share	$722.10	
		275	1-6 Family	$626.75	
		276	Mortgage Tax Local	$0.00	
				$2,602.35	
			Receipt Total:	$2,602.35	
30945	9/26/2018	Mortgagor:	BRAR KANWALPREET KAUR		
		Mortgagee:	PRIMELENDING		
	Serial # DJ3393		Doc # 01-2018-5952	$214,500.00	1-2 Family Residence
		250	Mortgage Tax County	$1,072.50	Wappinger
		260	Mortgage Tax MTA Share	$613.50	
		275	1-6 Family	$536.25	
		276	Mortgage Tax Local	$0.00	
				$2,222.25	
			Receipt Total:	$2,222.25	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
30949	9/26/2018	Mortgagor:	MORALES JOSE L		
		Mortgagee:	PACIFIC UNION FINANCIAL LLC		
	Serial # DJ3394		Doc # 01-2018-5953	$240,842.00	1-2 Family Residence
		250	Mortgage Tax County	$1,204.00	East Fishkill
		260	Mortgage Tax MTA Share	$692.40	
		275	1-6 Family	$602.00	
		276	Mortgage Tax Local	$0.00	
				$2,498.40	
			Receipt Total:	$2,498.40	
30954	9/26/2018	Mortgagor:	WEN LITING		
		Mortgagee:	WELLS FARGO BANK NA		
	Serial # DJ3395		Doc # 01-2018-5954	$371,250.00	1-2 Family Residence
		250	Mortgage Tax County	$1,856.00	Washington
		260	Mortgage Tax MTA Share	$1,083.60	
		275	1-6 Family	$928.00	
		276	Mortgage Tax Local	$0.00	
				$3,867.60	
			Receipt Total:	$3,867.60	
30983	9/26/2018	Mortgagor:	MAPLE ST OF DUTCHESS LLC		
		Mortgagee:	RHINEBECK BANK		
	Serial # DJ3396		Doc # 01-2018-5955	$4,771,000.00	(NE) Commercial
		276	Mortgage Tax Local	$0.00	
		270	SONYMA	$0.00	
		260	Mortgage Tax MTA Share	$14,313.00	
		250	Mortgage Tax County	$0.00	City of Poughkeepsie
				$14,313.00	
30983	9/26/2018	Mortgagor:	CITY OF POUGHKEEPSIE INDUSTRIAL DEVELOPMENT AGENCY		
		Mortgagee:	CITY OF POUGHKEEPSIE INDUSTRIAL DEVELOPMENT AGENCY		
	Serial # DJ3397		Doc # 01-2018-5956	$300,000.00	(NE) Commercial
		250	Mortgage Tax County	$0.00	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$900.00	
		270	SONYMA	$0.00	
		276	Mortgage Tax Local	$0.00	
				$900.00	
			Receipt Total:	$15,213.00	
30984	9/26/2018	Mortgagor:	KARR JO MARIE		
		Mortgagee:	CITIZENS BANK NA		
	Serial # DJ3398		Doc # 01-2018-5957	$100,000.00	1-2 Family Residence
		250	Mortgage Tax County	$500.00	Fishkill
		260	Mortgage Tax MTA Share	$270.00	
		275	1-6 Family	$250.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$1,020.00	
			Receipt Total:	$1,020.00	
30988	9/26/2018	Mortgagor:	COON HAJNALKA		
		Mortgagee:	RHINEBECK BANK		
	Serial # DJ3399		Doc # 01-2018-5958	$70,000.00	1-2 Family Residence
		250	Mortgage Tax County	$350.00	Milan
		260	Mortgage Tax MTA Share	$180.00	
		275	1-6 Family	$175.00	
		276	Mortgage Tax Local	$0.00	
				$705.00	
			Receipt Total:	$705.00	
30989	9/26/2018	Mortgagor:	METCALF JOANNE		
		Mortgagee:	ULSTER SVGS BANK		
	Serial # DJ3400		Doc # 01-2018-5959	$37,590.44	1-2 Family Residence
		250	Mortgage Tax County	$188.00	Red Hook
		260	Mortgage Tax MTA Share	$82.80	
		275	1-6 Family	$94.00	
		276	Mortgage Tax Local	$0.00	
				$364.80	
			Receipt Total:	$364.80	
30999	9/26/2018	Mortgagor:	DEMPSEY BRIAN		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3401		Doc # 01-2018-5961	$50,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$250.00	Washington
		260	Mortgage Tax MTA Share	$120.00	
		276	Mortgage Tax Local	$0.00	
				$370.00	
			Receipt Total:	$370.00	
31002	9/26/2018	Mortgagor:	JENKS THOMAS A		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3402		Doc # 01-2018-5962	$18,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$90.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$24.00	
		276	Mortgage Tax Local	$0.00	
				$114.00	
			Receipt Total:	$114.00	
31004	9/26/2018	Mortgagor:	MAGGIACOMO DANIEL P		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3403		Doc # 01-2018-5963	$59,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$295.00	La Grange

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		260	Mortgage Tax MTA Share	$147.00	
		276	Mortgage Tax Local	$0.00	
				$442.00	
			Receipt Total:	$442.00	
31005	9/26/2018	Mortgagor:	LAPHAM WILLIAM E JR		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3404		Doc # 01-2018-5964	$26,500.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$132.50	Rhinebeck
		260	Mortgage Tax MTA Share	$49.50	
		276	Mortgage Tax Local	$0.00	
				$182.00	
			Receipt Total:	$182.00	
31006	9/26/2018	Mortgagor:	WATSON DWIGHT E		
		Mortgagee:	JPMORGAN CHASE BANK NA		
	Serial # DJ3405		Doc # 01-2018-5965	$200,000.00	Corr / Re-Rec / Col. Sec.
		250	Mortgage Tax County	$0.00	Clinton
				$0.00	
			Receipt Total:	$0.00	
31008	9/26/2018	Mortgagor:	SCHOONMAKER PETRINA		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3406		Doc # 01-2018-5966	$40,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$200.00	Fishkill
		260	Mortgage Tax MTA Share	$90.00	
		276	Mortgage Tax Local	$0.00	
				$290.00	
			Receipt Total:	$290.00	
31010	9/26/2018	Mortgagor:	COPPOLA PAUL A		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3407		Doc # 01-2018-5967	$100,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$500.00	Beekman
		260	Mortgage Tax MTA Share	$270.00	
		276	Mortgage Tax Local	$0.00	
				$770.00	
			Receipt Total:	$770.00	
31012	9/26/2018	Mortgagor:	MEAD KRISTOPHER		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3408		Doc # 01-2018-5968	$12,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$60.00	East Fishkill
		260	Mortgage Tax MTA Share	$6.00	
		276	Mortgage Tax Local	$0.00	
				$66.00	
			Receipt Total:	$66.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
31017	9/26/2018	Mortgagor:	JOHNSON RANDALL L		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3409		Doc # 01-2018-5969	$50,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$250.00	Hyde Park
		260	Mortgage Tax MTA Share	$120.00	
		276	Mortgage Tax Local	$0.00	
				$370.00	
			Receipt Total:	$370.00	
31023	9/26/2018	Mortgagor:	FORTUNATO JAMES H		
		Mortgagee:	TEG FCU		
	Serial # DJ3410		Doc # 01-2018-5970	$25,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$125.00	East Fishkill
		260	Mortgage Tax MTA Share	$45.00	
		276	Mortgage Tax Local	$0.00	
				$170.00	
			Receipt Total:	$170.00	
31024	9/26/2018	Mortgagor:	OLAY CHRISTOPHER		
		Mortgagee:	TEG FCU		
	Serial # DJ3411		Doc # 01-2018-5971	$25,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$125.00	Pine Plains
		260	Mortgage Tax MTA Share	$45.00	
		276	Mortgage Tax Local	$0.00	
				$170.00	
			Receipt Total:	$170.00	
31025	9/26/2018	Mortgagor:	DENNIS CONSTABLE BERNADETTE		
		Mortgagee:	TEG FCU		
	Serial # DJ3412		Doc # 01-2018-5972	$55,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$275.00	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$135.00	
		276	Mortgage Tax Local	$0.00	
				$410.00	
			Receipt Total:	$410.00	
31026	9/26/2018	Mortgagor:	QELAJ SUZANA		
		Mortgagee:	M & T BANK		
	Serial # DJ3413		Doc # 01-2018-5973	$460,000.00	(NE) Commercial
		250	Mortgage Tax County	$2,300.00	City of Beacon
		260	Mortgage Tax MTA Share	$1,380.00	
		270	SONYMA	$1,150.00	
		276	Mortgage Tax Local	$0.00	
				$4,830.00	
			Receipt Total:	$4,830.00	

Dutchess County Clerk
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9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
31027	9/26/2018	Mortgagor:	POLASEK PATRICK J		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3414		Doc # 01-2018-5974	$150,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$750.00	Beekman
		260	Mortgage Tax MTA Share	$420.00	
		276	Mortgage Tax Local	$0.00	
				$1,170.00	
			Receipt Total:	$1,170.00	
31028	9/26/2018	Mortgagor:	CERULLI SUSAN M		
		Mortgagee:	TEG FCU		
	Serial # DJ3415		Doc # 01-2018-5975	$39,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$195.00	Hyde Park
		260	Mortgage Tax MTA Share	$87.00	
		276	Mortgage Tax Local	$0.00	
				$282.00	
			Receipt Total:	$282.00	
31029	9/26/2018	Mortgagor:	ROBIN DAVID JAMES		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3416		Doc # 01-2018-5976	$150,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$750.00	Beekman
		260	Mortgage Tax MTA Share	$420.00	
		276	Mortgage Tax Local	$0.00	
				$1,170.00	
			Receipt Total:	$1,170.00	
31030	9/26/2018	Mortgagor:	ROMMEL MARK T		
		Mortgagee:	TEG FCU		
	Serial # DJ3417		Doc # 01-2018-5977	$57,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$285.00	East Fishkill
		260	Mortgage Tax MTA Share	$141.00	
		276	Mortgage Tax Local	$0.00	
				$426.00	
			Receipt Total:	$426.00	
31032	9/27/2018	Mortgagor:	TRAVIS ALLISON J		
		Mortgagee:	HOMESTEAD FUNDING CORP		
	Serial # DJ3418		Doc # 01-2018-5978	$262,200.00	1-2 Family Residence
		250	Mortgage Tax County	$1,311.00	Hyde Park
		260	Mortgage Tax MTA Share	$756.60	
		275	1-6 Family	$655.50	
		276	Mortgage Tax Local	$0.00	
				$2,723.10	
			Receipt Total:	$2,723.10	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
31036	9/27/2018	Mortgagor:	GARLAND TINA		
		Mortgagee:	CMG MORTGAGE INC		
	Serial # DJ3419		Doc # 01-2018-5979	$216,015.00	1-2 Family Residence
		280	Mortgage Tax Held	$2,238.00	Other
				$2,238.00	
			Receipt Total:	$2,238.00	
31040	9/27/2018	Mortgagor:	ERLANGER NANCY KOENIG		
		Mortgagee:	RHINEBECK BANK		
	Serial # DJ3420		Doc # 01-2018-5980	$152,000.00	1-2 Family Residence
		250	Mortgage Tax County	$760.00	Red Hook
		260	Mortgage Tax MTA Share	$426.00	
		275	1-6 Family	$380.00	
		276	Mortgage Tax Local	$0.00	
				$1,566.00	
			Receipt Total:	$1,566.00	
31048	9/27/2018	Mortgagor:	LAVENDER BRIAN D		
		Mortgagee:	RHINEBECK BANK		
	Serial # DJ3421		Doc # 01-2018-5981	$562,500.00	1-2 Family Residence
		250	Mortgage Tax County	$2,812.50	Rhinebeck
		260	Mortgage Tax MTA Share	$1,657.50	
		275	1-6 Family	$1,406.25	
		276	Mortgage Tax Local	$0.00	
				$5,876.25	
			Receipt Total:	$5,876.25	
31059	9/27/2018	Mortgagor:	BARNES KELLY		
		Mortgagee:	BANK OF AMERICA NA		
	Serial # DJ3422		Doc # 01-2018-5982	$143,200.00	1-2 Family Residence
		250	Mortgage Tax County	$716.00	Hyde Park
		260	Mortgage Tax MTA Share	$399.60	
		275	1-6 Family	$358.00	
		276	Mortgage Tax Local	$0.00	
				$1,473.60	
			Receipt Total:	$1,473.60	
31063	9/27/2018	Mortgagor:	SCIARRA JULIANN		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3424		Doc # 01-2018-5983	$67,500.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$337.50	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$172.50	
		276	Mortgage Tax Local	$0.00	
				$510.00	
			Receipt Total:	$510.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
31064	9/27/2018	Mortgagor:	HALTON BRENT D		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3423		Doc # 01-2018-5984	$186,500.00	(E) CR Un/Nat Pr
		276	Mortgage Tax Local	$0.00	
		260	Mortgage Tax MTA Share	$529.50	
		250	Mortgage Tax County	$932.50	Town of Poughkeepsie
				$1,462.00	
			Receipt Total:	$1,462.00	
31065	9/27/2018	Mortgagor:	MALEY PAUL J III		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3426		Doc # 01-2018-5985	$161,290.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$806.50	Hyde Park
		260	Mortgage Tax MTA Share	$453.90	
		276	Mortgage Tax Local	$0.00	
				$1,260.40	
			Receipt Total:	$1,260.40	
31066	9/27/2018	Mortgagor:	GREYSTONE PROGRAMS INC		
		Mortgagee:	NYS OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITES		
	Serial # DJ3425		Doc # 01-2018-5986	$0.00	No Tax / Serial #
		250	Mortgage Tax County	$0.00	Amenia
				$0.00	
			Receipt Total:	$0.00	
31070	9/27/2018	Mortgagor:	VERDICHIZZI SAMANTHA J		
		Mortgagee:	RHINEBECK BANK		
	Serial # DJ3427		Doc # 01-2018-5987	$135,000.00	1-2 Family Residence
		250	Mortgage Tax County	$675.00	Hyde Park
		260	Mortgage Tax MTA Share	$375.00	
		275	1-6 Family	$337.50	
		276	Mortgage Tax Local	$0.00	
				$1,387.50	
			Receipt Total:	$1,387.50	
31073	9/27/2018	Mortgagor:	MAKHMUDOVA ROZA		
		Mortgagee:	TIAA FSB		
	Serial # DJ3428		Doc # 01-2018-5988	$246,500.00	1-2 Family Residence
		250	Mortgage Tax County	$1,232.50	Hyde Park
		260	Mortgage Tax MTA Share	$709.50	
		275	1-6 Family	$616.25	
		276	Mortgage Tax Local	$0.00	
				$2,558.25	
			Receipt Total:	$2,558.25	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
31074	9/27/2018	Mortgagor:	MARKS DONALD L SR		
		Mortgagee:	HOMESTEAD FUNDING CORP		
	Serial # DJ3429		Doc # 01-2018-5989	$119,213.00	1-2 Family Residence
		250	Mortgage Tax County	$596.00	Hyde Park
		260	Mortgage Tax MTA Share	$327.60	
		275	1-6 Family	$298.00	
		276	Mortgage Tax Local	$0.00	
				$1,221.60	
			Receipt Total:	$1,221.60	
31078	9/27/2018	Mortgagor:	LEIVAR INIGO		
		Mortgagee:	PLAZA HOME MORTGAGE INC		
	Serial # DJ3430		Doc # 01-2018-5990	$663,996.00	1-2 Family Residence
		250	Mortgage Tax County	$3,320.00	Milan
		260	Mortgage Tax MTA Share	$1,962.00	
		275	1-6 Family	$1,660.00	
		276	Mortgage Tax Local	$0.00	
				$6,942.00	
			Receipt Total:	$6,942.00	
31085	9/27/2018	Mortgagor:	MARQUEZ DANIELA		
		Mortgagee:	TRUSTCO BANK		
	Serial # DJ3431		Doc # 01-2018-5991	$250,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,250.00	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$720.00	
		275	1-6 Family	$625.00	
		276	Mortgage Tax Local	$0.00	
				$2,595.00	
			Receipt Total:	$2,595.00	
31111	9/27/2018	Mortgagor:	EFCO PRODUCTS INC		
		Mortgagee:	BANK OF AMERICA NA		
	Serial # DJ3432		Doc # 01-2018-5992	$2,500,000.00	(NE) Commercial
		276	Mortgage Tax Local	$0.00	
		270	SONYMA	$6,250.00	
		260	Mortgage Tax MTA Share	$7,500.00	
		250	Mortgage Tax County	$12,500.00	City of Poughkeepsie
				$26,250.00	
			Receipt Total:	$26,250.00	
31119	9/27/2018	Mortgagor:	SCHOEN NANCY		
		Mortgagee:	CITIMORTGAGE INC		
	Serial # DJ3433		Doc # 01-2018-5993	$1,971.49	Corr / Re-Rec / Col. Sec.
		250	Mortgage Tax County	$0.00	City of Poughkeepsie
				$0.00	
			Receipt Total:	$0.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
31126	9/27/2018	Mortgagor:	CLINTON HAVERSTRAW CORP		
		Mortgagee:	TD BANK NA		
	Serial # DJ3434		Doc # 01-2018-5994	$262,500.00	1-2 Family Residence
		250	Mortgage Tax County	$1,312.50	City of Beacon
		260	Mortgage Tax MTA Share	$757.50	
		275	1-6 Family	$656.25	
		276	Mortgage Tax Local	$0.00	
				$2,726.25	
			Receipt Total:	$2,726.25	
31128	9/27/2018	Mortgagor:	OMALLEY MICHAEL T		
		Mortgagee:	LOANDEPOT COM LLC		
	Serial # DJ3435		Doc # 01-2018-5996	$310,337.00	1-2 Family Residence
		250	Mortgage Tax County	$1,551.50	Union Vale
		260	Mortgage Tax MTA Share	$900.90	
		275	1-6 Family	$775.75	
		276	Mortgage Tax Local	$0.00	
				$3,228.15	
			Receipt Total:	$3,228.15	
31132	9/27/2018	Mortgagor:	PIESCO ROBERT A		
		Mortgagee:	JPMORGAN CHASE BANK NA		
	Serial # DJ3436		Doc # 01-2018-5997	$180,000.00	1-2 Family Residence
		250	Mortgage Tax County	$900.00	Wappinger
		260	Mortgage Tax MTA Share	$510.00	
		275	1-6 Family	$450.00	
		276	Mortgage Tax Local	$0.00	
				$1,860.00	
			Receipt Total:	$1,860.00	
31134	9/27/2018	Mortgagor:	CLAUSSON ERIN L		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3438		Doc # 01-2018-5998	$253,350.00	(E) CR Un/Nat Pr
		276	Mortgage Tax Local	$0.00	
		260	Mortgage Tax MTA Share	$729.90	
		250	Mortgage Tax County	$1,266.50	Wappinger
				$1,996.40	
			Receipt Total:	$1,996.40	
31135	9/27/2018	Mortgagor:	PABON MARIO		
		Mortgagee:	NATIONSTAR MORTGAGE LLC		
	Serial # DJ3439		Doc # 01-2018-5999	$78,542.47	1-2 Family Residence
		250	Mortgage Tax County	$392.50	Fishkill
		260	Mortgage Tax MTA Share	$205.50	
		275	1-6 Family	$196.25	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$794.25	
			Receipt Total:	$794.25	
31137	9/27/2018	Mortgagor:	GREEN RONALD C		
		Mortgagee:	PENTAGON FCU		
	Serial # DJ3440		Doc # 01-2018-6001	$350,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$1,750.00	Fishkill
		260	Mortgage Tax MTA Share	$1,020.00	
		276	Mortgage Tax Local	$0.00	
				$2,770.00	
			Receipt Total:	$2,770.00	
31138	9/27/2018	Mortgagor:	CLARK CHARLES E III		
		Mortgagee:	BANK OF AMERICA NA		
	Serial # DJ3441		Doc # 01-2018-6002	$370,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,850.00	Washington
		260	Mortgage Tax MTA Share	$1,080.00	
		275	1-6 Family	$925.00	
		276	Mortgage Tax Local	$0.00	
				$3,855.00	
			Receipt Total:	$3,855.00	
31156	9/27/2018	Mortgagor:	ZDUNIAK CRAIG		
		Mortgagee:	MID HUDSON VALLEY FCU		
	Serial # DJ3442		Doc # 01-2018-6003	$135,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$675.00	Red Hook
		260	Mortgage Tax MTA Share	$375.00	
		276	Mortgage Tax Local	$0.00	
				$1,050.00	
			Receipt Total:	$1,050.00	
31183	9/28/2018	Mortgagor:	NARDONE LUKE V		
		Mortgagee:	LAKEVIEW LOAN SERVICING LLC		
	Serial # DJ3443		Doc # 01-2018-6005	$27,172.12	1-2 Family Residence
		250	Mortgage Tax County	$136.00	La Grange
		260	Mortgage Tax MTA Share	$51.60	
		275	1-6 Family	$68.00	
		276	Mortgage Tax Local	$0.00	
				$255.60	
			Receipt Total:	$255.60	
31189	9/28/2018	Mortgagor:	CAMARA SHERIF MAWAH		
		Mortgagee:	HOMESTEAD FUNDING CORP		
	Serial # DJ3444		Doc # 01-2018-6006	$311,355.00	1-2 Family Residence
		250	Mortgage Tax County	$1,557.00	Wappinger

Receipt #	Receipt Date				Mortgage Type/District/Comment
		260	Mortgage Tax MTA Share	$904.20	
		275	1-6 Family	$778.50	
		276	Mortgage Tax Local	$0.00	
				$3,239.70	
			Receipt Total:	$3,239.70	
31194	9/28/2018	Mortgagor:	MCELDUFF MICHAEL J		
		Mortgagee:	TRUSTCO BANK		
	Serial # DJ3445		Doc # 01-2018-6007	$480,000.00	1-2 Family Residence
		250	Mortgage Tax County	$2,400.00	East Fishkill
		260	Mortgage Tax MTA Share	$1,410.00	
		275	1-6 Family	$1,200.00	
		276	Mortgage Tax Local	$0.00	
				$5,010.00	
			Receipt Total:	$5,010.00	
31196	9/28/2018	Mortgagor:	HAWKINS AMY		
		Mortgagee:	RESIDENTIAL HOME FUNDING CORP		
	Serial # DJ3446		Doc # 01-2018-6008	$212,087.00	1-2 Family Residence
		250	Mortgage Tax County	$1,060.50	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$606.30	
		275	1-6 Family	$530.25	
		276	Mortgage Tax Local	$0.00	
				$2,197.05	
			Receipt Total:	$2,197.05	
31197	9/28/2018	Mortgagor:	SHAH RUGESH G		
		Mortgagee:	TEG FCU		
	Serial # DJ3447		Doc # 01-2018-6009	$69,750.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$348.50	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$179.10	
		276	Mortgage Tax Local	$0.00	
				$527.60	
			Receipt Total:	$527.60	
31199	9/28/2018	Mortgagor:	ROSAS SIORDIA JOSE GUADALUPE		
		Mortgagee:	MID HUDSON VALLEY FCU		
	Serial # DJ3449		Doc # 01-2018-6010	$140,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$700.00	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$390.00	
		276	Mortgage Tax Local	$0.00	
				$1,090.00	
			Receipt Total:	$1,090.00	
31200	9/28/2018	Mortgagor:	12 CLOVER WAY LLC		
		Mortgagee:	BAXTER ROBERT L		
	Serial # DJ3451		Doc # 01-2018-6011	$275,000.00	(NE) Commercial
		250	Mortgage Tax County	$1,375.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$825.00	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		270	SONYMA	$687.50	
		276	Mortgage Tax Local	$0.00	
				$2,887.50	
			Receipt Total:	$2,887.50	
31203	9/28/2018	Mortgagor:	558 MAIN ST LLC		
		Mortgagee:	CPC FUNDING SPE 1 LLC		
	Serial # DJ3450		Doc # 01-2018-6012	$314,000.00	(NE) Commercial
		250	Mortgage Tax County	$1,570.00	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$942.00	
		270	SONYMA	$785.00	
		276	Mortgage Tax Local	$0.00	
				$3,297.00	
31203	9/28/2018	Mortgagor:	558 MAIN ST LLC		
		Mortgagee:	CPC FUNDING SPE 1 LLC		
	Serial # DJ3452		Doc # 01-2018-6013	$1,621,000.00	(NE) Commercial
		250	Mortgage Tax County	$8,105.00	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$4,863.00	
		270	SONYMA	$4,052.50	
		276	Mortgage Tax Local	$0.00	
				$17,020.50	
31203	9/28/2018	Mortgagor:	558 MAIN ST LLC		
		Mortgagee:	CPC FUNDING SPE 1 LLC		
	Serial # DJ3453		Doc # 01-2018-6014	$190,000.00	(NE) Commercial
		250	Mortgage Tax County	$950.00	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$570.00	
		270	SONYMA	$475.00	
		276	Mortgage Tax Local	$0.00	
				$1,995.00	
			Receipt Total:	$22,312.50	
31204	9/28/2018	Mortgagor:	AVRAHAMI ILENE		
		Mortgagee:	WOODMONT HORN LLC		
	Serial # DJ3454		Doc # 01-2018-6016	$110,000.00	(NE) Commercial
		250	Mortgage Tax County	$550.00	Rhinebeck
		260	Mortgage Tax MTA Share	$330.00	
		270	SONYMA	$275.00	
		276	Mortgage Tax Local	$0.00	
				$1,155.00	
			Receipt Total:	$1,155.00	
31211	9/28/2018	Mortgagor:	HUGH MICHAEL Y		
		Mortgagee:	PRIMELENDING		
	Serial # DJ3455		Doc # 01-2018-6017	$713,755.00	1-2 Family Residence
		250	Mortgage Tax County	$3,569.00	La Grange
		260	Mortgage Tax MTA Share	$2,111.40	
		275	1-6 Family	$1,784.50	

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Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$7,464.90	
			Receipt Total:	$7,464.90	
31212	9/28/2018	Mortgagor:	MARCANO DANIEL		
		Mortgagee:	HOMEBRIDGE FINANCIAL SERVS INC		
	Serial # DJ3458		Doc # 01-2018-6018	$157,102.00	1-2 Family Residence
		250	Mortgage Tax County	$785.50	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$441.30	
		275	1-6 Family	$392.75	
		276	Mortgage Tax Local	$0.00	
				$1,619.55	
			Receipt Total:	$1,619.55	
31214	9/28/2018	Mortgagor:	POUGHKEEPSIE PLAZA MALL LLC		
		Mortgagee:	PHOENIX LIFE INSURANCE CO		
	Serial # DJ3456		Doc # 01-2018-6019	$4,700,000.00	(NE) Commercial
		250	Mortgage Tax County	$23,500.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$14,100.00	
		270	SONYMA	$11,750.00	
		276	Mortgage Tax Local	$0.00	
				$49,350.00	
			Receipt Total:	$49,350.00	
31223	9/28/2018	Mortgagor:	IRWIN DIANE M		
		Mortgagee:	RURAL HOUSING SERV		
	Serial # DJ3459		Doc # 01-2018-6022	$207,600.00	No Tax / Serial #
		250	Mortgage Tax County	$0.00	Washington
				$0.00	
			Receipt Total:	$0.00	
31226	9/28/2018	Mortgagor:	FREIH JERYES J		
		Mortgagee:	HUDSON HERITAGE FCU		
	Serial # DJ3460		Doc # 01-2018-6023	$185,900.00	(E) CR Un/Nat Pr
		276	Mortgage Tax Local	$0.00	
		260	Mortgage Tax MTA Share	$527.70	
		250	Mortgage Tax County	$929.50	Beekman
				$1,457.20	
			Receipt Total:	$1,457.20	
31228	9/28/2018	Mortgagor:	ROHRING KIMBERLY		
		Mortgagee:	HUDSON VALLEY FCU		
	Serial # DJ3461		Doc # 01-2018-6024	$270,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$1,350.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$780.00	

Dutchess County Clerk
Mortgage Tax Report

9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$2,130.00	
			Receipt Total:	$2,130.00	
31246	9/28/2018	Mortgagor:	INVYNCDE LLC		Comments:
		Mortgagee:	RIALTO MORTGAGE FINANCE LLC		2 STATE MTG (29.80% IN NY) TAXES PAID ON $2062500.
	Serial # DJ3457		Doc # 01-2018-6025	$6,920,000.00	(NE) Commercial
		250	Mortgage Tax County	$10,312.50	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$6,187.50	
		270	SONYMA	$5,156.25	
		276	Mortgage Tax Local	$0.00	
				$21,656.25	
			Receipt Total:	$21,656.25	
31253	9/28/2018	Mortgagor:	CUCINO ROBERT P		
		Mortgagee:	RHINEBECK BANK		
	Serial # DJ3463		Doc # 01-2018-6027	$250,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,250.00	East Fishkill
		260	Mortgage Tax MTA Share	$720.00	
		275	1-6 Family	$625.00	
		276	Mortgage Tax Local	$0.00	
				$2,595.00	
			Receipt Total:	$2,595.00	
31255	9/28/2018	Mortgagor:	KROCHMAL MICHAEL		
		Mortgagee:	PRIMELENDING		
	Serial # DJ3464		Doc # 01-2018-6028	$166,345.00	1-2 Family Residence
		250	Mortgage Tax County	$831.50	Pawling
		260	Mortgage Tax MTA Share	$468.90	
		275	1-6 Family	$415.75	
		276	Mortgage Tax Local	$0.00	
				$1,716.15	
			Receipt Total:	$1,716.15	
31258	9/28/2018	Mortgagor:	COMO JEFFREY		Comments:
		Mortgagee:	DALE O MITCHELL TRUST		RELEASING RECEIPT 2018-10298 WITH MTG SERIAL NUMBER DI7503
	Serial # DJ3465		Doc # 01-2018-2112	$50,000.00	1-2 Family Residence
		280	Mortgage Tax Held	($495.00)	
		260	Mortgage Tax MTA Share	$124.82	
		275	1-6 Family	$119.63	
		276	Mortgage Tax Local	$0.00	
		250	Mortgage Tax County	$249.63	Milan

Dutchess County Clerk
Mortgage Tax Report

9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		250	Mortgage Tax County	$0.92	Other
				$0.00	
			Receipt Total:	$0.00	
31259	9/28/2018	Mortgagor:	DARCY NOELLE B		Comments:
		Mortgagee:	BANK OF AMERICA NA		RELEASING RECEIPT 2018-24010 WITH MTG SERIAL NUMBER DJ2156
	Serial # DJ3466		Doc # 01-2018-4628	$50,000.00	1-2 Family Residence
		280	Mortgage Tax Held	($495.00)	
		260	Mortgage Tax MTA Share	$120.00	
		275	1-6 Family	$125.00	
		276	Mortgage Tax Local	$0.00	
		250	Mortgage Tax County	$0.19	Fishkill
		250	Mortgage Tax County	$249.81	Wappinger
				$0.00	
			Receipt Total:	$0.00	
31260	9/28/2018	Mortgagor:	OTTEN BRIAN H		Comments:
		Mortgagee:	KEYBANK NATL ASSOC		RELEASING RECEIPT 2018-24064 WITH MTG SERIAL NUMBER DJ2166
	Serial # DJ3468		Doc # 01-2018-4638	$170,000.00	1-2 Family Residence
		280	Mortgage Tax Held	($1,755.00)	
		260	Mortgage Tax MTA Share	$480.00	
		275	1-6 Family	$425.00	
		276	Mortgage Tax Local	$0.00	
		250	Mortgage Tax County	$714.60	Pleasant Valley
		250	Mortgage Tax County	$135.40	Town of Poughkeepsie
				$0.00	
			Receipt Total:	$0.00	
31263	9/28/2018	Mortgagor:	BONANNO THOMAS		Comments:
		Mortgagee:	M&T BANK		RELEASING RECEIPT 2018-22915 WITH MTG SERIAL NUMBER DJ1961
	Serial # DJ3469		Doc # 01-2018-4413	$511,000.00	1-2 Family Residence
		280	Mortgage Tax Held	($5,335.50)	
		260	Mortgage Tax MTA Share	$1,503.00	
		275	1-6 Family	$1,277.50	
		276	Mortgage Tax Local	$0.00	
		250	Mortgage Tax County	$2,543.85	Clinton
		250	Mortgage Tax County	$11.15	Stanford
				$0.00	
			Receipt Total:	$0.00	

Dutchess County Clerk
Mortgage Tax Report

9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
31265	9/28/2018	Mortgagor:	ROSCOE LOANCORP 1 LLC		Comments:
		Mortgagee:	COREVEST AMERICAN FINANCE LENDER LLC		RELEASING RECEIPT 2018-23073 WITH MTG SERIAL NUMBER DJ1994
	Serial # DJ3470		Doc # 01-2018-4447	$1,400,000.00	(NE) Commercial
		280	Mortgage Tax Held	($14,700.00)	
		260	Mortgage Tax MTA Share	$4,200.00	
		270	SONYMA	$3,500.00	
		276	Mortgage Tax Local	$0.00	
		250	Mortgage Tax County	$749.30	Beekman
		250	Mortgage Tax County	$967.25	Hyde Park
		250	Mortgage Tax County	$1,128.46	Pleasant Valley
		250	Mortgage Tax County	$348.21	Town of Poughkeepsie
		250	Mortgage Tax County	$581.00	Red Hook
		250	Mortgage Tax County	$770.90	Rhinebeck
		250	Mortgage Tax County	$729.95	Wappinger
		250	Mortgage Tax County	$1,724.93	City of Poughkeepsie
				$0.00	
			Receipt Total:	$0.00	
31266	9/28/2018	Mortgagor:	ROBIE CHRISTINA		Comments:
		Mortgagee:	HOMEBRIDGE FINANCIAL SERVS INC		RELEASING RECEIPT 2018-25713 WITH MTG SERIAL NUMBER DJ2483
	Serial # DJ3471		Doc # 01-2018-4979	$319,037.00	1-2 Family Residence
		280	Mortgage Tax Held	($3,319.50)	
		260	Mortgage Tax MTA Share	$927.00	
		275	1-6 Family	$797.50	
		276	Mortgage Tax Local	$0.00	
		250	Mortgage Tax County	$1,571.18	Fishkill
		250	Mortgage Tax County	$23.82	Wappinger
				$0.00	
			Receipt Total:	$0.00	
31269	9/28/2018	Mortgagor:	CURRAN VICKI		Comments:
		Mortgagee:	ILLJES ROBERT A		RELEASING RECEIPT 2018-25930 WITH MTG SERIAL NUMBER DJ2512
	Serial # DJ3472		Doc # 01-2018-5016	$200,000.00	(E) CR Un/Nat Pr
		280	Mortgage Tax Held	($1,570.00)	
		260	Mortgage Tax MTA Share	$570.00	
		276	Mortgage Tax Local	$0.00	
		250	Mortgage Tax County	$528.93	Beekman
		250	Mortgage Tax County	$471.07	La Grange
				$0.00	
			Receipt Total:	$0.00	

Dutchess County Clerk
Mortgage Tax Report

9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
31306	9/28/2018	Mortgagor:	BRAJANOVIC DENIS		
		Mortgagee:	JPMORGAN CHASE BANK NA		
	Serial # DJ3473		Doc # 01-2018-6029	$320,000.00	1-2 Family Residence
		250	Mortgage Tax County	$1,600.00	East Fishkill
		260	Mortgage Tax MTA Share	$930.00	
		275	1-6 Family	$800.00	
		276	Mortgage Tax Local	$0.00	
				$3,330.00	
			Receipt Total:	$3,330.00	
31311	9/28/2018	Mortgagor:	GUIDO MICHAEL		
		Mortgagee:	JOHNSON ANDREW D		
	Serial # DJ3474		Doc # 01-2018-6030	$55,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$275.00	City of Poughkeepsie
		260	Mortgage Tax MTA Share	$135.00	
		276	Mortgage Tax Local	$0.00	
				$410.00	
			Receipt Total:	$410.00	
31324	9/28/2018	Mortgagor:	830 MAIN ST LLC		
		Mortgagee:	CATSKILL HUDSON BANK		
	Serial # DJ3475		Doc # 01-2018-6031	$580,000.00	(NE) Commercial
		250	Mortgage Tax County	$2,900.00	Town of Poughkeepsie
		260	Mortgage Tax MTA Share	$1,740.00	
		270	SONYMA	$1,450.00	
		276	Mortgage Tax Local	$0.00	
				$6,090.00	
			Receipt Total:	$6,090.00	
31328	9/28/2018	Mortgagor:	BRADY CHARLES B		
		Mortgagee:	WELLS FARGO BANK NA		
	Serial # DJ3476		Doc # 01-2018-6033	$646,000.00	1-2 Family Residence
		250	Mortgage Tax County	$3,230.00	East Fishkill
		260	Mortgage Tax MTA Share	$1,908.00	
		275	1-6 Family	$1,615.00	
		276	Mortgage Tax Local	$0.00	
				$6,753.00	
			Receipt Total:	$6,753.00	
31329	9/28/2018	Mortgagor:	TREMBLAY VALERIE		
		Mortgagee:	TEG FCU		
	Serial # DJ3477		Doc # 01-2018-6034	$235,000.00	(E) CR Un/Nat Pr
		250	Mortgage Tax County	$1,175.00	Wappinger
		260	Mortgage Tax MTA Share	$675.00	

Dutchess County Clerk
Mortgage Tax Report

9/1/2018 - 9/30/2018

Receipt #	Receipt Date				Mortgage Type/District/Comment
		276	Mortgage Tax Local	$0.00	
				$1,850.00	
			Receipt Total:	$1,850.00	

Dutchess County Clerk
Mortgage Tax Report

9/1/2018 - 9/30/2018

Municipality Name	Total
Amenia	$10,631.00
Beekman	$34,190.73
Clinton	$8,369.35
Dover	$15,024.50
East Fishkill	$62,828.00
Fishkill	$48,157.87
Hyde Park	$29,254.75
La Grange	$39,279.07
Milan	$7,216.66
North East	$5,180.00
Pawling	$11,035.00
Pine Plains	$1,123.50
Pleasant Valley	$13,222.56
Red Hook	$14,529.00
Rhinebeck	$25,567.40
Stanford	$12,141.65
Town of Poughkeepsie	$107,832.61
Union Vale	$17,934.50
Wappinger	$45,960.58
Washington	$7,926.00
City of Beacon	$16,306.00
City of Poughkeepsie	$53,963.22
Other	$0.00
Total MortgageTax:	**$587,673.95**

Account	Description	Total
250	Mortgage Tax County	$587,673.95
260	Mortgage Tax MTA Share	$352,556.20
270	SONYMA	$53,538.75
275	1-6 Family	$199,937.40
276	Mortgage Tax Local	$0.00
280	Mortgage Tax Held	$10,331.25
Total Tax:		**$1,204,037.55**

Returned / Out of County	**$0.92**

Dutchess County Clerk
Mortgage Tax Detail Ledger

9/1/2018 - 9/30/2018

250 Mortgage Tax County per Tax District

Name	Total
Amenia	$10,631.00
Beekman	$34,190.73
Clinton	$8,369.35
Dover	$15,024.50
East Fishkill	$62,828.00
Fishkill	$48,157.87
Hyde Park	$29,254.75
La Grange	$39,279.07
Milan	$7,216.66
North East	$5,180.00
Pawling	$11,035.00
Pine Plains	$1,123.50
Pleasant Valley	$13,222.56
Red Hook	$14,529.00
Rhinebeck	$25,567.40
Stanford	$12,141.65
Town of Poughkeepsie	$107,832.61
Union Vale	$17,934.50
Wappinger	$45,960.58
Washington	$7,926.00
City of Beacon	$16,306.00
City of Poughkeepsie	$53,963.22
Other	$0.00
Total Mortgage Tax	**$587,673.95**

Account Totals

Account	Description	Total
250	Mortgage Tax County	$587,673.95
260	Mortgage Tax MTA Share	$352,556.20
270	SONYMA	$53,538.75
275	1-6 Family	$199,937.40
276	Mortgage Tax Local	$0.00
280	Mortgage Tax Held	$10,331.25
Total Tax		**$1,204,037.55**

Returned / Out of County **$0.92**

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

Summary of Mortgage Tax Received Apr 18 to Sep 18

Town	April 2018	May	June	July	August	September	Total for six months
Amenia	$6,099.50	$0.00	$31,165.50	$11,496.50	$19,475.00	$10,631.00	$78,867.50
Beekman	$27,138.89	$20,425.50	$23,838.43	$33,907.00	$20,056.50	$34,190.73	$159,557.05
Clinton	$6,784.25	$7,877.05	$13,101.93	$4,687.50	$11,436.50	$8,369.35	$52,256.58
Dover	$23,289.00	$27,038.00	$4,809.00	$9,861.50	$8,899.00	$15,024.50	$88,921.00
East Fishkill	$261,510.44	$65,086.50	$98,561.38	$114,894.50	$101,045.61	$62,828.00	$703,926.43
Fishkill	$43,248.82	$46,366.00	$22,253.00	$40,805.50	$60,331.00	$48,157.87	$261,162.19
Hyde Park	$24,605.15	$41,301.68	$23,561.61	$27,511.00	$29,170.00	$29,254.75	$175,404.19
LaGrange	$28,324.76	$51,794.58	$33,304.38	$46,159.00	$48,318.46	$39,279.07	$247,180.25
Milan	$3,450.00	$2,560.00	$3,995.50	$8,878.00	$8,831.89	$7,216.66	$34,932.05
North East	$5,380.50	$2,590.00	$1,794.00	$2,138.50	$7,683.50	$5,180.00	$24,766.50
Pawling	$14,804.00	$14,252.50	$8,726.00	$21,596.50	$14,790.00	$11,035.00	$85,204.00
Pine Plains	$4,046.00	$4,716.00	$6,398.00	$6,855.00	$5,480.00	$1,123.50	$28,618.50
Pleasant Valley	$14,519.30	$17,866.50	$14,516.12	$14,194.00	$17,675.50	$13,222.56	$91,993.98
Red Hook	$13,601.00	$11,192.50	$15,221.50	$24,312.50	$17,748.50	$14,529.00	$96,605.00
Rhinebeck	$16,093.35	$17,616.32	$81,101.96	$20,703.00	$50,592.41	$25,567.40	$211,674.44
Stanford	$22,275.25	$3,247.00	$8,679.00	$4,915.50	$9,040.49	$12,141.65	$60,298.89
Town of Poughkeepsie	$175,155.90	$66,194.00	$41,084.03	$94,475.50	$75,706.50	$107,832.61	$560,448.54
Union Vale	$13,449.00	$7,503.92	$5,439.07	$20,026.50	$16,259.01	$17,934.50	$80,612.00
Wappinger	$43,021.39	$66,312.00	$37,392.62	$70,419.50	$47,271.42	$45,960.58	$310,377.51
Washington	$9,033.00	$14,350.45	$15,308.50	$10,944.00	$21,713.51	$7,926.00	$79,275.46
City Beacon	$84,056.50	$25,693.50	$33,991.50	$40,446.00	$41,315.00	$16,306.00	$241,808.50
City Poughkeepsie	$23,501.50	$26,874.50	$32,312.11	$27,116.00	$28,074.00	$53,963.22	$191,841.33
Other			$2,500.00	$0.00	$0.00	$0.00	
Total	$863,387.50	$540,858.50	$559,055.14	$ 656,343.00	$ 660,913.80	**$587,673.95**	$ 3,865,731.89
County Tax	$863,387.50	$ 540,858.50	$ 559,055.14	$ 656,343.00	$ 660,913.80	$ 587,673.95	$ 3,865,731.89
MTA	$503,358.80	$309,703.80	$332,986.15	$375,678.30	$381,273.18	$352,556.20	$2,255,556.43
Special Add	$207,529.00	$46,645.00	$97,421.44	$37,440.50	$37,859.00	$53,538.75	$480,433.69
1-6 Family	$191,217.00	$187,287.00	$148,964.13	$246,692.75	$253,084.15	$199,937.40	$1,227,182.43
Local Tax	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
Taxes Held	$15,184.95	$15,325.75	$11,104.95	$23,634.70	$9,174.70	$10,331.25	$84,756.30
Ret/Out Cnty							
Total	$ 1,780,677.25	$ 1,099,820.05	$ 1,149,531.81	$ 1,339,789.25	$ 1,342,304.83	$ 1,204,037.55	$ 7,913,660.74
MTA Take	$ 694,575.80	$ 496,990.80	$ 481,950.28	$ 622,371.05	$ 634,357.33	$ 552,493.60	$ 3,482,738.86

Drescher & Malecki LLP
3083 William Street, Suite 5
Buffalo, New York 14227
Telephone: 716.565.2299
Fax: 716.565.2201

Drescher & Malecki

Certified Public Accountants

RECEIVED
OCT 09 2018
By 3:20pm

September 20, 2018

To the Honorable County Executive and County Legislature
of the County of Dutchess, New York:

We have audited the financial statements of the County of Dutchess, New York (the "County"), as of and for the year ended December 31, 2017, and have issued our report thereon dated September 20, 2018 (which report is qualified on the aggregate nonmajor discretely presented component units, includes and emphasis of matter paragraph regarding the implementation of GASB Statement No. 80, and includes a reference to other auditors). Professional standards require that we advise you of the following matters relating to our audit.

Our Responsibility in Relation to the Financial Statement Audit

As communicated in our engagement letter dated November 28, 2017, our responsibility, as described by professional standards, is to form and express an opinion about whether the financial statements that have been prepared by management with your oversight are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America. Our audit of the financial statements does not relieve you or management of your respective responsibilities.

Our responsibility, as prescribed by professional standards, is to plan and perform our audit to obtain reasonable, rather than absolute, assurance about whether the financial statements are free of material misstatement. An audit of financial statements includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control over financial reporting. Accordingly, as part of our audit, we considered the internal control of the County solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

We are also responsible for communicating significant matters related to the audit that are, in our professional judgment, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures for the purpose of identifying other matters to communicate to you.

We have provided our comments regarding other matters noted during our audit in a separate letter to you dated September 20, 2018.

Planned Scope and Timing of the Audit

We conducted our audit consistent with the planned scope and timing we previously communicated to you.

Compliance with All Ethics Requirements Regarding Independence

The engagement team, others in our firm, as appropriate, and our firm have complied with all relevant ethical requirements regarding independence.

Qualitative Aspects of the Entity's Significant Accounting Practices

Significant Accounting Policies

Management has the responsibility to select and use appropriate accounting policies. A summary of the significant accounting policies adopted by the County is included in Note 1 to the financial statements. Except for the matters discussed below, there have been no initial selection of accounting policies and no changes in significant accounting policies or their application during the year ended December 31, 2017.

During the year ended December 31, 2017, the County implemented GASB Statement No. 80, *Blending Requirements for Certain Component Units – an amendment of GASB Statement No. 14*. Statement No. 80 requires a component unit to be included in the financial statements of a reporting entity using the blending method if the component unit is organized as a not-for profit corporation in which the primary government is the sole corporate member. GASB Statement No. 80 included the Dutchess County Local Development Corporation ("LDC") as a business-type activity blended component unit. As a result, beginning net position of business-type activities has been restated to include the Dutchess County LDC net position $2,698,990.

The County also implemented GASB Statements No. 74, *Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans;* No. 81, *Irrevocable Split-Interest Agreements*; and No. 82, *Pension Issues; an amendment of GASB Statements No. 67, No. 68, and No. 73*, effective for the year ended December 31, 2017. GASB Statement No. 74 improves the usefulness of information about postemployment benefits other than pensions (other postemployment benefits or OPEB) included in the general purpose external financial reports of state and local governmental OPEB plans for making decisions and assessing accountability. GASB Statement No. 80 improves financial reporting by clarifying the financial statement presentation requirements for certain component units. GASB Statement No. 81 improves accounting and financial reporting for irrevocable split-interest agreements by providing recognition and measurement guidance for situations in which a government is a beneficiary of the agreement. GASB Statement No. 82 addresses certain issues that have been raised with respect to Statements No. 67, *Financial Reporting for Pension Plans*, No. 68, *Accounting and Financial Reporting for Pensions*, and No. 73, *Accounting and Financial Reporting for Pensions and Related Assets That Are Not within the Scope of GASB Statement 68, and Amendments to Certain Provisions of GASB Statements 67 and 68*. Other than the matter discussed in the previous paragraph, GASB Statements No. 74, 81, and 82 did not have a material impact on the County's financial position or results from operations.

No matters have come to our attention that would require us, under professional standards, to inform you about (1) the methods used to account for significant unusual transactions and (2) the effect of significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus.

Significant Accounting Estimates

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's current judgments. Those judgments are normally based on knowledge and experience about past and current events and assumptions about future events. Certain accounting

estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ markedly from management's current judgments.

The most sensitive accounting estimates affecting the financial statements for the year ended December 31, 2017 were the estimate of the allowance for doubtful accounts, and the liabilities for compensated absences, other postemployment benefits ("OPEB") obligation, environmental clean-up costs, judgments and claims, and net pension.

Management's estimate of the allowance for doubtful accounts is based on the age of receivables and historical trends. Management's estimate of compensated absences is based on available information regarding eligibility, leave balances accrued, current compensation rates, and past trends. Management's estimates for the OPEB obligation, environmental clean-up costs, judgments and claims, and net pension liabilities are based on estimates of specialist third parties and actuarial valuations. We evaluated the key factors and assumptions used to develop these estimates and determined that they are reasonable in relation to the basic financial statements taken as a whole and in relation to the applicable opinion units.

Significant Difficulties Encountered during the Audit

We encountered no significant difficulties in dealing with management relating to the performance of the audit.

Uncorrected and Corrected Misstatements

For purposes of this communication, professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that we believe are trivial, and communicate them to the appropriate level of management. Further, professional standards require us to also communicate the effect of uncorrected misstatements related to prior periods on the relevant classes of transactions, account balances or disclosures, and the financial statements as a whole and each applicable opinion unit. Management has corrected all identified material misstatements.

In addition, professional standards require us to communicate to you all material, corrected misstatements that were brought to the attention of management as a result of our audit procedures. The proposed adjusting journal entries for the year ended December 31, 2017, including those material misstatements that we identified as a result of our audit procedures, were brought to the attention of, and corrected by management, are attached to the management representation letter dated September 20, 2018 as Exhibit I (copy attached).

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, reporting, or auditing matter, which could be significant to the County's financial statements or the auditor's report. No such disagreements arose during the course of the audit.

Representations Requested from Management

We have requested certain written representations from management, which are included in the attached letter dated September 20, 2018.

Management's Consultations with Other Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters. Management informed us that, and to our knowledge, there were no consultations with other accountants regarding auditing and accounting matters.

Other Significant Matters, Findings or Issues

In the normal course of our professional association with the County, we generally discuss a variety of matters, including the application of accounting principles and auditing standards, operating and regulatory conditions affecting the entity, and operational plans and strategies that may affect the risks of material misstatement. None of the matters discussed resulted in a condition to our retention as the County's auditors.

Modification of the Auditor's Report

We have made the following modification to our auditor's report.

The report contains a qualified opinion on the aggregate nonmajor discretely presented component units. The financial statements of the Dutchess County Soil and Water Conservation District have not been audited, and we were not engaged to audit the Dutchess County Soil and Water Conservation District's financial statements as part of our audit of the County's basic financial statements. The Dutchess County Soil and Water Conservation District's financial activities are included in the County's basic financial statements as a discretely presented component unit.

*****

This report is intended solely for the information and use of the County Legislature and management of the County, and is not intended to be and should not be used by anyone other than these specified parties.

[illegible] & [illegible] LLP

September 20, 2018

MARCUS J. MOLINARO
COUNTY EXECUTIVE

HEIDI SEELBACH
COMMISSIONER

COUNTY OF DUTCHESS

DEPARTMENT OF FINANCE

September 20, 2018

Drescher & Malecki LLP
3083 William Street, Suite 5
Buffalo, New York 14227

This representation letter is provided in connection with your audit of the financial statements of the governmental activities, the business-type activities, the major discretely presented component units, the aggregate nonmajor discretely presented component units, each major fund, and the aggregate remaining fund information of the County of Dutchess, New York (the "County"), as of December 31, 2017 and for the year then ended, and the related notes to the financial statements, for the purpose of expressing opinions on whether the basic financial statements present fairly, in all material respects, the financial position, results of operation, and cash flows, where applicable, of the various opinion units of the County in accordance with accounting principles generally accepted for governments in the United States of America ("U.S. GAAP").

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in the light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement.

We confirm that, to the best of our knowledge and belief, having made such inquiries as we considered necessary for the purpose of appropriately informing ourselves as of September 20, 2018:

Financial Statements

- We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter dated November 28, 2017, for the preparation and fair presentation of the financial statements of the various opinion units referred to above in accordance with U.S. GAAP.

- The financial statements referred to above have been fairly presented in accordance with U.S. GAAP and include all properly classified funds, required supplementary information and notes to the basic financial statements except for the Soil and Water Conservation District discretely presented component unit, which is not audited

- We acknowledge our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

- We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.

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www.dutchessny.gov

- We acknowledge our responsibility for compliance with the laws, regulations, and provisions of contracts and grant agreements.

- We have reviewed, approved, and taken responsibility for the financial statements and related notes.

- We have a process to track the status of audit findings and recommendations.

- We have identified and communicated to you all previous audits, attestation engagements, and other studies related to the audit objectives and whether related recommendations have been implemented.

- Significant assumptions used by us in making accounting estimates, including those measured at fair value, are reasonable.

- Related party relationships and transactions have been appropriately accounted for and disclosed in accordance with the requirements of U.S. GAAP.

- All events subsequent to the date of the financial statements and for which U.S. GAAP requires adjustment or disclosure have been adjusted or disclosed.

- There are no identified material uncorrected misstatements.

- The effects of all known actual or possible litigation and claims have been accounted for and disclosed in accordance with U.S. GAAP.

- All component units, as well as joint ventures with an equity interest, are included and other joint ventures and related organizations are properly disclosed.

- All funds and activities are properly classified.

- All funds that meet the quantitative criteria in GASB Statement No. 34, *Basic Financial Statements—and Management's Discussion and Analysis—for State and Local Governments*, GASB Statement No. 37, *Basic Financial Statements—and Management's Discussion and Analysis—for State and Local Governments: Omnibus* as amended, and GASB Statement No. 65, *Items Previously Reported as Assets and Liabilities*, for presentation as major are identified and presented as such and all other funds that are presented as major are considered important to financial statement users.

- All components of net position, nonspendable fund balance, and restricted, committed, assigned, and unassigned fund balance are properly classified and, if applicable, approved.

- Our policy regarding whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net position/fund balance are available is appropriately disclosed and net position/fund balance is properly recognized under the policy.

- All revenues within the statement of activities have been properly classified as program revenues, general revenues, contributions to term or permanent endowments, or contributions to permanent fund principal.

- All expenses have been properly classified in or allocated to functions and programs in the statement of activities, and allocations, if any, have been made on a reasonable basis.

- All interfund and intra-entity transactions and balances have been properly classified and reported.
- Deposit and investment risks have been properly and fully disclosed.
- Capital assets, including infrastructure assets, are properly capitalized, reported, and if applicable, depreciated.
- All required supplementary information is measured and presented within the prescribed guidelines.
- With regard to investments and other instruments reported at fair value:
  - The underlying assumptions are reasonable and they appropriately reflect management's intent and ability to carry out its stated courses of action.
  - The measurement methods and related assumptions used in determining fair value are appropriate in the circumstances and have been consistently applied.
  - The disclosures related to fair values are complete, adequate, and in accordance with U.S. GAAP.
  - There are no subsequent events that require adjustments to the fair value measurements and disclosures included in the financial statements.

Information Provided

- We have provided you with:
  - Access to all information, of which we are aware that is relevant to the preparation and fair presentation of the financial statements of the various opinion units referred to above, such as records, documentation, meeting minutes, and other matters;
  - Additional information that you have requested from us for the purpose of the audit; and
  - Unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence.
- All transactions have been recorded in the accounting records and are reflected in the financial statements.
- We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.
- We have no knowledge of any fraud or suspected fraud that affects the entity and involves:
  - Management;
  - Employees who have significant roles in internal control; or
  - Others where the fraud could have a material effect on the financial statements.

- We have disclosed to you all information in relation to allegations of fraud, or suspected fraud, affecting the entity's financial statements communicated by employees, former employees, vendors, regulators, or others.

- We have disclosed to you all known litigation, claims, and assessments whose effects should be considered when preparing the financial statements.

- We have disclosed to you the identity of the entity's related parties and all the related party relationships and transactions of which we are aware.

- There have been no communications from regulatory agencies concerning noncompliance with or deficiencies in accounting, internal control, or financial reporting practices.

- The County has no plans or intentions that may materially affect the carrying value or classification of assets and liabilities.

- We have disclosed to you all guarantees, whether written or oral, under which the County is contingently liable.

- We have disclosed to you all nonexchange financial guarantees, under which we are obligated and have declared liabilities and disclosed properly in accordance with GASB Statement No. 70, *Accounting and Financial Reporting for Nonexchange Financial Guarantees*, for those guarantees where it is more likely than not that the entity will make a payment on any guarantee.

- For nonexchange financial guarantees where we have declared liabilities, the amount of the liability recognized is the discounted present value of the best estimate of the future outflows expected to be incurred as a result of the guarantee. Where there was no best estimate but a range of estimated future outflows has been established, we have recognized the minimum amount within the range.

- We have disclosed to you all significant estimates and material concentrations known to management that are required to be disclosed in accordance with GASB Statement No. 62 (GASB-62), *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements*. Significant estimates are estimates at the balance sheet date that could change materially within the next year. Concentrations refer to volumes of business, revenues, available sources of supply, or markets or geographic areas for which events could occur that would significantly disrupt normal finances within the next year.

- We have identified and disclosed to you the laws, regulations, and provisions of contracts and grant agreements that could have a direct and material effect on financial statement amounts, including legal and contractual provisions for reporting specific activities in separate funds.

- There are no:
  - Violations or possible violations of laws or regulations, or provisions of contracts or grant agreements whose effects should be considered for disclosure in the financial statements or as a basis for recording a loss contingency, including applicable budget laws and regulations.
  - Unasserted claims or assessments that our lawyer has advised are probable of assertion and must be disclosed in accordance with GASB-62.
  - Other liabilities or gain or loss contingencies that are required to be accrued or disclosed by GASB-62.
  - Continuing disclosure consent decree agreements or filings with the Securities and Exchange Commission and we have filed updates on a timely basis in accordance with the agreements (Rule 240, 15c2-12).
- The County has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset or future revenue been pledged as collateral, except as disclosed to you.
- We have complied with all aspects of grant agreements and other contractual agreements that would have a material effect on the financial statements in the event of noncompliance.
- We have not completed the process of evaluating the effect that will result from adopting the guidance in GASB Statements No. 75, *Accounting and Financial Reporting for Postemployment Benefit Plans Other Than Pensions*; No. 85, *Omnibus 2017*; and No. 86, *Certain Debt Extinguishment Issues*, effective for the year ending December 31, 2018, No. 83, *Certain Asset Retirement Obligations*; No. 84, *Fiduciary Activities*; No. 88, *Certain Disclosures Related to Debt, including Direct Borrowings and Direct Placements*, and No. 90, *Majority Equity Interests—an amendment of GASB Statements No. 14 and No. 61*, effective for the year ending December 31, 2019, and No. 87, *Leases*; and No. 89, *Accounting for Interest Costs Incurred before the End of a Construction Period*, effective for the year ending December 31, 2020. The County is, therefore, unable to disclose the impact that adopting GASB Statements No. 75, 83, 84, 85, 86, 87, 88, 89 and 90 will have on its financial position and results of operations when such statements are adopted.

Supplementary Information in Relation to the Financial Statements as a Whole

With respect to the supplementary information accompanying the financial statements:

- We acknowledge our responsibility for the presentation of the supplementary information in accordance with U.S. GAAP.
- We believe that the supplementary information, including its form and content, is fairly presented in accordance with accounting principles generally accepted in the United States of America.
- The methods of measurement or presentation have not changed from those used in the prior period and the basis for our assumptions and interpretations, underlying those measurements or presentations, are reasonable and appropriate in the circumstances.
- We acknowledge our responsibility to include the auditor's report on the supplementary information in any document containing the supplementary information and that indicates the auditor reported on such supplementary information.

- We acknowledge our responsibility to present the supplementary information with the audited financial statements or, if the supplementary information will not be presented with the audited financial statements, to make the audited financial statements readily available to the intended users of the supplementary information no later than the date of issuance by the entity of the supplementary information and the auditor's report thereon.

Required Supplementary Information

With respect to the required supplementary information accompanying the financial statements including Management's Discussion and Analysis:

- We acknowledge our responsibility for the presentation of the required supplementary information in accordance with U.S. GAAP.

- We believe the required supplementary information, including its form and content, is measured and fairly presented in accordance with accounting principles generally accepted in the United States of America.

- The methods of measurement or presentation have not changed from those used in the prior period and the basis for our assumptions and interpretations, underlying those measurements or presentations, are reasonable and appropriate in the circumstances.

Single Audit

With respect to federal awards, we represent the following to you:

- We are responsible for understanding and complying with, and have complied with, the audit requirements of Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* ("Uniform Guidance").

- We are responsible for the preparation and presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance.

- We believe the schedule of expenditures of federal awards, including its form and content, is fairly presented in accordance with the Uniform Guidance.

- The methods of measurement or presentation have not changed from those used in the prior period.

- We are responsible for including the auditor's report on the schedule of expenditures of federal awards in any document that contains the schedule and that indicates that the auditor has reported on such information.

- We have identified and disclosed all of our government programs and related activities subject to the Uniform Guidance compliance audit.

- We have notified you if we have elected to delay implementation the procurement sections (317 to 326) of the Uniform Guidance as allowed for two fiscal years after the effective date of the Uniform Guidance. We understand that sections 317 to 326 are allowed to be delayed until fiscal years beginning on or after December 26, 2017 (if electing to delay).

- When the schedule of expenditures of federal awards is not presented with the audited financial statements, we will make the audited financial statements readily available to the intended users of the schedule of expenditures of federal awards no later than the date of issuance by the entity of the schedule of expenditures of federal awards and the auditor's report thereon.

- We have, in accordance with the Uniform Guidance, identified in the schedule of expenditures of federal awards, expenditures made during the audit period for all awards provided by federal agencies in the form of grants, federal cost-reimbursement contracts, loans, loan guarantees, property (including donated surplus property), cooperative agreements, interest subsidies, food commodities, direct appropriations, and other assistance.

- We are responsible for understanding and complying with the requirements of federal statutes, regulations, and the terms and conditions of federal awards related to each of our federal programs and have identified and disclosed to you the federal statutes, regulations, and the terms and conditions of federal awards that are considered to have a direct and material effect on each major federal program; and we have complied with these direct and material compliance requirements.

- We have provided to you our interpretations of any compliance requirements that have varying interpretations.

- We have made available to you all federal awards (including amendments, if any) and any other correspondence relevant to federal programs and related activities that have taken place with federal agencies or pass-through entities.

- We have received no requests from a federal agency to audit one or more specific programs as a major program.

- We are responsible for establishing and maintaining, and have established and maintained, effective internal control over compliance for federal programs that provide reasonable assurance that we are managing our federal awards in compliance with federal statutes, regulations, and the terms and conditions of the federal award that could have a material effect on our federal programs. Also, no changes have been made in the internal control over compliance or other factors that might significantly affect internal control, including any corrective action taken by management with regard to significant deficiencies and material weaknesses in internal control over compliance, have occurred subsequent to the period covered by the auditor's report.

- We have identified and disclosed to you all amounts questioned and any known noncompliance with the requirements of federal awards, including the results of other audits or program reviews. We also know of no instances of noncompliance occurring subsequent to the period covered by the auditor's report.

- We have disclosed to you any communications from federal awarding agencies and pass-through entities concerning possible noncompliance with the direct and material compliance requirements, including communications received from the end of the period covered by the compliance audit to the date of the auditor's report.

- We have charged costs to federal awards in accordance with applicable cost principles, including amounts claimed or used for matching determined in accordance with relevant guidelines in the Uniform Guidance.

- We have made available to you all documentation related to compliance with the direct and material compliance requirements, including information related to federal program financial reports and claims for advances and reimbursements.

- Federal program financial reports and claims for advances and reimbursements are supported by the books and records from which the basic financial statements have been prepared (and are prepared on a basis consistent with the schedule of expenditures of federal awards).

- The copies of federal program financial reports provided to you are true copies of the reports submitted, or electronically transmitted, to the respective federal agency or pass-through entity, as applicable.

- We have monitored subrecipients, as necessary, to determine if they have expended subawards in compliance with federal statutes, regulations, and the terms and conditions of the subaward and have met the other pass-through entity requirements of the Uniform Guidance.

- We have issued management decisions for audit findings that relate to federal awards we make to subrecipients and such management decisions are issued within six months of acceptance of the audit report by the Federal Audit Clearinghouse ("FAC"). Additionally, we have followed-up ensuring that the subrecipients have taken the appropriate and timely actions on all deficiencies detected through audits, on-site reviews, and other means that pertain to the federal award provided to the subrecipient from the pass-through entity.

- We have considered the results of subrecipients' audits and have made any necessary adjustments to our own books and records.

- We have properly classified amounts claimed or used for matching in accordance with related guidelines in the Uniform Guidance, as applicable.

- We have charged costs to federal awards in accordance with applicable cost principles.

- We are responsible for and have accurately prepared the summary schedule of prior audit findings to include all findings required to be included by the Uniform Guidance, and we have provided you with all information on the status of the follow-up on prior audit findings by federal awarding agencies and pass-through entities, including all management decisions.

- We have disclosed to you the findings received and related corrective actions taken for previous audits, attestation engagements, and internal or external monitoring that directly relate to the objectives of the compliance audit, including findings received and corrective actions taken from the end of the period covered by the compliance audit to the date of the auditor's report.

- The reporting package does not contain personally identifiable information.

- We are responsible for and have accurately completed the appropriate sections of the Data Collection Form as required by the Uniform Guidance, and we are responsible for preparing and implementing a corrective action plan for any audit finding.

- We have disclosed all contracts or other agreements with service organizations and disclosed to you all communications from these service organizations relating to noncompliance at the organizations.

- We have reviewed, approved, and taken responsibility for the financial statements and related notes and an acknowledgment of the auditor's role in the preparation of this information.

- We have disclosed to you the nature of any subsequent events that provide additional evidence with respect to conditions that existed at the end of the reporting period that affect noncompliance during the reporting period.

- We have a reconciliation of the Schedule of Expenditures of Federal Awards to the County's basic financial statements.

Draft Part 43 of NYCRR

With respect to New York Department of Transportation awards, we represent the following to you:

- The Schedule of Expenditures of New York Department of Transportation Assistance was prepared in accordance with the requirements of Draft part 43 of the "New York State Codification of Rules and Regulations."

- Compliance with the laws, regulations, contracts, and grant agreements applicable to the County for state transportation assistance programs.

- Establishing and maintaining effective internal control over financial reporting and reporting on state transportation assistance.

- Identifying and disclosing to the auditor all laws, regulations, contracts, and grant agreements that could have any direct and material effect on the preparation of financial statements or the audits required under these regulations.

- Identifying and disclosing to the auditor any and all known instances of material noncompliance, violations or possible agreements whose effects should be considered for disclosure in the financial statements or the audit documents required under these regulations or as a basis for recording a loss contingency claim.

Other Specific Representations

- The County is responsible for determining and maintaining the adequacy of the allowance for doubtful notes, loans, interfund receivables, and accounts receivable, as well as estimates used to determine such amounts. Management believes the allowances are adequate to absorb currently estimated bad debts in the account balances.

- We have no intention of withdrawing from multi-employer pension plans, or taking any other action that could result in an effective termination or reportable events for any of the plans. We are not aware of any occurrences that could result in the termination of any of our multi-employer pension plans to which we contribute.

- We are unable to determine the possibility of a withdrawal liability in a multi-employer benefit plan.

- The County's labor agreements provide for sick leave, vacations, and miscellaneous other paid absences. The County's policy is to pay employees for unused vacation, compensatory time, and sick time based on the union agreements when there is separation from service. For governmental activities, the amount is accrued in the government-wide statement of net position as long-term liabilities. For business-type activities, the full liability is recognized in both the governmental-wide statement of net position and the proprietary fund financial statements. Estimated sick leave and compensatory time accumulated by governmental fund type employees has been recorded. Payment of sick leave and compensatory time is dependent upon many factors; therefore, timing of future payments is not readily determinable. Management believes that sufficient resources will be made available for the payments of sick leave and compensatory time when such payments become due.

- We agree with the work of specialists in evaluating the liabilities for workers' compensation, judgments and claims, other postemployment benefits obligation and the net pension liability, and have adequately considered the qualifications of the specialists in determining amounts and disclosures used in the financial statements and underlying accounting records. We did not give or cause any instructions to be given to specialists with respect to value or amounts derived in an attempt to bias their work, and we are not aware of any matters that have impacted the independence or objectivity of the specialists. We believe that the actuarial assumptions and methods used to measure the net pension and other postemployment benefits liabilities and costs for financial accounting purposes are appropriate in the circumstances.

- We have provided to you our views on reported audit findings, conclusions, and recommendations, as well as planned corrective actions.

- The County considers encumbrances to be significant for amounts that are encumbered in excess of $1,000,000.

- We have received and approved the adjusting journal entries that were proposed by you for recording in our books and records and reflected in the financial statements. We have posted those adjusting journal entries to our records. The proposed adjusting journal entries are presented in Exhibit I.

- During the year ended December 31, 2017, the County implemented GASB Statement No. 80, *Blending Requirements for Certain Component Units – an amendment of GASB Statement No. 14.* Statement No. 80 requires a component unit to be included in the financial statements of a reporting entity using the blending method if the component unit is organized as a not-for profit corporation in which the primary government is the sole corporate member. GASB Statement No. 80 included the Dutchess County Local Development Corporation ("LDC") as a business-type activity blended component unit. As a result, beginning net position of business-type activities has been restated to include the Dutchess County LDC net position $2,698,990.

- The County reports nonspendable, restricted, committed, assigned and unassigned fund balances. The County had nonspendable balances of $4,719,534, restricted balances of $25,695,612, no committed balances, assigned balances of $21,060,760, and unassigned balances of $55,387,539 within its governmental funds as of December 31, 2017.

- In addition to audit services, based on information in the County's trial balance, Drescher & Malecki LLP has assisted the County in preparing the County's financial statements for the year ended December 31, 2017. In conjunction with the preparation of the financial statements, the County has performed the following functions:

    - Made all management decisions and performed all management functions.

    - Designated Heidi Seelbach, Commissioner of Finance, who we believe has suitable skill, knowledge, and/or experience who has overseen this service.

    - Evaluate the adequacy of the services performed.

    - Evaluated and accepted responsibility for the results of the services performed.

    - Established and maintained internal controls, including monitoring ongoing activities.

- County management understands that Drescher & Malecki, LLP has not performed any management functions or made management decisions on behalf of the County. Any nonattest services were performed in accordance with the applicable professional standards issued by the American Institute of Certified Public Accountants.

Caroline Blackburn, Chief Assistant County Attorney

Robin L. Lois, County Comptroller

Heidi Seelbach, Commissioner of Finance

EXHIBIT I

County of Dutchess, New York
Proposed Adjusting Journal Entries
For the Year Ended December 31, 2017

Account	Description	Debit	Credit
Adjusting Journal Entries JE # 1			
To restate Airport Fund net position for entries made during the year.			
EA.909	Fund Balance - unreserved	$ 10,585	
EA.909	Fund Balance - unreserved	639,506	
EA.56103	Reconstruction		$ 150
EA.56104	Contractual		639,356
EA.625	Bond Interest Payable Airport		10,585
Total		**650,091**	**650,091**
Adjusting Journal Entries JE # 2			
To restate Transportation Fund net position for entries made during the year.			
ET.50004	Contractual	11,184	
ET.56804	Contractual	44,733	
ET.696	A/P Voids to be distributed	44,735	
ET.909	Fund Balance - unreserved	6,694	
ET.909	Fund Balance - unreserved	7,973	
ET.909	Fund Balance - unreserved	55,919	
ET.909	Fund Balance - unreserved	4,212,213	
ETK.5710	Serial Bonds	100,000	
ET.522	Expenditures		55,919
ET.56802	Equipment		6,694
ET.56802	Equipment		4,147,308
ET.56803	Capital Outlay		978
ET.56804	Contractual		63,927
ET.601	Accrued Liability		7,973
ET.909	Fund Balance - unreserved		100,000
ET.909	Fund Balance - unreserved		100,652
Total		**4,483,451**	**4,483,451**
Adjusting Journal Entries JE # 3			
To restate governmental funds' fund balance for entries made during the incorrect year.			
CD.909	Fund Balance - unreserved	192,165	
H.16204	Contractual	5,984	
CD.86682	Equipment		1,402
CD.86764	Contractual		2,425
CD.86864	Contractual		121,753
CD.86924	Contractual		66,585
H.909	Fund Balance - unreserved		5,984
Total		**198,149**	**198,149**

EXHIBIT I

Account	Description	Debit	Credit
Adjusting Journal Entries JE # 4			
For reporting purposes only: To eliminate transfers and loans between the General Fund and the Self Insurance Fund.			
A.5031	Interfund Transfers	307,500	
S.5031	Interfund Transfers	370,000	
S.630	Due to Other Funds	70	
A.391	Due From Other Funds		70
A.9901	General Fund Interfund Transfer		370,000
S.9901	General Fund Interfund Transfer		307,500
Total		677,570	677,570
Adjusting Journal Entries JE # 5			
To adjust accrued serial bond interest within the enterprise funds.			
EA.625	Bond Interest Payable Airport	3,506	
ET.601	Accrued Liability	2,462	
EA.56107	Interest		3,506
ET.56807	Interest		2,462
Total		5,968	5,968
Adjusting Journal Entries JE # 6			
For reporting purpose only: To remove interfund activity.			
A.5031	Interfund Transfers	250,000	
EA.5050	Interfund Trans for Debt Svce	190,624	
A.9901	General Fund Interfund Transfer		250,000
EA.9901	Interfund Transfer		190,624
Total		440,624	440,624
Adjusting Journal Entries JE # 7			
For reporting purposes only: To record Water and Wastewater Authority annual tax levy.			
A.8790	Division of Water Resources	3,245,784	
A.1030	Special Assessment Tax		3,245,784
Total		3,245,784	3,245,784
Adjusting Journal Entries JE # 8			
To adjust for GASB 68 measurements at 12/31/2017.			
EA.90108	Retirement	30	
ET.496	Deferred Outflows of Resources, Pensions	7	
EA.496	Deferred Outflows of Resources, Pensions	31	
EA.638	Net Pension Liability		52
EA.697	Deferred Inflows of Resources, Pensions		9
ET.638	Net Pension Liability		12
ET.697	Deferred Inflows of Resources, Pensions		2
ET.90108	Retirement	7	
Total		$ 75	$ 75

COUNTY OF DUTCHESS, NEW YORK

Basic Financial Statements, Required Supplementary Information and Federal Awards Information for the Year Ended December 31, 2017 and Independent Auditors' Reports

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Drescher & Malecki

Certified Public Accountants

INDEPENDENT AUDITORS' REPORT

Honorable County Executive and County Legislature
County of Dutchess, New York:

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the business-type activities, the major discretely presented component units, the aggregate nonmajor discretely presented component units, each major fund, and the aggregate remaining fund information of the County of Dutchess, New York (the "County"), as of and for the year ended December 31, 2017 (with the Dutchess Community College for the fiscal year ended August 31, 2017), and the related notes to the financial statements, which collectively comprise the County's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

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

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We did not audit the financial statements of the Dutchess County Local Development Corporation, which represents 8.1 percent of the assets and 8.8 percent of the revenues of the business-type activities. We did not audit the financial statements of the Dutchess Community College, the Dutchess County Resource Recovery Agency, or the Dutchess County Water and Wastewater Authority, which represent 54.8 percent, 11.8 percent, and 33.4 percent, respectively, of the assets, and 77.2 percent, 13.8 percent, and 9.0 percent, respectively, of the revenues of the major discretely presented component units. We did not audit the financial statements of the Dutchess County Industrial Development Agency, which is aggregated and presented as a nonmajor component unit, and represents 93.1 percent of the assets and 88.1 percent of the revenues of the aggregate nonmajor discretely presented component units. Those financial statements were audited by other auditors whose reports thereon have been furnished to us, and our opinion, insofar as it relates to the amounts included for those aggregate discretely presented component units, is based solely on the reports of the other auditors. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

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

the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our (1) unmodified audit opinion on the governmental activities, the business-type activities, the major discretely presented component units, each major fund and aggregate remaining fund information; and (2) qualified audit opinion on the aggregate nonmajor discretely presented component units.

Basis for Qualified Opinion on the Aggregate Nonmajor Discretely Presented Component Units

The financial statements of the Dutchess County Soil and Water Conservation District have not been audited, and we were not engaged to audit the Dutchess County Soil and Water Conservation District's financial statements as part of our audit of the County's basic financial statements. The Dutchess County Soil and Water Conservation District's financial activities are included in the County's basic financial statements as a discretely presented component unit and represent 6.9 percent and 11.9 percent of the assets and revenues, respectively, of the County's aggregate nonmajor discretely presented component units.

Qualified Opinion on the Aggregate Nonmajor Discretely Presented Component Units

In our opinion, based on the reports of other auditors, except for the effects of the matter described in the Basis for Qualified Opinion on the Aggregate Nonmajor Discretely Presented Component Units paragraph, the financial statements referred to above present fairly, in all material respects, the financial position of the aggregate discretely presented component units for the County, as of December 31, 2017, and the changes in financial position thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Unmodified Opinions on the Governmental Activities, Business-type Activities, Major Discretely Presented Component Units, Each Major Fund and Aggregate Remaining Fund Information

In our opinion, based on our audit and the reports of the other auditors, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the major discretely presented component units, each major fund, and the aggregate remaining fund information of the County, as of December 31, 2017, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Emphasis of Matter

As discussed in Note 2 to the financial statements, during the year ended December 31, 2017 the County implemented Governmental Accounting Standards Board ("GASB") Statement No. 80, *Blending Requirements for Certain Component Units—and amendment of GASB Statement No. 14.* Our opinion is not modified with respect to this matter.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis and other Required Supplementary Information, as listed in the table of contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary

information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the County's basic financial statements. The Schedule of Expenditures of Federal Awards, as required by the audit requirements of Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* ("Uniform Guidance"), is presented for purposes of additional analysis and is not a required part of the basic financial statements.

The Schedule of Expenditures of Federal Awards is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the Schedule of Expenditures of Federal Awards is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated September 20, 2018 on our consideration of the County's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the County's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the County's internal control over financial reporting and compliance.

Brown & Malachi LLP

September 20, 2018

As management of the County of Dutchess, New York (the "County"), we offer readers of the County's financial statements this narrative overview and analysis of the County's financial activities for the fiscal year ended December 31, 2017. The information provided here should be read in conjunction with additional information that we have furnished in the County's financial statements and notes to the financial statements, which follow this narrative. For comparative purposes, certain items from the prior year have been reclassified to conform with the current year presentation.

Financial Highlights

- The liabilities and deferred inflows of resources of the County's primary government exceeded its assets and deferred outflows of resources at December 31, 2017 by $38,845,959. This consists of $97,753,063 net investment in capital assets, $24,556,841 restricted for specific purposes, offset by an unrestricted net position of $(161,155,863).
- The County's primary government net position decreased $24,677,798 during the year ended December 31, 2017. Governmental activities decreased the County's net position by $24,137,247, and the net position of business-type activities decreased by $540,551.
- As of December 31, 2017, the County's governmental funds reported combined ending fund balances of $106,863,445, a decrease of $16,000,027 in comparison with the prior year. This decrease was primarily due to the County deferring the issuance of bonds to finance capital outlays in 2017. As a result, for 2017, capital outlays significantly exceeded bond proceeds for the year.
- At the end of the current fiscal year, *unassigned fund balance* for the General Fund was $55,387,539, or 12.5 percent of total General Fund expenditures and transfers out. This total amount is available for spending at the County's discretion and constitutes approximately 58.8 percent of the General Fund's total fund balance of $94,189,819 at December 31, 2017.
- The County's governmental activities' serial bonds, excluding it's blended component unit's serial bonds, decreased by $9,448,434 during the current year as a result of a serial bond issuance of $4,900,000 and scheduled principal payments of $14,348,434. The serial bonds mature in 2037 and carry an interest rate ranging from 2.0 percent to 3.0 percent.

Overview of the Financial Statements

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

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

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

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

Both of the government-wide financial statements distinguish functions of the County that are primarily supported by taxes and intergovernmental revenues (*governmental activities)* from other functions that are intended to recover all, or a significant portion, of their costs through user fees and charges (*business-type activities)*. The governmental activities of the County include general government support, education, public safety, health, transportation, economic assistance and opportunity, culture and recreation, and home and community services. The business-type activities of the County include the Airport and Transportation enterprise funds, along with the Dutchess County Local Development Corporation blended component unit.

The government-wide financial statements include not only the County and its blended component units (known as the *primary government)*, but also the Dutchess Community College, the Dutchess County Resource Recovery Agency, the Dutchess County Water and Wastewater Authority, the Dutchess County Industrial Development Agency and the Dutchess County Soil and Water Conservation District discretely presented component units, for which the County is financially accountable. Financial information for the component units is reported separately from the financial information presented for the primary government itself.

The government-wide financial statements can be found on pages 16-17 of this report.

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

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

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

The County maintains six individual governmental funds. Information is presented separately in the governmental fund balance sheet and in the governmental fund statement of revenues, expenditures, and changes in fund balances for the General Fund, the Capital Projects Fund, and the Dutchess Tobacco Asset Securitization Corporation ("DTASC"), which are considered to be major funds. Data

from the other three governmental funds, which include the County Road Fund, Road Machinery Fund and Community Development Fund, are combined into a single, aggregated presentation.

The basic governmental fund financial statements can be found on pages 18-21 of this report.

Proprietary funds—The County maintains two enterprise funds. *Enterprise funds* are used to report the same functions presented as *business-type activities* in the government-wide financial statements. The County uses enterprise funds to account for its Airport operations and Transportation operations. Additionally, the Dutchess County Local Development Corporation is reported as a blended component unit.

Proprietary funds provide the same type of information as the government-wide financial statements, only in more detail. The proprietary fund financial statements provide separate information for the Airport and Transportation, both of which are considered to be major funds, and the Dutchess County Local Development Corporation.

The basic proprietary fund financial statements can be found on pages 22-25 of this report.

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

The County maintains two different types of fiduciary funds. The Private Purpose Trust Fund is used to account for trust arrangements for which cemetery plots are maintained. The Agency Fund reports resources held by the County in a custodial capacity for individuals, private organizations and other governments.

The fiduciary fund financial statements can be found on pages 26-27 of this report.

Major discretely presented component units—The combining statements of major discretely presented component units present the major component units in separate columns.

The combining statements of major discretely presented component units can be found on pages 28-29 of this report.

Notes to the financial statements—The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements can be found on pages 30-89 of this report.

Other information—In addition to the basic financial statements and accompanying notes, this report also presents *required supplementary information* concerning the County's progress in funding its obligation to provide postemployment benefits to its employees, the County's net pension liability, and the County's budgetary comparison for the General Fund. Required Supplementary Information and a related note to the Required Supplementary Information can be found on pages 90-98 of this report.

The Federal Awards Information section presents the County's Schedule of Expenditures of Federal Awards. This section can be found on pages 99-109 of this report.

Government-wide Financial Analysis

As noted earlier, net position over time may serve as a useful indicator of a government's financial position. In the case of the County's primary government, liabilities and deferred inflows of resources exceeded assets and deferred outflows of resources by $(38,845,959) at the close of the most recent fiscal year, as compared to a net position of $(14,168,161), as restated, at the close of the fiscal year ended December 31, 2016. This deficit is the result of having long-term commitments including bonds, compensated absences, OPEB obligation and net pension liability, that are greater than currently available resources. Payments will be budgeted in the year actual payment will be made.

Table 1—Condensed Statements of Net Position—Primary Government

	Governmental activities		Business-type activities		Total Primary Government	
	December 31,		December 31,		December 31,	
	2017	2016	2017	2016 (as restated)	2017	2016 (as restated)
Current assets	$ 232,786,011	$ 251,747,744	$ 8,649,230	$ 9,809,385	$ 241,435,241	$ 261,557,129
Noncurrent assets	212,964,091	201,610,100	28,263,169	28,010,397	241,227,260	229,620,497
Total assets	445,750,102	453,357,844	36,912,399	37,819,782	482,662,501	491,177,626
Deferred outflows of resources	40,499,993	74,524,969	181,338	353,519	40,681,331	74,878,488
Current liabilities	89,966,702	94,281,425	765,440	839,303	90,732,142	95,120,728
Noncurrent liabilities	446,455,869	457,924,598	3,976,837	4,433,222	450,432,706	462,357,820
Total liabilities	536,422,571	552,206,023	4,742,277	5,272,525	541,164,848	557,478,548
Deferred inflows of resources	20,988,900	22,700,919	36,043	44,808	21,024,943	22,745,727
Net position:						
Net investment in capital assets	71,721,676	58,601,857	26,031,387	25,343,331	97,753,063	83,945,188
Restricted	24,556,841	28,479,757	-	-	24,556,841	28,479,757
Unrestricted	(167,439,893)	(134,105,743)	6,284,030	7,512,637	(161,155,863)	(126,593,106)
Total net position	$ (71,161,376)	$ (47,024,129)	$ 32,315,417	$ 32,855,968	$ (38,845,959)	$ (14,168,161)

The largest portion of the County's primary government net position, $97,753,063, reflects its net investment in capital assets (such as land, buildings, machinery, equipment, and infrastructure), less any related outstanding debt that was used to acquire these assets. The County uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the County's investment in capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

An additional portion of net position, $24,556,841, represents resources that are subject to external restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments and restrictions imposed by law through constitutional provisions or enabling legislation. The remaining portion of net position, $(161,155,863) is considered to be unrestricted.

Table 2, as presented on the following page, shows the changes in net position for the years ended December 31, 2017 and December 31, 2016.

Table 2—Condensed Statement of Changes in Net Position—Primary Government

	Governmental activities		Business-type activities		Total Primary Government	
	Year Ended December 31,		Year Ended December 31,		Year Ended December 31,	
	2017	2016	2017	2016 (as restated)	2017	2016 (as restated)
Revenues:						
Program revenues	$155,938,567	$156,688,318	$ 12,782,990	$ 11,424,059	$168,721,557	$168,112,377
General revenues	310,101,377	305,914,511	411,649	220,930	310,513,026	306,135,441
Total revenues	466,039,944	462,602,829	13,194,639	11,644,989	479,234,583	474,247,818
Total program expenses	488,761,544	466,439,454	15,150,837	12,483,905	503,912,381	478,923,359
Transfers and special items	(1,415,647)	997,126	1,415,647	3,873,328	-	4,870,454
Change in net position	(24,137,247)	(2,839,499)	(540,551)	3,034,412	(24,677,798)	194,913
Net position—beginning, as restated	(47,024,129)	(44,184,630)	32,855,968	27,122,566	(14,168,161)	(17,062,064)
Restatement	-	-	-	2,698,990	-	2,698,990
Net position—ending	$(71,161,376)	$(47,024,129)	$ 32,315,417	$ 32,855,968	$(38,845,959)	$(14,168,161)

Governmental activities—Governmental activities decreased the County's net position by $24,137,247, primarily due to an increase in the estimate for the County's other postemployment benefits obligation, as well as an increase in allocable employee benefits expenses.

A summary of sources of revenues for governmental activities for the years ended December 31, 2017 and 2016 is presented below.

Table 3—Summary of Sources of Revenues—Governmental Activities

	Year Ended December 31,		Increase/(Decrease)	
	2017	2016	Dollars	Percent (%)
Charges for services	$ 27,086,471	$ 28,296,426	$ (1,209,955)	(4.3)
Operating grants and contributions	119,896,780	119,788,542	108,238	0.1
Capital grants and contributions	8,955,316	8,603,350	351,966	4.1
Property taxes and tax items	117,564,117	118,173,556	(609,439)	(0.5)
Non-property taxes	188,319,641	183,746,151	4,573,490	2.5
Tobacco settlement revenues	2,950,058	3,649,857	(699,799)	(19.2)
Other	1,267,561	344,947	922,614	267.5
Total revenues	$ 466,039,944	$ 462,602,829	$ 3,437,115	0.7

The most significant source of revenues is non-property taxes, which accounts for $188,319,641, or 40.4 percent of total governmental activities revenues for the year ended December 31, 2017, and $183,746,151, or 39.7 percent of total governmental activities revenues for the year ended December 31, 2016. The next largest source of revenues is operating grants and contributions, which comprises $119,896,780, or 25.7 percent, and $119,788,542, or 25.9 percent of total governmental activities revenues for the years ended December 31, 2017 and 2016, respectively. The third largest source of revenues is property taxes and tax items, which comprises $117,564,117, or 25.2 percent, and $118,173,556, or 25.5 percent of total governmental activities revenues for the years ended December 31, 2017 and 2016, respectively.

During the year ended December 31, 2017, non-property taxes increased $4,573,490 due to better sales tax collections.

A summary of program expenses of governmental activities for the years ended December 31, 2017 and 2016 is presented below in Table 4.

Table 4—Summary of Program Expenses—Governmental Activities

	Year Ended December 31,		Increase/(Decrease)	
	2017	2016	Dollars	Percent (%)
General government support	$ 95,009,158	$ 91,450,612	$ 3,558,546	3.9
Education	16,460,944	14,895,858	1,565,086	10.5
Public safety	96,843,674	89,940,519	6,903,155	7.7
Health	67,282,956	61,151,275	6,131,681	10.0
Transportation	25,620,076	24,843,892	776,184	3.1
Economic assistance and opportunity	162,163,516	154,617,185	7,546,331	4.9
Culture and recreation	5,011,892	4,830,521	181,371	3.8
Home and community services	13,958,504	15,713,741	(1,755,237)	(11.2)
Interest and other fiscal charges	6,410,824	8,995,851	(2,585,027)	(28.7)
Total program expenses	$ 488,761,544	$ 466,439,454	$ 22,322,090	4.8

The County's most significant expense items for governmental activities were economic assistance and opportunity of $162,163,516, or 33.2 percent of total governmental activities expenses, public safety of $96,843,674, or 19.8 percent of total governmental activities expenses, and general government support of $95,009,158, or 19.4 percent of total governmental activities expenses for the year ended December 31, 2017. For the year ended December 31, 2016 significant expense items were economic assistance and opportunity of $154,617,185, or 33.1 percent of total governmental activities expenses, general government support of $91,450,612, or 19.6 percent of total governmental activities expenses, and public safety of $89,940,519, or 19.3 percent of total governmental activities expenses.

During the year ended December 31, 2017, expenses increased considerably across all programs mainly due to increased allocable employee benefits expenses attributable to the County's other postemployment benefits obligation and workers' compensation liabilities.

Business-type activities—Business-type activities decreased the County's net position by $540,551. The County's airport operations accounted for a $804,259 decrease, while the transportation and Local Development Corporation activities increased net position by $59,009 and $204,699, respectively. For the year ended December 31, 2017, operating revenues decreased 0.4 percent, while expenses increased 12.6 percent.

A summary of operating revenues and operating expenses for the County's business-type activities for the years ended December 31, 2017 and 2016 is presented on the following page.

Table 5—Summary of Operating Revenues and Expenses—Business-type Activities

	Year Ended December 31,		Increase/(Decrease)	
	2017	2016	Dollar	Percent (%)
Operating revenues:				
Charges for services	$ 3,304,745	$ 4,415,624	$ (1,110,879)	(25.2)
Operating grants and revenues	5,220,946	4,303,406	917,540	21.3
Other revenue	231,047	71,296	159,751	224.1
Total operating revenues	$ 8,756,738	$ 8,790,326	$ (33,588)	(0.4)
Operating expenses:				
Personal services and employee benefits	$ 1,378,932	$ 1,369,191	$ 9,741	0.7
Depreciation	4,500,246	3,862,630	637,616	16.5
Contracted services	9,177,421	8,134,546	1,042,875	12.8
Total operating expenses	$ 15,056,599	$ 13,366,367	$ 1,690,232	12.6

The County's business-type activities operating revenues for the year ended December 31, 2017 decreased 0.4 percent from the previous year, resulting primarily from a reduction of closing fees within the Local Development Corporation, offset by increased operating grants from state and federal transportation grants.

Additionally, the most significant expense items for the year ended December 31, 2017 were contracted services, which accounted for $9,177,421, or 61.0 percent of total expenses, and depreciation expense of $4,500,246, or 29.9 percent of total expenses. Similarly, for the year ended December 31, 2016, the most significant expense items were contracted services, which accounted for $8,134,546, or 60.9 percent of total expenses, and depreciation expense of $3,862,630, or 28.9 percent of total expenses. Operating expenses increased 12.7% from the year ended December 31, 2016 due primarily to increases in transportation expenses related to matching grant activity.

Financial Analysis of the Governmental Funds

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

Governmental funds—The focus of the County's *governmental funds* is to provide information on *spendable* resources. Such information is useful in assessing the County's financing requirements. In particular, *unassigned fund balance* and *fund balance assigned to specific use* in special revenue funds may serve as a useful measure of a government's net resources available for discretionary use, as they represent the portion of fund balance which has not yet been limited to use for a particular purpose by either an external party, the County itself, or a group or individual that has been delegated authority to assign resources for particular purposes by the County Legislature.

At December 31, 2017, the County's governmental funds reported combined ending fund balances of $106,863,445, a decrease of $16,000,027 in comparison with the prior year. The County had fund balances of $57,576,853, which constitutes *unassigned fund balance* and *assigned to specific use* in special revenue funds, which is available for spending at the County's discretion or amounts within special revenue funds that are not restricted or committed. The remainder of fund balance is either *nonspendable, restricted,* or *assigned* to indicate that it is: (1) not in spendable form, $4,719,534; (2) restricted for particular purposes, $25,695,612; or (3) assigned for particular purposes, $18,871,446.

The General Fund is the chief operating fund of the County. At the end of the current fiscal year, *unassigned fund balance* of the General Fund was $55,387,539, while total fund balance was $94,189,819. The General Fund fund balance decreased $4,183,298 from the prior year. As a measure of the General Fund's liquidity, it may be useful to compare both unassigned fund balance and total fund balance to total expenditures and transfers out. Unassigned fund balance represents 12.5 percent of General Fund expenditures and transfers out, while total fund balance represents 21.3 percent of that same amount.

The fund balance in the Capital Projects Fund decreased $12,557,533 from the prior year, resulting in fund balance of $4,432,914 as of December 31, 2017. The increased capital outlay utilizing the public improvement serial bonds issued in prior years attributed to this decrease.

At December 31, 2017, the DTASC Fund reported restricted fund balance of $3,327,805 to be used for upcoming payments of principal and interest; and the remaining fund balance, $52,857, constitutes assigned fund balance, which is available for spending towards DTASC activities.

Proprietary funds—The County's proprietary funds provide the same type of information found in business-type activities of the governmental-wide financial statements, but in more detail.

Net position of the Airport Fund at December 31, 2017 totaled $14,451,081, which included $13,526,678 net investment in capital assets and an unrestricted net position of $924,403. The Airport Fund net position decreased $804,259 during the year ended December 31, 2017 as a result of decreased County contributions.

Net position of the Transportation Fund at December 31, 2017 totaled $14,960,647, which included $12,437,162 net investment in capital assets and unrestricted net position of $2,523,485. The Transportation Fund net position increased $59,009 as a result of revenues slightly exceeding costs of operation.

Net position of the Dutchess County Local Development Corporation at December 31, 2017 totaled $2,903,689, which included $67,547 net investment in capital assets and unrestricted net position of $2,836,142. The Dutchess County Local Development Corporation net position increased $204,699 as a result of revenues exceeding costs of operation.

General Fund Budgetary Highlights

The County's General Fund budget generally contains budget amendments during the year. The budget is allowed to be amended upward (increased) for prior year's encumbrances since the funds were allocated under the previous year's budget, and the County has appropriately assigned an equal amount of fund balance at year-end for this purpose. Furthermore, the budget is allowed to be amended upward (increased) for additional current year appropriations supported by an increase in budgeted revenues. A budgetary comparison schedule within the required supplementary information section of this report has been provided to demonstrate compliance with their budget.

A summary of the General Fund results of operations for the year ended December 31, 2017 is presented in Table 6 below.

Table 6—General Fund Budget

	Budgeted Amounts			Variance with
	Original	Final	Actual	Final Budget
Revenues and other financing sources	$ 426,972,091	$ 432,516,777	$ 438,119,093	$ 5,602,316
Expenditures and other financing uses	443,041,868	452,105,707	442,302,391	9,803,316
Excess (deficiency) of revenues and other financing sources over expenditures and other financing uses	$ (16,069,777)	$ (19,588,930)	$ (4,183,298)	$ 15,405,632

Original budget compared to final budget—During the year, the budget is modified, primarily to reflect the acceptance of new state and federal grants. These grants explain the majority of increases in revenues and expenditures from the original adopted budget to the final budget. Additionally, significant transfers and amendments to the budget included $4,682,501 supplemental appropriations within transfers out to provide funding for ongoing capital projects.

Final budget compared to actual results—The General Fund had a favorable variance from the final budget of $15,405,632. The primary positive variances were realized in economic assistance and opportunity and public safety due to lower than anticipated costs related to public safety grants and programs, as well as lower than expected costs related to the administration of social services programs. There was also a significant positive variance related to employee benefits throughout various County departments.

Capital Assets and Debt Administration

Capital assets—The County's investment in capital assets for its governmental activities and business-type activities as of December 31, 2017 amounted to $205,183,460 and $28,259,834, respectively (net of accumulated depreciation). This investment in capital assets includes land, right of way easements, construction in progress, infrastructure, buildings and building improvements and machinery and equipment. All depreciable capital assets were depreciated from acquisition date to the end of the current year as outlined in the County's capital asset policy.

Capital assets, net of depreciation, for the governmental activities and business-type activities at the years ended December 31, 2017 and 2016 are presented in Table 7 below.

Table 7—Summary of Capital Assets (Net of Depreciation)

	Governmental activities		Business-type activities		Total Primary Government	
	2017	2016	2017	2016 (as restated)	2017	2016 (as restated)
Land	$ 12,440,941	$ 12,136,559	$ 3,385,364	$ 3,385,364	$ 15,826,305	$ 15,521,923
Right of way and easements	14,326,702	14,040,718	-	-	14,326,702	14,040,718
Construction in progress	16,816,391	15,737,952	745,117	120,611	17,561,508	15,858,563
Infrastructure	93,519,587	87,371,478	11,056,148	12,701,357	104,575,735	100,072,835
Buildings and improvements	49,972,222	45,876,204	3,397,005	3,808,767	53,369,227	49,684,971
Improvements other than buildings	3,768,595	3,558,414	-	-	3,768,595	3,558,414
Machinery and equipment	14,339,022	14,933,653	9,676,200	7,994,298	24,015,222	22,927,951
Total	$ 205,183,460	$ 193,654,978	$ 28,259,834	$ 28,010,397	$ 233,443,294	$ 221,665,375

The County's infrastructure assets are recorded at historical cost in the government-wide and proprietary fund financial statements. The County has elected to depreciate its infrastructure assets. Additional information on County's capital assets can be found in Note 5 to the basic financial statements.

Long-term debt—The New York State Local Finance Law limits the County's power to contract indebtedness to 7% of the five-year average full valuation of taxable real estate. At the end of 2017, the County's governmental activities outstanding bonded debt totaled $89,671,554 (excluding DTASC) and represents approximately 4.3% of the County's debt limit.

A summary of the County's long-term liabilities at December 31, 2017 and December 31, 2016 is presented below in Table 8:

Table 8—Summary of Long-Term Liabilities

	Governmental activities		Business-type activities		Total Primary Government	
	December 31,		December 31,		December 31,	
	2017	2016	2017	2016	2017	2016
Bonds payable	$ 155,746,521	$ 165,666,715	$ 2,228,447	$ 2,665,012	$ 157,974,968	$ 168,331,727
Compensated absences	9,437,501	9,121,129	39,265	41,079	9,476,766	9,162,208
Environmental clean up	124,000	32,500	-	-	124,000	32,500
Workers' compensation and general claims	30,454,247	27,904,529	-	-	30,454,247	27,904,529
Other postemployment benefits	207,444,273	186,417,690	1,512,552	1,393,715	208,956,825	187,811,405
Net pension liability	43,249,327	68,782,035	196,573	333,416	43,445,900	69,115,451
Total	$ 446,455,869	$ 457,924,598	$ 3,976,837	$ 4,433,222	$ 450,432,706	$ 462,357,820

Total outstanding long-term liabilities decreased by $11,925,114 from prior year. Major factors that contributed to this decrease include:

- The net pension liability decreased in the governmental and business-type activities by $25,532,708 and $136,843, respectively. The liability is based on actuarial results related to the New York State retirement contribution programs.

- Bonds payable decreased in the governmental and business-type activities by $9,920,194 and $436,565, respectively. During the year ended December 31, 2017, the County's primary government made $14,884,999 of scheduled principal payments, offset by a $5,000,000 serial bond issuance.

- Obligations for other postemployment benefits ("OPEB") increased in the governmental and business-type activities by $21,026,583 and $118,837, respectively. This obligation is a commitment the County has made to its employees pursuant to contract negotiations. As health costs have risen dramatically over the past several years, County management has attempted to address these costs as new contracts have been negotiated. Newer contracts require greater employee contributions and increased length of employment to qualify for retiree health benefits.

Additional information on the County's long-term liabilities can be found in Note 13 to the financial statements.

Economic Factors and Next Year's Budgets and Rates

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

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

Year Ended December 31,	
2018 (budgeted)	$ 41,339,688
2017	41,285,244
2016	41,321,812

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

Year Ended December 31,	
2018 (budgeted)	$ 18,048,957
2017	17,855,418
2016	18,021,539

The County has appropriated $12.50 million in fund balance to finance the 2018 budget within the General Fund. The unassigned fund balance is $55.4 million in the General Fund as of December 31, 2017.

The total tax levy for the 2018 budget is $106.4 million, resulting in a property tax rate of $3.54 per thousand of assessed value, which is 1.12% lower than $3.58 in 2017. The true value assessment for the County has increased from $29.75 billion for the 2017 budget to $30.04 billion for the 2018 budget; an increase of 0.97%.

Dutchess County contains a diverse mix of industries, including microelectronics, life sciences, high-tech manufacturing, distribution, higher education, agriculture, tourism and retail trades.

There is currently $3.9 billion in rolling development in Dutchess County, including the establishment of the recently announced new medical college in Poughkeepsie. Dutchess County has experienced ten consecutive months of private sector job growth, with many months besting the regional, state and national rates.

A majority of the County's labor force is employed in the service related sector or in government jobs. According to preliminary information released by the New York State Department of Labor (the Quarterly Census of Employmnt and Wages, developed through a cooperative program between the State of New York and the U.S. Bureau of Labor Statistics), for 2016, service related positions accounted for approximately 51.1% of the County's workforce. Other major industries of the County workforce for this same time frame included retail trade, retail trade and manufacturing, which, when combined, were estimated to employ approximately 21.9% of the area workforce. Government related positions for 2016 were estimated to account for approximately 17.7% of the County's workforce. According to the New York State Department of Labor (the Quarterly Census of Employment and Wages), for 2016, farm related positions (agriculture, forestry, fishing and hunting) accounted for approximately 0.5% of the County's workforce.

Wealth levels for Dutchess County residents are above State and National averages. According to the U.S. Census Bureau (American Community Survey – 5 Year Estimate), the per capita income of County residents in 2016 was $35,101, which was higher than the State and National averages by 2.6% and 17.8%, respectively. State and National income averages reported on this basis were $34,212 and $29,829, respectively. Median family income for 2016 in the County, State and nation were estimated to be $90,856, $74,036 and $67,871, respectively.

Request for Information

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

BASIC FINANCIAL STATEMENTS

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COUNTY OF DUTCHESS, NEW YORK
Statement of Net Position
December 31, 2017

	Primary Government			Major Discretely Presented Component Units	Aggregate Nonmajor Discretely Presented Component Units
	Governmental Activities	Business-type Activities	Total		
ASSETS					
Cash and cash equivalents	$ 27,826,268	$ 6,132,272	$ 33,958,540	$ 29,207,676	$ 4,647,704
Restricted cash and cash equivalents	47,406,602	-	47,406,602	15,016,761	28,555
Investments	34,916,889	-	34,916,889	-	-
Receivables (net of allowances):					
Taxes	41,662,854	-	41,662,854	-	-
Accounts receivable	5,148,741	421,620	5,570,361	10,818,762	-
Intergovernmental receivables	69,892,152	3,013,921	72,906,073	-	112,706
Due from component unit (to primary government)	351,125	-	351,125	(351,125)	-
Internal balances	961,927	(961,927)	-	-	-
Prepaid items	4,619,453	43,344	4,662,797	48,844	9,712
Inventories	100,081	3,335	103,416	1,135,473	-
Other assets	7,680,550	-	7,680,550	6,143,467	-
Capital assets, not being depreciated	43,584,034	4,130,481	47,714,515	11,225,119	-
Capital assets, net of accumulated depreciation	161,599,426	24,129,353	185,728,779	145,560,912	-
Total assets	445,750,102	36,912,399	482,662,501	218,805,889	4,798,677
DEFERRED OUTFLOWS OF RESOURCES					
Deferred outflows—relating to pensions	38,917,504	181,338	39,098,842	6,924,474	-
Deferred outflows—relating to capital	-	-	-	263,668	-
Deferred charge on refunding	1,582,489	-	1,582,489	691,509	-
Total deferred outflows of resources	40,499,993	181,338	40,681,331	7,879,651	-
LIABILITIES					
Accounts payable	50,152,401	691,460	50,843,861	9,457,325	37,020
Retainages payable	449,951	-	449,951	-	-
Accrued liabilities	3,502,302	28,495	3,530,797	5,013,675	11,890
Bond anticipation notes payable	-	-	-	2,732,941	-
Intergovernmental payables	31,826,369	-	31,826,369	-	251
Unearned revenue	4,035,679	45,485	4,081,164	4,569,945	-
Noncurrent liabilities:					
Due within one year	17,371,230	493,618	17,864,848	5,763,415	-
Due in more than one year	429,084,639	3,483,219	432,567,858	147,116,918	-
Total liabilities	536,422,571	4,742,277	541,164,848	174,654,219	49,161
DEFERRED INFLOWS OF RESOURCES					
Deferred inflows—relating to pensions	7,930,147	36,043	7,966,190	1,839,549	-
Unavailable revenue—bond premium	-	-	-	330,478	-
Deferred gain on refunding	13,058,753	-	13,058,753	26,442,825	84
Total deferred inflows of resources	20,988,900	36,043	21,024,943	28,612,852	84
NET POSITION					
Net investment in capital assets	71,721,676	26,031,387	97,753,063	59,473,396	-
Restricted for:					
Debt service	13,823,535	-	13,823,535	-	-
Workers' compensation	5,696,788	-	5,696,788	-	-
Other	5,036,518	-	5,036,518	24,507,083	28,555
Unrestricted	(167,439,893)	6,284,030	(161,155,863)	(60,562,010)	4,720,877
Total net position	$ (71,161,376)	$ 32,315,417	$ (38,845,959)	$ 23,418,469	$ 4,749,432

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

COUNTY OF DUTCHESS, NEW YORK
Statement of Activities
Year Ended December 31, 2017

Functions/Programs	Expenses	Program Revenues: Charges for Services	Program Revenues: Operating Grants and Contributions	Program Revenues: Capital Grants and Contributions	Net (Expense) Revenue and Changes in Net Position — Primary Government: Governmental Activities	Primary Government: Business-type Activities	Primary Government: Total	Major Discretely Presented Component Units	Aggregate Nonmajor Discretely Presented Component Units
Primary government:									
Governmental activities:									
General government support	$ 95,009,158	$ 8,670,017	$ 2,161,643	$ 315,962	$ (83,861,536)	$ -	$ (83,861,536)	$ -	$ -
Education	16,460,944	-	-	-	(16,460,944)	-	(16,460,944)	-	-
Public safety	96,843,674	4,095,237	3,590,576	1,121,871	(88,035,990)	-	(88,035,990)	-	-
Health	67,282,956	3,084,271	33,089,841	-	(31,108,844)	-	(31,108,844)	-	-
Transportation	25,620,076	2,118,690	2,728,887	7,453,719	(13,318,780)	-	(13,318,780)	-	-
Economic assistance and opportunity	162,163,516	8,115,394	74,946,160	-	(79,101,962)	-	(79,101,962)	-	-
Culture and recreation	5,011,892	529,917	496,087	63,764	(3,922,124)	-	(3,922,124)	-	-
Home and community services	13,958,504	472,945	2,883,586	-	(10,601,973)	-	(10,601,973)	-	-
Interest and other fiscal charges	6,410,824	-	-	-	(6,410,824)	-	(6,410,824)	-	-
Total governmental activities	488,761,544	27,086,471	119,896,780	8,955,316	(332,822,977)	-	(332,822,977)	-	-
Business-type activities:									
Airport	2,810,136	926,125	-	464,799	-	(1,419,212)	(1,419,212)	-	-
Transportation	11,377,813	1,225,944	5,220,946	3,792,500	-	(1,138,423)	(1,138,423)	-	-
Local Development Corporation	962,888	1,152,676	-	-	-	189,788	189,788	-	-
Total business-type activities	15,150,837	3,304,745	5,220,946	4,257,299	-	(2,367,847)	(2,367,847)	-	-
Total primary government	$ 503,912,381	$ 30,391,216	$ 125,117,726	$ 13,212,615	(332,822,977)	(2,367,847)	(335,190,824)	-	-
Component units:									
Dutchess Community College	$ 89,013,823	$ 48,871,149	$ 18,859,768	$ -				(21,282,906)	-
Resource Recovery Agency	15,545,122	13,697,264	442,428	-				(1,405,430)	-
Water and Wastewater Authority	8,880,561	6,110,298	21,829	-				(2,748,434)	-
Nonmajor component units	1,113,299	4,164,158	209,001	-				-	3,259,860
Total component units	$ 114,552,805	$ 72,842,869	$ 19,533,026	$ -				(25,436,770)	3,259,860
General revenues:									
Property taxes, levied for general purpose					103,215,683	-	103,215,683	-	-
Property taxes, levied for debt service					14,348,434	-	14,348,434	-	-
Sales and use taxes					184,155,859	-	184,155,859	-	-
Other taxes					4,163,782	-	4,163,782	-	-
Use of money and property					966,248	333,693	1,299,941	1,322,162	1,873
Tobacco settlement revenues					2,950,058	-	2,950,058	-	-
Miscellaneous					301,313	77,956	379,269	1,883,551	-
Payments from primary government					-	-	-	15,431,729	295,800
Transfers					(1,415,647)	1,415,647	-	-	-
Total general revenues and transfers					308,685,730	1,827,296	310,513,026	18,637,442	297,673
Change in net position					(24,137,247)	(540,551)	(24,677,798)	(6,799,328)	3,557,533
Net position—beginning, as restated					(47,024,129)	32,855,968	(14,168,161)	30,217,797	1,191,899
Net position—ending					$ (71,161,376)	$ 32,315,417	$ (38,845,959)	$ 23,418,469	$4,749,432

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

COUNTY OF DUTCHESS, NEW YORK
Balance Sheet—Governmental Funds
December 31, 2017

	General	Capital Projects	DTASC	Total Nonmajor Funds	Total Governmental Funds
ASSETS					
Cash and cash equivalents	$ 22,701,215	$ -	$ 52,857	$ 5,072,196	$ 27,826,268
Restricted cash and cash equivalents	25,971,384	18,107,413	3,327,805	-	47,406,602
Investments	34,916,889	-	-	-	34,916,889
Receivables (net of allowances):					
Taxes	41,662,854	-	-	-	41,662,854
Accounts receivable	4,939,884	200,000	-	8,857	5,148,741
Due from other funds	14,932,838	-	-	-	14,932,838
Intergovernmental receivables	38,522,679	7,859,578	-	1,940,915	48,323,172
Prepaid items	4,395,860	-	-	223,593	4,619,453
Inventories	100,081	-	-	-	100,081
Total assets	$188,143,684	$ 26,166,991	$ 3,380,662	$ 7,245,561	$224,936,898
LIABILITIES					
Accounts payable	$ 40,176,992	$ 7,797,794	$ -	$ 2,177,615	$ 50,152,401
Accrued liabilities	2,566,335	-	-	173,268	2,739,603
Due to other funds	-	13,936,283	-	34,628	13,970,911
Intergovernmental payables	31,826,369	-	-	-	31,826,369
Unearned revenue	4,035,679	-	-	-	4,035,679
Total liabilities	78,605,375	21,734,077	-	2,385,511	102,724,963
DEFERRED INFLOWS OF RESOURCES					
Unavailable revenue—property taxes	15,348,490	-	-	-	15,348,490
Total deferred inflows of resources	15,348,490	-	-	-	15,348,490
FUND BALANCES					
Nonspendable	4,495,941	-	-	223,593	4,719,534
Restricted	17,934,893	4,432,914	3,327,805	-	25,695,612
Assigned	16,371,446	-	52,857	4,636,457	21,060,760
Unassigned	55,387,539	-	-	-	55,387,539
Total fund balances	94,189,819	4,432,914	3,380,662	4,860,050	106,863,445
Total liabilities, deferred inflows of resources and fund balances	$188,143,684	$ 26,166,991	$ 3,380,662	$ 7,245,561	$224,936,898

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

COUNTY OF DUTCHESS, NEW YORK
Reconciliation of the Balance Sheet—Governmental Funds to the Government-wide Statement of Net Position
December 31, 2017

Amounts reported for governmental activities in the statement of net position (page 16) are different because:

Total fund balances—governmental funds (page 18)		$ 106,863,445
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the fund statements. The cost of the assets is $519,989,145 and the accumulated depreciation is $314,805,685.		205,183,460
Other noncurrent assets used in governmental activities are not financial resources and, therefore, are not reported in the governmental funds.		7,680,550
Certain revenues are not available to pay for current period expenditures and, therefore, are recorded as deferred inflows of resources in the funds.		15,348,490
Certain accrued revenues reported in the statement of net position are received after the availability period for recognition of revenue in the governmental funds.		21,920,105
Deferred outflows and inflows of resources associated with refunding bond issuances are not reported in the governmental funds. The charge is reported as a deferred outflow of resources, while the gain is reported as a deferred inflow of resources on the statement of net position, and the net amounts are recognized as a component of interest expense over the life of the related debt.		
Deferred charge on refunding—County	$ 1,582,489	
Deferred gain on refunding—DTASC	377,130	
Deferred gain on refunding—County	(13,435,883)	(11,476,264)
Deferred outflows and inflows of resources related to pensions are applicable to future periods and, therefore, are not reported in the fund statements.		
Deferred outflows related to employer contributions	$ 13,368,908	
Deferred outflows related to experience, changes in assumptions, and investment earnings	25,548,596	
Deferred inflows related to pension plans	(7,930,147)	30,987,357
Net accrued interest expense for general obligation bonds of $538,352 and DTASC bonds of $224,347 are not reported in the funds.		(762,699)
To recognize retainages payable on outstanding capital projects not recorded in the fund financial statements.		(449,951)
Long-term liabilities are not due and payable in the current period and, therefore, are not reported in the fund statements. The effects of these items are:		
Serial bonds—County	$(89,671,554)	
Unamortized bond premiums on County serial bonds	(7,201,102)	
DTASC bonds	(49,345,000)	
Unamortized bond premiums on DTASC bonds	(3,649,691)	
DTASC subordinate turbo CABs	(5,879,174)	
Compensated absences	(9,437,501)	
Environmental clean up	(124,000)	
Workers' compensation and general claims	(30,454,247)	
Other postemployment benefits obligation	(207,444,273)	
Net pension liability	(43,249,327)	(446,455,869)
Net position of governmental activities		$ (71,161,376)

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

COUNTY OF DUTCHESS, NEW YORK

Statement of Revenues, Expenditures, and Changes in Fund Balances—Governmental Funds
Year Ended December 31, 2017

	General	Capital Projects	DTASC	Total Nonmajor Funds	Total Governmental Funds
REVENUES					
Real property taxes	$105,596,222	$ -	$ -	$ 11,967,895	$117,564,117
Sales and use taxes	184,155,859	-	-	-	184,155,859
Other taxes	4,163,782	-	-	-	4,163,782
Departmental income	23,086,093	-	-	1,990,716	25,076,809
Use of money and property	1,783,022	-	35,050	6,330	1,824,402
Miscellaneous	3,476,537	200,290	3,004,417	108,767	6,790,011
Grants and aid	115,269,357	8,755,027	-	4,117,369	128,141,753
Total revenues	437,530,872	8,955,317	3,039,467	18,191,077	467,716,733
EXPENDITURES					
Current:					
General government support	67,724,418	-	58,697	-	67,783,115
Education	16,447,819	-	-	-	16,447,819
Public safety	60,522,521	-	-	264,827	60,787,348
Health	56,779,391	-	-	-	56,779,391
Transportation	2,807,813	-	-	9,160,682	11,968,495
Economic assistance and opportunity	141,443,220	-	-	1,587,139	143,030,359
Culture and recreation	1,979,961	-	-	-	1,979,961
Home and community services	10,082,525	-	-	2,298,488	12,381,013
Employee benefits	60,670,306	-	-	4,005,857	64,676,163
Debt service:					
Principal	14,348,434	-	175,000	-	14,523,434
Interest and other fiscal charges	3,572,836	-	2,952,650	-	6,525,486
Capital outlay	-	30,361,668	-	-	30,361,668
Total expenditures	436,379,244	30,361,668	3,186,347	17,316,993	487,244,252
Excess (deficiency) of revenues over expenditures	1,151,628	(21,406,351)	(146,880)	874,084	(19,527,519)
OTHER FINANCING SOURCES (USES)					
Transfers in	545,082	4,443,900	-	13,600	5,002,582
Transfers out	(5,923,147)	(495,082)	-	-	(6,418,229)
Proceeds of serial bonds	-	4,900,000	-	-	4,900,000
Premium on serial bonds issued	43,139	-	-	-	43,139
Total other financing sources (uses)	(5,334,926)	8,848,818	-	13,600	3,527,492
Net change in fund balances	(4,183,298)	(12,557,533)	(146,880)	887,684	(16,000,027)
Fund balances—beginning	98,373,117	16,990,447	3,527,542	3,972,366	122,863,472
Fund balances—ending	$ 94,189,819	$ 4,432,914	$ 3,380,662	$ 4,860,050	$106,863,445

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

COUNTY OF DUTCHESS, NEW YORK

Reconciliation of the Statement of Revenues, Expenditures, and Changes in Fund Balances—Governmental Funds to the Government-wide Statement of Activities

Year Ended December 31, 2017

Amounts reported for governmental activities in the statement of activities (page 17) are different because:

Net change in fund balances—total governmental funds (page 20)		$ (16,000,027)
Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of these assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which capital outlays exceeded depreciation expense in the current period.		
Capital asset additions	$ 31,410,748	
Loss on disposal	(12,750)	
Depreciation expense	(19,869,516)	11,528,482
In the statement of activities, the cost of other noncurrent assets is allocated and amortized over their estimated useful lives.		(274,572)
Certain tax and other revenue in the governmental funds is deferred or not recognized because it is not available soon enough after year-end to pay for the current period's expenditures in the governmental funds when it is due. However, on the statement of activities, this is recognized as revenue regardless of when it is collected.		
Change in deferred inflows of resources—property taxes	$ (1,090,293)	
Change in long-term receivable—grants and aid	2,032,680	
Change in long-term receivable—DTASC	(52,592)	889,795
Net differences between pension contributions recognized on the fund financial statements and the government-wide financial statements are as follows:		
Direct pension contributions	$ 17,759,949	
Cost of benefits earned net of employee contributions	(24,664,403)	(6,904,454)
For refunding bonds, the difference between the reacquisition price and the net carrying amount of the old debt should be reported as a deferred charge/gain on the government-wide statements and recognized as a component of interest expense over the remaining life of the old debt or the life of the new debt, whichever is shorter.		124,205
In the statement of activities, interest expense and retainages payable are recognized as they accrue, regardless of when they are paid.		563,303
The issuance of long-term debt provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of governmental funds. Neither transaction, however, has any effect on net position. Also, governmental funds report the effects of premiums, discounts, and similar items when debt is first issued, whereas these amounts are deferred and amortized in the statement of activities. Additionally, in the statement of activities, certain operating expenses are measured by the amounts earned during the year. In the governmental funds, however, expenditures for these items are measured by the amount of financial resources used (essentially, the amounts actually paid). The net effect of these differences in the treatment of long-term debt and the related items is as follows:		
Proceeds from serial bonds—County	$ (4,900,000)	
Repayment of serial bonds—County	14,348,434	
Premium on serial bonds issued—County	(43,139)	
Amortization of bond premiums—County	709,895	
Repayment of serial bonds—DTASC	175,000	
Amortization of bond premiums—DTASC	12,943	
Accreted interest on DTASC bonds	(382,939)	
Change in compensated absences	(316,372)	
Change in environmental clean up	(91,500)	
Change in workers' compensation and general claims	(2,549,718)	
Change in other postemployment benefits obligation	(21,026,583)	(14,063,979)
Change in net position of governmental activities		$ (24,137,247)

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

COUNTY OF DUTCHESS, NEW YORK
Statement of Net Position—Proprietary Funds
December 31, 2017

	Business-type Activities			
	Airport	Transportation	Dutchess County LDC	Total Enterprise Funds
ASSETS				
Current assets:				
Cash and cash equivalents	$ 2,383,478	$ 1,007,611	$ 2,741,183	$ 6,132,272
Receivables	249,613	15,394	156,613	421,620
Intergovernmental receivables	137,053	2,876,868	-	3,013,921
Due from other funds	318	-	-	318
Prepaid items	18,085	3,653	21,606	43,344
Inventories	3,335	-	-	3,335
Total current assets	2,791,882	3,903,526	2,919,402	9,614,810
Noncurrent assets:				
Capital assets not being depreciated:				
Land	3,136,399	248,965	-	3,385,364
Construction in progress	745,059	58	-	745,117
Capital assets, net of accumulated depreciation:				
Infrastructure	8,925,538	2,130,610	-	11,056,148
Buildings and building improvements	1,001,549	2,395,456	-	3,397,005
Machinery and equipment	687,696	8,920,957	67,547	9,676,200
Total noncurrent assets	14,496,241	13,696,046	67,547	28,259,834
Total assets	17,288,123	17,599,572	2,986,949	37,874,644
DEFERRED OUTFLOWS OF RESOURCES				
Deferred outflows—relating to pensions	147,889	33,449	-	181,338
Total deferred outflows of resources	147,889	33,449	-	181,338
LIABILITIES				
Current liabilities:				
Accounts payable	169,153	478,047	44,260	691,460
Accrued liabilities	21,142	7,353	-	28,495
Due to other funds	103,643	858,602	-	962,245
Unearned revenue	6,485	-	39,000	45,485
Current portion of long-term debt	267,615	226,003	-	493,618
Total current liabilities	568,038	1,570,005	83,260	2,221,303
Noncurrent liabilities:				
Bonds payable	703,911	1,032,881	-	1,736,792
Other postemployment benefits obligation	1,488,114	24,438	-	1,512,552
Net pension liability	158,503	38,070	-	196,573
Compensated absences	37,302	-	-	37,302
Total noncurrent liabilities	2,387,830	1,095,389	-	3,483,219
Total liabilities	2,955,868	2,665,394	83,260	5,704,522
DEFERRED INFLOWS OF RESOURCES				
Deferred inflows—relating to pensions	29,063	6,980	-	36,043
Total deferred inflows of resources	29,063	6,980	-	36,043
NET POSITION				
Net investment in capital assets	13,526,678	12,437,162	67,547	26,031,387
Unrestricted	924,403	2,523,485	2,836,142	6,284,030
Total net position	$ 14,451,081	$ 14,960,647	$ 2,903,689	$ 32,315,417

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

COUNTY OF DUTCHESS, NEW YORK
Statement of Revenues, Expenses and Changes in Net Position—Proprietary Funds
Year Ended December 31, 2017

	Business-type Activities			
	Airport	Transportation	Dutchess County LDC	Total Enterprise Funds
Operating revenues:				
Charges for services	$ 926,125	$ 1,225,944	$ 1,152,676	$ 3,304,745
Operating grants and revenues	-	5,220,946	-	5,220,946
Other	147,591	77,956	5,500	231,047
Total operating revenues	1,073,716	6,524,846	1,158,176	8,756,738
Operating expenses:				
Personal services	443,983	104,879	338,508	887,370
Employee benefits	381,004	42,598	67,960	491,562
Depreciation	1,630,101	2,855,404	14,741	4,500,246
Contracted services	309,663	8,326,079	541,679	9,177,421
Total operating expenses	2,764,751	11,328,960	962,888	15,056,599
Operating (loss) income	(1,691,035)	(4,804,114)	195,288	(6,299,861)
Nonoperating revenues (expenses):				
Interest income	169,651	1,540	6,917	178,108
Interest expense	(45,385)	(48,853)	-	(94,238)
Other	-	-	2,494	2,494
Total nonoperating revenues (expenses)	124,266	(47,313)	9,411	86,364
(Loss) income before capital contributions and transfers	(1,566,769)	(4,851,427)	204,699	(6,213,497)
Capital contributions	464,799	3,792,500	-	4,257,299
Transfers in	297,711	1,167,936	-	1,465,647
Transfers out	-	(50,000)	-	(50,000)
Change in net position	(804,259)	59,009	204,699	(540,551)
Net position—beginning, as restated	15,255,340	14,901,638	2,698,990	32,855,968
Net position—ending	$14,451,081	$ 14,960,647	$ 2,903,689	$ 32,315,417

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

COUNTY OF DUTCHESS, NEW YORK
Statement of Cash Flows—Proprietary Funds
Year Ended December 31, 2017

	Business-type Activities			
	Airport	Transportation	Dutchess County LDC	Total Enterprise Funds
CASH FLOWS FROM OPERATING ACTIVITIES				
Receipts from services provided	$ 686,111	$ 2,059,333	$ 1,320,972	$ 4,066,416
Receipts from operating grants and revenue	-	3,480,521	-	3,480,521
Receipts from other operating revenue	147,591	77,956	-	225,547
Payments to employees	(691,807)	(145,606)	(407,507)	(1,244,920)
Payments to suppliers of contracted services	(254,800)	(8,491,567)	(532,177)	(9,278,544)
Net cash provided by (used for) operating activities	(112,905)	(3,019,363)	381,288	(2,750,980)
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES				
Cash donations	-	-	2,494	2,494
Operating transfers in	297,711	1,167,936	-	1,465,647
Operating transfers out	-	(50,000)	-	(50,000)
Net cash provided by noncapital financing activities	297,711	1,117,936	2,494	1,418,141
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES				
Capital contributions to noncurrent assets	464,799	3,792,500	-	4,257,299
(Acquisition)/disposal of capital assets, net	(639,505)	(4,106,839)	(3,339)	(4,749,683)
Proceeds from issuance of debt	-	100,000	-	100,000
Principal payments on bonds	(255,964)	(280,601)	-	(536,565)
Interest payments	(45,385)	(48,853)	-	(94,238)
Net cash used for capital and related financing activities	(476,055)	(543,793)	(3,339)	(1,023,187)
CASH FLOWS FROM INVESTING ACTIVITIES				
Interest income earned	169,651	1,540	6,917	178,108
Net cash provided by investing activities	169,651	1,540	6,917	178,108
(Decrease) increase in cash and cash equivalents	(121,598)	(2,443,680)	387,360	(2,177,918)
Cash and cash equivalents—beginning	2,505,076	3,451,291	2,353,823	8,310,190
Cash and cash equivalents—ending	$ 2,383,478	$ 1,007,611	$ 2,741,183	$ 6,132,272

(continued)

COUNTY OF DUTCHESS, NEW YORK
Statement of Cash Flows—Proprietary Funds
Year Ended December 31, 2017

(concluded)

	Business-type Activities			
	Airport	Transportation	Dutchess County LDC	Total Enterprise Funds
Reconciliation of operating (loss) income to net cash provided by (used for) operating activities:				
Operating (loss) income	$ (1,691,035)	$ (4,804,114)	$ 195,288	$ (6,299,861)
Adjustments to reconcile operating (loss) income to net cash provided by (used for) operating activities:				
Depreciation expense	1,630,101	2,855,404	14,741	4,500,246
(Increase) decrease in receivables	(12,575)	(1,672,095)	129,296	(1,555,374)
Decrease (increase) in other assets	150	(179)	(1,055)	(1,084)
Decrease in deferred outflows of resources	148,582	23,599	-	172,181
Increase (decrease) in accounts payable	54,863	(165,488)	4,018	(106,607)
(Decrease) in accrued liabilities	(3,089)	(5,427)	-	(8,516)
(Decrease) in compensated absences	(1,814)	-	-	(1,814)
(Decrease) increase in due to/from other funds	(229,699)	765,059	-	535,360
Increase in unearned revenue	2,260	-	39,000	41,260
(Decrease) in deferred inflows of resources	(8,500)	(265)	-	(8,765)
(Decrease) in net pension liability	(121,004)	(15,839)	-	(136,843)
Increase (decrease) in other postemployment benefit	118,855	(18)	-	118,837
Total adjustments	1,578,130	1,784,751	186,000	3,548,881
Net cash provided by (used for) operating activities	$ (112,905)	$ (3,019,363)	$ 381,288	$ (2,750,980)

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

COUNTY OF DUTCHESS, NEW YORK
Statement of Net Position—Fiduciary Funds
December 31, 2017

	Private Purpose Trust	Agency
ASSETS		
Restricted cash and cash equivalents	$ 5,852	$8,585,052
Accounts receivable	-	526,612
Total assets	5,852	$9,111,664
LIABILITIES		
Agency liabilities	-	$9,111,664
Total liabilities	-	$9,111,664
NET POSITION		
Restricted for cemetery plots	$ 5,852	

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

COUNTY OF DUTCHESS, NEW YORK
Statement of Changes in Net Position—Fiduciary Funds
Year Ended December 31, 2017

	Private Purpose Trust
ADDITIONS	
Total additions	$ -
DEDUCTIONS	
Economic assistance and opportunity	-
Change in net position	-
Net position—beginning	5,852
Net position—ending	$ 5,852

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

COUNTY OF DUTCHESS, NEW YORK
Combining Statement of Net Position—Major Component Units
December 31, 2017

	Dutchess Community College (August 31, 2017)	Dutchess County Resource Recovery Agency	Dutchess County Water and Wastewater Authority	Total Major Discretely Presented Component Units
ASSETS				
Cash and cash equivalents	$ 24,081,750	$ 1,585,589	$ 3,540,337	$ 29,207,676
Restricted cash and investments	11,459,453	2,603,005	954,303	15,016,761
Receivables (net of allowances)	6,902,667	1,504,672	2,411,423	10,818,762
Prepaid items	-	26,405	22,439	48,844
Inventories	1,135,473	-	-	1,135,473
Other assets	1,845,752	1,897,940	2,399,775	6,143,467
Capital assets, not being depreciated	1,195,405	-	10,029,714	11,225,119
Capital assets, net of accumulated depreciation	73,500,837	18,225,927	53,834,148	145,560,912
Total assets	120,121,337	25,843,538	73,192,139	219,157,014
DEFERRED OUTFLOWS OF RESOURCES				
Deferred outflows—relating to pensions	6,239,508	101,663	583,303	6,924,474
Deferred outflows—relating to capital	-	263,668	-	263,668
Deferred charge on refunding	-	-	691,509	691,509
Total deferred outflows of resources	6,239,508	365,331	1,274,812	7,879,651
LIABILITIES				
Accounts payable	8,291,791	244,218	921,316	9,457,325
Accrued liabilities	1,978,954	2,094,345	940,376	5,013,675
Due to primary government	-	351,125	-	351,125
Bond anticipation notes payable	-	-	2,732,941	2,732,941
Unearned revenues	4,569,945	-	-	4,569,945
Noncurrent liabilities:				
Due within one year	1,409,744	1,570,000	2,783,671	5,763,415
Due in more than one year	99,034,694	12,512,283	35,569,941	147,116,918
Total noncurrent liabilities	100,444,438	14,082,283	38,353,612	152,880,333
Total liabilities	115,285,128	16,771,971	42,948,245	175,005,344
DEFERRED INFLOWS OF RESOURCES				
Deferred inflows—relating to pensions	1,762,258	11,858	65,433	1,839,549
Unavailable revenue—bond premium	-	-	330,478	330,478
Deferred gain on refunding	1,002,975	1,424,709	24,015,141	26,442,825
Total deferred inflows of resources	2,765,233	1,436,567	24,411,052	28,612,852
NET POSITION				
Net investment in capital assets	48,034,115	4,934,886	6,504,395	59,473,396
Restricted	13,534,967	4,500,945	6,471,171	24,507,083
Unrestricted	(53,258,598)	(1,435,500)	(5,867,912)	(60,562,010)
Total net position	$ 8,310,484	$ 8,000,331	$ 7,107,654	$ 23,418,469

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

COUNTY OF DUTCHESS, NEW YORK
Combining Statement of Activities—Major Component Units
Year Ended December 31, 2017

	Dutchess Community College (August 31, 2017)	Dutchess County Resource Recovery Agency	Dutchess County Water and Wastewater Authority	Total Major Discretely Presented Component Units
Program expenses:				
Disposal fees	$ -	$ 2,133,144	$ -	$ 2,133,144
Service fees	-	9,335,745	-	9,335,745
Administrative expenses	8,306,269	769,857	1,859,740	10,935,866
Interest expenses	71,693	552,655	1,466,973	2,091,321
Depreciation	2,407,714	1,830,928	1,602,700	5,841,342
Instruction	36,118,953	-	-	36,118,953
Academic support	3,827,837	-	-	3,827,837
Libraries	1,453,008	-	-	1,453,008
Student services	8,424,902	-	-	8,424,902
General institution	8,032,442	-	-	8,032,442
Operation and maintenance of plant	7,845,416	-	3,885,312	11,730,728
Student aid	7,278,781	-	-	7,278,781
Other	5,246,808	922,793	65,836	6,235,437
Total program expenses	89,013,823	15,545,122	8,880,561	113,439,506
Program revenues:				
Charges for services:				
Tipping fees	-	11,090,779	-	11,090,779
Energy sales	-	1,976,311	-	1,976,311
Other charges for services	4,388,157	583,618	6,099,082	11,070,857
Student tuition and fees	21,337,146	-	-	21,337,146
Grants and contracts	13,908,812	-	-	13,908,812
Other	9,237,034	46,556	11,216	9,294,806
Operating grants and contributions	18,859,768	442,428	21,829	19,324,025
Total program revenues	67,730,917	14,139,692	6,132,127	88,002,736
Net expense	(21,282,906)	(1,405,430)	(2,748,434)	(25,436,770)
General revenues:				
Use of money and property	1,071,151	40,862	210,149	1,322,162
Miscellaneous	-	1,883,551	-	1,883,551
Payments from (to) primary government	13,537,898	(1,333,474)	3,227,305	15,431,729
Total general revenues	14,609,049	590,939	3,437,454	18,637,442
Change in net position	(6,673,857)	(814,491)	689,020	(6,799,328)
Net position—beginning	14,984,341	8,814,822	6,418,634	30,217,797
Net position—ending	$ 8,310,484	$ 8,000,331	$ 7,107,654	$ 23,418,469

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

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1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The basic financial statements of the County of Dutchess, New York (the "County") have been prepared in conformity with accounting principles generally accepted in the United States of America as applied to governmental units. The Governmental Accounting Standards Board ("GASB") is the accepted standard setting body for establishing governmental accounting and financial reporting principles. The more significant of the County's accounting principles are described below.

Description of Government-wide Financial Statements

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

Reporting Entity

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

The County's financial statements include those entities for which the County has clear oversight responsibility. This responsibility is determined through a review of such factors as the selecting of governing boards, financial interdependency and the ability to influence management and operations on a continuing basis. The accompanying financial statements present the government and its component units, entities for which the government is considered to be financially accountable. Blended component units are, in substance, part of the primary government's operations, even though they are legally separate entities. Thus, blended component units are appropriately presented as funds of the primary government. Discretely presented component units are reported in a separate column in the government-wide financial statements to emphasize that they are legally separate from the government.

Discretely Presented Component Units—The component unit columns in the government-wide financial statements include the financial data of the County's discretely presented component units. The combining statements of discretely presented component units present the major component units in separate columns and the nonmajor component units aggregated into a single column. These statements are presented separately from the financial data of the primary government to emphasize that they are legally separate from the County.

Dutchess Community College (Major Component Unit)—The Dutchess Community College ("DCC" or the "College") was established under Article 126 of the Education Act of the State of New York under the sponsorship of the County and is operated by a Board of Trustees under Paragraph I of Subdivision 6 of Section 6304 of the Education Act of the State of New York. DCC's fiscal year end is August 31. The Dutchess Community College Association, Inc. (the "Association") is

organized under the not-for-profit laws of New York State to supplement and conduct activities and services for the students, faculty, staff and alumni of the College. The Association is presented as a component unit of the College, and its fiscal year end is June 30. The Dutchess Community College Foundation, Inc. (the "Foundation") is organized under the not-for-profit laws of New York State to raise funds to provide scholarships and to provide support for initiatives that will have a significant and measurable impact on the students, faculty and staff of the College. The Foundation is a component unit of the College and its fiscal year end is August 31.

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

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

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

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

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

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

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

Dutchess County Soil and Water Conservation District (Nonmajor Component Unit)—The Dutchess County Soil and Water Conservation District ("SWCD") (including the Dutchess County Environmental Management Council) is a nonprofit organization set up to coordinate state and federal conservation programs on a local level. The SWCD provides education and technical assistance on managing soil, water and related natural resources to municipalities, farmers, business owners and homeowners. The SWCD financial statements are not audited by an independent external auditor; however, they are internally audited annually by the Dutchess County Comptroller's office.

Blended Component Units—The following blended component units are legally separate entity from the County, but are, in substance, part of the County's operations and therefore data from these units is combined with data of the primary government.

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

Dutchess County Local Development Corporation—The Dutchess County Local Development Corporation ("LDC") is a public benefit corporation established in 2010 under Section 1411 of the New York Not-for-Profit Corporation Law to act as an "on behalf of" issuer of conduit tax exempt bonds. In January 2008, civic facility legislation expired and industrial development agencies no longer had the authority to issue tax exempt bonds or provide other financial assistance to 501c(3) organizations. The LDC was established to address the capital needs of these organizations. The LDC's function is via the issuance of industrial revenue bonds and other means to promote economic development. The LDC reviews and determines whether to recommend approval of those applicants wishing to obtain financing. The LDC receives fees from applicants and closing fees from those accepted for industrial revenue financing. The seven member board is appointed by the County Legislature with approval by the County Executive. The County is the sole member of the LDC.

Separately issued financial statements for all component units except the Dutchess County Soil and Water Conservation District may be obtained from Dutchess County Finance Office at 22 Market Street, Poughkeepsie, New York, 12601.

Basis of Presentation—Government-wide Financial Statements

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

As discussed earlier, the County has five discretely presented component units. Three of the component units, Dutchess Community College, the Dutchess County Resource Recovery Agency and the Dutchess County Water and Wastewater Authority, are considered to be major component units. They are presented in separate columns in the Combining Statement of Net Position—Major Component Units and the Combining Statement of Activities—Major Component Units, and are aggregated in a single column in the government-wide Statement of Net Position and the Statement of Activities. The remaining two are considered nonmajor component units and are combined and presented in a single column in the government-wide Statement of Net Position and the Statement of Activities.

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

Basis of Presentation—Fund Financial Statements

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

The County reports the following major governmental funds:

- *General Fund*—The General Fund is the primary operating fund of the County and accounts for all financial resources of the general government, except those required to be accounted for in other funds. The principal sources of revenue for the General Fund are sales and use taxes and real property taxes.

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

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

The County reports the following major proprietary funds:

- *Dutchess County Airport Fund* ("Airport")—The Airport Fund accounts for the activities of the Dutchess County airport. The intent of the County is that the costs of operations of the airport will be financed through charges to users.

- *Dutchess County Bus Transportation System* ("Transportation")—The Transportation Fund accounts for the activities of the County's public transportation system. The transportation system operates for the residents of the County.

- *Dutchess County Local Development Corporation* (the "Dutchess County LDC")—The Dutchess County LDC is used to account for the economic development and administrative services provided by the Dutchess County LDC.

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

Additionally, the County reports the following fund types:

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

- *County Road Fund*—The County Road Fund is used to account for expenditures for highway purposes authorized by Section 114 of the Highway Law. The principal source of revenue for the County Road Fund is property taxes.

- *Road Machinery Fund*—The Road Machinery Fund is used to account for the purchase, repair, maintenance and storage of highway machinery, tools and equipment pursuant to Section 133 of the Highway Law. The principal source of revenue for the Road Machinery Fund is property taxes.

- *Community Development Fund*—The Community Development Fund is used to account for funds received under the Job Training Partnership Act/Workforce Investment Act and for Community Block Grant funds received from the Department of Housing and Urban Development. The principal source of revenue for the Community Development Fund is federal aid.

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

- *Private Purpose Trust Fund*—The Private Purpose Trust Fund represents a trust arrangement under which cemetery plots are maintained.
- *Agency Fund*—The Agency Fund is used to account for assets held by the County in a trustee capacity or as an agent for individuals or other governmental units.

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

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

Measurement Focus and Basis of Accounting

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

The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

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

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

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

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

Cash, Cash Equivalents and Investments—Cash and cash equivalents include cash on hand, demand deposits, time deposits, and short-term, highly liquid investments with original maturities of three months or less from the date of acquisition. The County's short-term investments consist of certificates of deposit, obligations of New York State, the United States Government and its agents. State statutes and various resolutions of the County Legislature govern the County's investment policies. County monies must be deposited in FDIC-insured commercial banks or trust companies located within the State. Investments are recorded at fair values in accordance with GASB.

Restricted Cash and Cash Equivalents—Restricted cash and cash equivalents represent amounts to support fund balance restrictions, unearned revenues, debt proceeds set aside for a specific purpose and cash held on behalf of others.

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

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

Inventories—Inventories are valued at cost using the first in, first out method. Inventories largely consist of office supplies and fuel reported within governmental and business-type activities, respectively.

Other Assets—Represents the County's share of municipal wastewater systems and waterlines, which is recorded at historical cost and depreciated over 40 years. At December 31, 2017, the County reported $7,680,550 related to other assets.

Capital Assets—Capital assets, which include property, plant, equipment, and infrastructure assets (e.g. roads and bridges), are reported in the applicable governmental or business-type activities column in the government-wide financial statements, as well as within the individual proprietary funds. Capital assets, except for infrastructure assets, are defined by the County as assets with an individual cost of more than $5,000 and an estimated useful life in excess of two years. For infrastructure assets, the same estimated minimum useful life is used (in excess of two years), but only those infrastructure projects that cost more than $100,000 are reported as capital assets. Such assets are recorded at historical cost or estimated historical cost. The reported value excludes normal maintenance and repairs, which are essentially amounts spent in relation to capital assets that do not increase the capacity or efficiency of the item or increase its estimated useful life. Donated capital assets are recorded at acquisition value.

Land and construction in progress are not depreciated. The other capital assets of the primary government are depreciated using the straight-line method over the following estimated useful lives:

Capital Assets	Years
Infrastructure	10-50
Buildings and building improvements	5-40
Improvements other than buildings	5-30
Machinery and equipment	3-15

The *capital outlays* character classification is employed only for expenditures reported in the Capital Projects Fund. Routine capital expenditures in the General Fund and other governmental funds are included in the appropriate functional category (for example, the purchase of a new highway vehicle included as part of *expenditures—transportation).* The amount reported as *capital outlays* in the Capital Projects Fund will also include non-capitalized, project-related costs (for example, furnishings).

Unearned Revenue—Certain cash receipts have not met the revenue recognition criteria for government-wide or fund financial statement purposes. At December 31, 2017, the primary government reported unearned revenues within the General Fund, Airport Fund and Dutchess County LDC of $4,035,679, 6,485 and $39,000, respectively. These funds received overpayments and cash in advance but has not performed the services and therefore recognizes a liability.

Deferred Outflows/Inflows of Resources—In addition to assets, the statement of financial position and the balance sheet will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, *deferred outflows of resources*, represents a consumption of net position that applies to a future period(s) and so will *not* be recognized as an outflow of resources (expense/expenditure) until then. At December 31, 2017, the County's primary government has two items that qualify for reporting in this category. The first item is related to pensions reported in the government-wide financial statements as well as within the individual proprietary funds. This item represents the effect of the net change in the County's proportion of the collective net pension liability, the difference during the measurement period between the County's contributions and its proportionate share of the total contribution to the pension systems not included in the pension expense, and any contributions to the pension systems made subsequent to the measurement date. The second item is a deferred charge on refunding which the County reports within its governmental activities. A deferred charge on refunding results from the difference in the carrying value of the refunded debt and its reacquisition price. This amount is deferred and amortized over the shorter of the life of the refunded or refunding debt.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represents an acquisition of net position that applies to a future period(s) and so will *not* be recognized as an inflow of resources (revenue) until that time. At December 31, 2017, the primary government of the County has three items that qualify for reporting in this category. One of the items arises only under a modified accrual basis of accounting. Accordingly, the item, *unavailable revenue*, is reported as deferred inflows of resources only in the governmental funds balance sheet. The governmental funds report unavailable revenue from property taxes that will not be realized within the period of availability. These amounts are deferred and recognized in the period that the amounts become available. The second item represents the effect of the net change in the County's proportion of the collective net pension liability and the difference during the measurement periods between the County's contributions and its proportionate share of total contributions to the pension systems not included in pension expense and is reported on the government-wide financial statements as well as within the individual proprietary funds. The final item is a deferred gain on refunding, which the County reports within its governmental activities. A deferred gain on refunding results from the difference in the carrying value of refunded debt and its reacquisition price. This amount is deferred and amortized over the shorter of the life of the refunded or refunding debt.

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

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

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

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

Amounts in the assigned fund balance classification are intended to be used by the government for specific purposes but do not meet the criteria to be classified as committed. The County Legislature has by resolution authorized the Commissioner of Finance to assign amounts for specific purposes. The Legislature may also assign fund balance as it does when appropriating fund balance to cover a gap between estimated revenue and appropriations in the subsequent year's appropriated budget. Unlike commitments, assignments generally only exist temporarily. In other words, an additional action does not normally have to be taken for the removal of an assignment. Conversely, as discussed above, an additional action is essential to either remove or revise a commitment.

Revenues and Expenses/Expenditures

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

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

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

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

Tax rates are calculated using assessments prepared by individual city and town assessors utilizing the equalization rates established by the New York State Board of Equalization and Assessment for the purpose of comparability. The total taxable equalized assessed value of real property included in the tax levy of 2017 is $29,752,447,165. The effective tax rate on this value is $3.54 per thousand. The constitutional tax limit is 1.5% of the 5-year average of the equalized assessment. The 2017 levy represents approximately 19.8% of the constitutional tax limit.

Proprietary Funds Operating and Nonoperating Revenues and Expenses—Proprietary funds distinguish *operating* revenues and expenses from *nonoperating* items. Operating revenues of enterprise funds consist of charges for services and operating grants. Operating expenses of enterprise funds consist of salaries, wages and benefits, contractual services and depreciation. Transactions related to capital and financing activities, non-capital financing activities, investing activities and interfund transfers from other funds and State appropriations are components of nonoperating income. Subsidies and grants to proprietary funds which finance capital activities are reported as nonoperating revenue.

Local Development Revenue Bonds—Bonds authorized by the Dutchess County LDC and issued through various lending institutions, are designated as special obligations of the Dutchess County LDC and payable solely from the revenues and other assets pledged as collateral against the bonds. The Dutchess County LDC does not act as guarantor in the event of collateralized properties and revenues, as specified in the applicable financing agreement, that are insufficient to meet debt service requirements. Additionally, in each of these financings, the Dutchess County LDC has assigned all rights to receive certain revenues derived with respect to the facilities it has financed to the holders of the local development revenue bonds. As a consequence, the Dutchess County LDC does not reflect such bonds or related properties on its financial statements. Local development revenue bonds authorized by the Dutchess County LDC and outstanding at December 31, 2017 total $967,952,537.

Compensated Absences—The County employees are entitled, with certain limitations, to accrue sick leave and vacation time. Estimated sick leave and vacation time is accumulated by governmental fund type employees and reported as a liability and expenditure in the government-wide financial statements under governmental activities. For proprietary fund type employees, the accumulation is recorded as a noncurrent liability of the proprietary fund type. The compensated absences liability for the County's governmental and business-type activities at December 31, 2017 totaled $9,437,501 and $39,265, respectively, and are reported in the government-wide financial statements and proprietary fund financial statements.

Pensions—The County is mandated by New York State law to participate in the New York State Local Employees' Retirement System ("ERS"). For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the defined benefit pension plans, and changes thereof, have been determined on the same basis as they are reported by the respective defined benefit pension plans. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value. More information regarding pensions is included in Note 7.

Other Postemployment Benefits—In addition to providing pension benefits, the County provides health insurance coverage and/or payments for fractional values of unused sick leave for certain retired employees at the time of retirement, as discussed in Note 8.

Workers' Compensation and General Claims—Estimated costs associated with workers' compensation and general claims and judgments for both reported and unreported events totaled $30,454,247 at December 31, 2017. Estimates of both future payment of losses and related claim adjustment expenses are recorded as long-term liabilities in the government-wide financial statements, as discussed in Note 10.

Other

Estimates—The preparation of the financial statements, in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets, deferred outflows/inflows of resources, and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements. Estimates also affect eh reported amounts of revenue and expenses/expenditures during the reported period. Actual results could differ from those estimates.

Adoption of New Accounting Pronouncements—During the year ended December 31, 2017, the County implemented GASB Statements No. 74, *Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans*; No. 80, *Blending Requirements for Certain Component Units – an amendment of GASB Statement No. 14*; No. 81, *Irrevocable Split-Interest Agreements*; and No. 82, *Pension Issues; an amendment of GASB Statements No. 67, No. 68, and No. 73*, effective for the year ended December 31, 2017. GASB Statement No. 74 improves the usefulness of information about postemployment benefits other than pensions (other postemployment benefits or OPEB) included in the general purpose external financial reports of state and local governmental OPEB plans for making decisions and assessing accountability. GASB Statement No. 80 improves financial reporting by clarifying the financial statement presentation requirements for certain component units. GASB Statement No. 81 improves accounting and financial reporting for irrevocable split-interest agreements by providing recognition and measurement guidance for situations in which a government is a beneficiary of the agreement. GASB Statement No. 82 addresses certain issues that have been raised with respect to Statements No. 67, *Financial Reporting for Pension Plans*, No. 68, *Accounting and Financial Reporting for Pensions*, and No. 73, *Accounting and Financial Reporting for Pensions and Related Assets That Are Not within the Scope of GASB Statement 68, and Amendments to Certain Provisions of GASB Statements 67 and 68*. The implementation of GASB Statement No. 80 resulted in a material impact on the County's financial position as discussed in Note 2. GASB Statements No. 74, 81, and 82 did not have a material impact on the County's financial position or results from operations.

Future Impacts of Accounting Pronouncements—The County has not completed the process of evaluating the impact that will result from adopting GASB Statements No. 75, *Accounting and Financial Reporting for Postemployment Benefit Plans Other Than Pensions*; No. 85, *Omnibus 2017;* and No. 86, *Certain Debt Extinguishment Issues*, effective for the year ending December 31, 2018, No. 83, *Certain Asset Retirement Obligations*; No. 84, *Fiduciary Activities;* No. 88, *Certain Disclosures Related to Debt, including Direct Borrowings and Direct Placements*; and No. 90, *Majority Equity Interests—an*

amendment of GASB Statements No. 14 and No. 61, effective for the year ending December 31, 2019, and No. 87, *Leases*; and No. 89, *Accounting for Interest Costs Incurred before the End of a Construction Period*, effective for the year ending December 31, 2020. The County is, therefore, unable to disclose the impact that adopting GASB Statements No. 75, 83, 84, 85, 86, 87, 88, 89 and 90 will have on its financial position and results of operations.

Stewardship, Compliance and Accountability

Legal Compliance—Budgets—The County's annual procedures in establishing the budgetary data reflected in the basic financial statements are described below.

- No later than November 1st, the County Executive submits a tentative budget to the County Legislature for the fiscal year commencing the following January 1st. The tentative budget includes proposed expenditures and the proposed means of financing for all funds.
- After public hearings are conducted to obtain taxpayer comments, no later than December 21st, the governing board adopts the budget.
- All modifications of the budget must be approved by the governing board. (However, the Budget Officer is authorized to transfer certain budgeted amounts within departments, upon request of the department head).
- Budgets are prepared for proprietary funds to establish the estimated contributions required from other funds and to control expenditures.

Additional information regarding the County's budgets can be found in the Required Supplementary Information section of this report.

2. RESTATEMENT OF NET POSITION

For the fiscal year ended December 31, 2017, the County implemented GASB Statement No. 80, *Blending Requirements for Certain Component Units—an amendment of GASB Statement No. 14*. The implementation of GASB Statement No. 80 resulted in the Dutchess County Local Development Corporation ("LDC"), previously presented within aggregate nonmajor discretely presented component units, to be presented as a blended component unit because the County serves as sole member.

For the fiscal year ended December 31, 2017, the Dutchess County LDC has restated beginning net position to account for an accrual of payroll expense as of December 31, 2016 not accrued in the financial statements. As a result, net position of the Dutchess County LDC decreased by $16,452.

The primary government and total discretely presented component units' net position have been restated as follows:

	Primary Government	Aggregate
	Business-type Activities	Nonmajor Discretely Presented Component Units
	Dutchess County LDC	
Net Position—December 31, 2016, as previously stated	$ -	$ 3,907,341
GASB Statement No. 80 implementation	2,715,442	(2,715,442)
Payroll accrual adjustment - LDC	(16,452)	-
Net Position—December 31, 2016, as restated	$ 2,698,990	$ 1,191,899

3. CASH, CASH EQUIVALENTS AND INVESTMENTS

The County's investment policies are governed by State statutes. In addition, the County has its own written investment policy. County monies must be deposited in Federal Deposit Insurance Corporation ("FDIC") insured commercial banks or trust companies located within the State. The County Treasurer is authorized to use demand accounts and certificates of deposit. Permissible investments include obligations of the U.S. Treasury and U.S. Agencies, repurchase agreements, and obligations of New York State or its localities.

Collateral is required for demand deposit accounts, time deposit accounts and certificates of deposit at 100% of all deposits not covered by Federal deposit insurance. The County has entered into custodial agreements with the various banks which hold their deposits. These agreements authorize the obligation that may be pledged as collateral. Obligations that may be pledged as collateral are outlined in Chapter 623 of the laws of the State of New York.

Cash, cash equivalents and investments at December 31, 2017 are as follows:

	Governmental Activities	Business-type Activities	Fiduciary Funds	Total
Petty cash (uncollateralized)	$ 21,515	$ 700	$ -	$ 22,215
Deposits	71,883,550	6,131,572	8,590,904	86,606,026
Securities and money market funds	17,592	-	-	17,592
Discount note	3,310,213	-	-	3,310,213
Investments	34,916,889	-	-	34,916,889
Total	$ 110,149,759	$ 6,132,272	$ 8,590,904	$ 124,872,935

Deposits—All deposits are carried at fair value, and are classified by custodial credit risk at December 31, 2017 as follows:

	Bank Balance	Carrying Amount
FDIC insured	$ 2,194,061	$ 2,194,061
Uninsured:		
Collateral held by pledging bank's agent in the County's name	92,960,327	84,411,965
Total	$ 95,154,388	$ 86,606,026

Custodial Credit Risk—Deposits and Cash Equivalents—Custodial credit risk is the risk that in the event of a bank failure, the County's deposits and cash equivalents may not be returned to it. As noted above, by State Statute all deposits and cash equivalents in excess of FDIC insurance coverage must be collateralized. As of December 31, 2017, the County's deposits and cash equivalents were either FDIC insured or collateralized with securities held by the pledging bank's agent in the County's name.

Restricted Cash and Cash Equivalents—Restricted cash of the County consists of unexpended debt proceeds restricted for capital projects in the Capital Projects Fund in the amount of $18,107,413, and cash restricted for future debt service within both the General Fund and DTASC Fund of $7,201,587 and $3,327,805, respectively. Also included within restricted cash is General Fund (including self-insurance) balances subject to externally enforceable legal purpose restrictions, totaling $10,733,306, unearned revenues of $4,035,679, and intergovernmental payables of $4,000,812 related to overpayments. These deposits were fully covered by FDIC insurance or collateral held by escrow agents in the name of the County or were cash equivalent discount notes.

Investments and Fair Value Measurements—At December 31, 2017, the County has investments in securities of $34,916,889, which consist of U.S. Treasury notes with maturities of six, nine and twelve months. Accounting standards provide the framework for measuring fair value. That framework provides a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (level 1 measurements) and the lowest priority to unobservable inputs (level 3 measurements). The three levels of the fair value hierarchy are described below:

Level 1	Inputs to the valuation methodology are unadjusted quoted prices for identical assets or liabilities in active markets that the plan has the ability to access.
Level 2	Inputs to the valuation methodology include: • quoted prices for similar assets or liabilities in active markets; • quoted prices for identical or similar assets or liabilities in inactive markets; • inputs other than quoted prices that are observable for the asset or liability; • inputs that are derived principally from or corroborated by observable market data by correlation or other means. If the asset or liability has a specified (contractual) term, the level 2 input must be observable for substantially the full term of the asset or liability.
Level 3	Inputs to the valuation methodology are unobservable and significant to the fair value measurement.

The asset or liability's fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement. Valuation techniques used need to maximize the use of observable inputs and minimize the use of unobservable inputs. The investments of the County at December 31, 2017 are considered level 1 inputs.

Custodial Credit Risk—Investments—For investments, this is the risk that, in the event of failure of the counterparty, the County will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. Underlying securities must have a market value of at least the cost of the repurchase agreement

Credit Risk—In compliance with the State law, County investments are limited to obligations of the Federal government, obligations guaranteed by the Federal government where the payment of principal and interest are guaranteed by the Federal government, obligations of the State, time deposit accounts and certificates of deposit issued by a bank or trust company located in, and authorized to do business in, the State, and certain joint or cooperative investment programs.

Concentration of Credit Risk—To promote competition in rates and service cost, and to limit the risk of institutional failure, County deposits and investments are placed with multiple institutions.

Interest Rate Risk—The County investment policy limits investment maturities to two years as a means of managing its exposure to fair value losses arising from increasing interest rates.

A. Discretely presented component units

i) Dutchess Community College

Cash and Cash Equivalents—Cash and cash equivalents consist of funds deposited in demand deposit accounts, time deposit accounts and certificates of deposit with maturities of less than three months at the time of purchase. At August 31, 2017, the College reports $24,081,750 of cash and cash equivalents.

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

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

Custodial credit risk is the risk that in the event of a bank failure, the College's deposits may not be returned to it. GASB directs that deposits be disclosed as exposed to custodial credit risk if they are not covered by depository insurance and the deposits are either uncollateralized, collateralized by securities held by the pledging financial institution or collateralized by securities held by the pledging financial institution's trust department but not in the College's name. The College's aggregate bank balances that were not covered by depository insurance were not exposed to custodial credit risk at August 31, 2017.

Investments—Investments consist of certificates of deposit with initial maturities of greater than three months. At August 31, 2017, the College reports $11,459,453 of investments at fair value in accordance with GASB, of which $10,708,538 represent Level 1 and $750,915 represent Level 2 categories with respect to the fair value hierarchy.

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

ii) Dutchess County Resource Recovery Agency

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

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

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

As of December 31, 2017, the Agency had cash deposited in various banks aggregating approximately $250,000, which is classified as Custodial Credit Risk Category 1, the lowest risk, as defined by GASB, as insured by the FDIC or collateralized with securities held by the entity's agent in the entity's name. As of December 31, 2017, the Agency had additional cash and cash equivalents and investments of $5,836,534 in various accounts, which are not covered by FDIC. The cash balances are collateralized with securities held by the counter party's trust department or agent in the entity's name and the investments are held by the counter party's trust department in

the entity's name which are considered Custodial Credit Risk Category 2, as defined by the GASB.

Cash, cash equivalents and investments are as follows at December 31, 2017:

Bank balance	$ 2,660,556
U.S. Government money market	3,175,978
Total custodial credit risk Category 2	$ 5,836,534

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

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

The Debt Service Reserve Funds are funded in an amount equal to the greater of any annual principal and interest or sinking fund payments, but limited to 10% of the original principal amount of the 2007 Series bonds. The Reserve and Contingency Fund is funded in an amount at least equal to 10% of the debt service payments required for the current year. However, since these funds are not anticipated to be used in the subsequent year, they have been classified as restricted noncurrent assets in the statement of net position.

The proceeds from collections of energy revenues, which had not yet been released by the trustee, and funds available for the January 1st bond principal and interest payments, amounted to $2,603,005 at December 31, 2017, and are included in restricted cash.

Restricted assets as of December 31, 2017 are summarized as follows:

Current restricted assets	
Series 2017	$ 1,278,038
Energy revenues and debt service funds	1,324,967
Total current restricted assets	$ 2,603,005
Noncurrent restricted assets	
Series 2017	$ 1,897,940
Total noncurrent restricted cash and investments	1,897,940
Total restricted cash and investments	$ 4,500,945

iii) Dutchess County Water and Wastewater Authority

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

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

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

1. Insured or collateralized with securities held by the Authority or by its agent in the Authority's name;
2. Collateralized with securities held by the pledging institution's trust department or agent in the Authority's name;
3. Uncollateralized.

Investments are categorized into these three categories of credit risk:

1. Insured or registered, or securities held by the Authority or its agent in the Authority's name; included in Category 1 are funds invested in the securities of the United States Government and its agencies, and repurchase agreements collateralized by U.S. obligations; or,
2. Uninsured and unregistered, with securities held by the counter-party's trust department or agent in the Authority's name; or,
3. Uninsured and unregistered, with securities held by the counter-party or by its trust department or agent, but not in the Authority's name.

Cash, cash equivalents and investments (tier 1) by category are as follows as of December 31, 2017:

Cash in banks	$ 3,540,337
Investments:	
Money market funds	$ 1,479,974
U.S. Treasury bills and notes	1,874,104
Total investments	$ 3,354,078

At December 31, 2017, the Authority maintained $3,604,462 in unspent bond anticipation notes proceeds held by New York State Environmental Facilities Corporation for improvements to the Chelsea Cove wastewater treatment plant and the Valley Dale sewer district wastewater treatment plant.

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

Restricted Cash and Investments—The restricted cash and investments of the Authority consist of unexpended bond and note proceeds, which are invested in cash funds and investments under the control of bank trustees. These assets are restricted in use by bond covenants as described below as of December 31, 2017:

Construction reserve funds	$ 357,903
Debt service sinking funds	556
Debt service reserve funds	595,844
Current restricted funds	954,303
Debt service reserve funds noncurrent	2,399,775
Total restricted funds	$ 3,354,078

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

4. RECEIVABLES

Taxes Receivable—Represents amounts due from County taxpayers that remain unpaid. At December 31, 2017, the County recorded $41,662,854 related to taxes receivable. These amounts are reported net of an allowance for uncollectible taxes provisions of $7,712,468.

Accounts Receivable—Represents amounts due from various sources. The County's accounts receivable at December 31, 2017 is presented below.

Governmental funds:	
General Fund	$ 5,671,820
Less: allowance for doubtful accounts	(731,936)
Capital Projects Fund	200,000
Nonmajor governmental funds	8,857
Total	$ 5,148,741
Proprietary funds:	
Airport Fund	$ 249,613
Transportation Fund	15,394
Dutchess County LDC	156,613
Total	$ 421,620
Fiduciary funds:	
Agency Fund	$ 526,612

Intergovernmental Receivables—Represents amounts due from other units of government, such as Federal, New York State or other local governments. Amounts are net of related advances from New York State. Intergovernmental receivables at December 31, 2017 are as shown below:

Governmental funds:		
General Fund:		
Due from state and federal	$ 37,806,284	
Other	716,395	$ 38,522,679
Capital Projects Fund:		
Due from state and federal		7,859,578
Nonmajor governmental funds:		
Due from state and federal		1,940,915
Total		$ 48,323,172
Proprietary funds:		
Airport Fund:		
Due from state and federal		$ 137,053
Transportation Fund:		
Due from state and federal	$ 2,802,849	
Other	74,019	2,876,868
Total		$ 3,013,921

A. Discretely presented component units

i) Dutchess Community College

Significant receivables include amounts due from grants, pledges and students for fees and tuitions. These receivables are reported net of an allowance for uncollectible accounts and revenues net of uncollectibles. The allowance amount is estimated and recorded based on the College's historical bad debt experience and management's judgment. At August 31, 2017, the College reported total accounts receivable of $6,902,667.

ii) Dutchess County Resource Recovery Agency

The Agency records accounts receivable of $1,504,672, which are reported net of an allowance for uncollectible accounts of $15,000.

iii) Dutchess County Water and Wastewater Authority

Significant receivables represent outstanding user fees, which total $2,411,423 at December 31, 2017. The Authority has an agreement with Dutchess County that provides for collection of outstanding user fess through the real property tax levy. Therefore, the Authority has not established an allowance for uncollectible accounts.

5. CAPITAL ASSETS

Governmental activities—Capital asset activity for the primary government's governmental activities for the year ended December 31, 2017 was as follows:

	Balance 1/1/2017	Increases	Decreases	Balance 12/31/2017
Capital assets, not being depreciated:				
Land	$ 12,136,559	$ 304,382	$ -	$ 12,440,941
Right of way and easements	14,040,718	405,628	119,644	14,326,702
Construction in progress	15,737,952	30,348,541	29,270,102	16,816,391
Total capital assets, not being depreciated	41,915,229	31,058,551	29,389,746	43,584,034
Capital assets, being depreciated:				
Infrastructure	229,625,412	16,189,669	-	245,815,081
Buildings and building improvements	151,072,973	9,445,751	-	160,518,724
Improvements other than buildings	4,420,495	1,406,243	-	5,826,738
Machinery and equipment	62,449,403	2,700,280	905,115	64,244,568
Total capital assets, being depreciated	447,568,283	29,741,943	905,115	476,405,111
Less accumulated depreciation for:				
Infrastructure	142,253,934	10,041,560	-	152,295,494
Buildings and building improvements	105,196,769	5,349,733	-	110,546,502
Improvements other than buildings	862,081	1,196,062	-	2,058,143
Machinery and equipment	47,515,750	3,282,161	892,365	49,905,546
Total accumulated depreciation	295,828,534	19,869,516	892,365	314,805,685
Total capital assets, being depreciated, net	151,739,749	9,872,427	12,750	161,599,426
Governmental activities capital assets, net	$ 193,654,978	$ 40,930,978	$ 29,402,496	$ 205,183,460

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

General government support	$ 5,928,254
Public safety	2,081,096
Public health	68,765
Transportation	9,006,087
Economic assistance and opportunity	508,241
Culture and recreation	2,265,615
Home and community services	11,458
Total governmental activities	$ 19,869,516

Business-type activities—Capital asset activity for the primary government's business-type activities (Enterprise Funds) for the year ended December 31, 2017 was as follows:

	Balance 1/1/2017 (as restated)	Increases	Decreases	Balance 12/31/2017
Capital assets, not being depreciated:				
Land	$ 3,385,364	$ -	$ -	$ 3,385,364
Construction in progress	120,611	4,851,719	4,227,213	745,117
Total capital assets, not being depreciated	3,505,975	4,851,719	4,227,213	4,130,481
Capital assets, being depreciated:				
Infrastructure	32,828,376	-	-	32,828,376
Buildings and building improvements	13,550,076	15,000	-	13,565,076
Machinery and equipment	18,714,005	4,166,327	103,733	22,776,599
Total capital assets, being depreciated	65,092,457	4,181,327	103,733	69,170,051
Less accumulated depreciation for:				
Infrastructure	20,127,019	1,645,209	-	21,772,228
Buildings and building improvements	9,741,309	426,762	-	10,168,071
Machinery and equipment	10,719,707	2,428,275	47,583	13,100,399
Total accumulated depreciation	40,588,035	4,500,246	47,583	45,040,698
Total capital assets, being depreciated, net	24,504,422	(318,919)	56,150	24,129,353
Business-type activities capital assets, net	$ 28,010,397	$ 4,532,800	$ 4,283,363	$ 28,259,834

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

Airport	$ 1,630,101
Transportation	2,855,404
Dutchess County LDC	14,741
Total business-type activities	$ 4,500,246

A. Discretely presented component units

i) Dutchess Community College

Capital asset activity for the Dutchess Community College for the year ended August 31, 2017 is presented below:

	Balance 9/1/2016	Increases	Decreases	Balance 8/31/2017
Capital assets, not being depreciated:				
Land	$ 1,151,144	$ -	$ -	$ 1,151,144
Construction in progress	44,261	-	-	44,261
Total capital assets, not being depreciated	1,195,405	-	-	1,195,405
Capital assets, being depreciated:				
Building and improvements	86,730,617	351,484	-	87,082,101
Furniture and equipment	8,612,316	405,242	56,515	8,961,043
Total capital assets, being depreciated	95,342,933	756,726	56,515	96,043,144
Less: Accumulated depreciation	47,311,447	2,354,546	56,515	49,609,478
Total capital assets, being depreciated, net	48,031,486	(1,597,820)	-	46,433,666
Total capital assets, net	$ 49,226,891	$ (1,597,820)	$ -	$ 47,629,071

In addition to the College's capital assets, its component units, the Association and Foundation reported net capital assets of $27,067,171 and $0, respectively.

Assets under capital lease agreements at August 31, 2017 are as follows:

Cost basis	$ 5,227,174
Accumulated depreciation	(3,436,823)
Total	$ 1,790,351

Depreciation expense for the year ended August 31, 2017 was $2,354,546 and amortization expense of $53,168 for intangible assets for the year ended August 31, 2017, totaling $2,407,714.

ii) Dutchess County Resource Recovery Agency

Capital asset activity for the Dutchess County Resource Recovery Agency for the year ended December 31, 2017 is presented below:

	Balance 1/1/2017	Increases	Decreases	Balance 12/31/2017
Capital assets, being depreciated:				
Property	$ 517,591	$ -	$ -	$ 517,591
Plant	63,774,179	-	-	63,774,179
Equipment	138,962	-	77,475	61,487
Total capital assets, being depreciated	64,430,732	-	77,475	64,353,257
Less: Accumulated depreciation	44,357,759	1,847,046	77,475	46,127,330
Total capital assets, net	$ 20,072,973	$ (1,847,046)	$ -	$ 18,225,927

iii) Dutchess County Water and Wastewater Authority

Capital asset activity for the Dutchess County Water and Wastewater Authority for the year ended December 31, 2017 is presented below:

	Balance 1/1/2017	Increases	Decreases	Balance 12/31/2017
Capital assets, not being depreciated:				
Land	$ 955,608	$ -	$ -	$ 955,608
Construction in progress	6,690,713	3,884,593	1,501,200	9,074,106
Total capital assets, not being depreciated	7,646,321	3,884,593	1,501,200	10,029,714
Capital assets, being depreciated:				
Improvements	300,602	-	-	300,602
Buildings	16,146,129	1,334,108	-	17,480,237
Water system	55,612,557	-	-	55,612,557
Machinery and equipment	7,790,230	268,887	-	8,059,117
Sewage collection system	1,644,932	-	-	1,644,932
Total capital assets, being depreciated	81,494,450	1,602,995	-	83,097,445
Less: Accumulated depreciation	27,069,487	2,193,810	-	29,263,297
Total capital assets, being depreciated, net	54,424,963	(590,815)	-	53,834,148
Total capital assets, net	$ 62,071,284	$ 3,293,778	$ 1,501,200	$ 63,863,862

For the year ended December 31, 2017, depreciation was recorded in the amount of $2,198,848, less amortization of deferred revenues associated with the Central Dutchess Water Transmission Line of $591,110; which was put into service in 2007. The effect of netting these amounts resulted in $1,602,700 in depreciation expense.

6. ACCRUED LIABILITIES

Accrued liabilities reported by governmental and proprietary funds at December 31, 2017, were as follows:

	Governmental Funds		
	General Fund	Nonmajor Governmental Funds	Total
Salaries and employee benefits	$ 2,555,987	$ 173,268	$ 2,729,255
Other	10,348	-	10,348
Total accrued liabilities	$ 2,566,335	$ 173,268	$ 2,739,603

	Proprietary Funds		
	Airport	Transportation	Total
Salaries and employee benefits	$ 10,856	$ 1,842	$ 12,698
Other	10,286	5,511	15,797
Total accrued liabilities	$ 21,142	$ 7,353	$ 28,495

7. PENSION OBLIGATIONS

Plan Descriptions and Benefits Provided

Employees' Retirement System—The County participates in the New York State and Local Employees' Retirement System ("ERS"), a cost-sharing multiple-employer retirement system. The System provides retirement benefits as well as death and disability benefits. The net position of the System is held in the New York State Common Retirement Fund (the "Fund"), which was established to hold all assets and record changes in fiduciary net position allocated to the System. The Comptroller of the State of New York serves as the trustee of the Fund and is the administrative head of the System. System benefits are established under the provisions of the NYSRSSL. Once a public employer elects to participate in the System, the election is irrevocable. The New York State Constitution provides that pension membership is a contractual relationship and plan benefits cannot be diminished or impaired. Benefits can be changed for future members only by enactment of a State statute. The System is included in the State's financial report as a pension trust fund. That report, including information with regards to benefits provided, may be found at www.osc.state.ny.us/retire/publications/index.php or obtained by writing to the New York State and Local Retirement System, 110 State Street, Albany, NY 12244.

The system is noncontributory, except for employees who joined the ERS after July 27, 1976 who contribute three percent (3%) of their salary for the first ten years of membership, and employees who joined on or after January 10, 2010, who generally contribute three percent (3%) to three and one half percent (3.5%) of their salary for their entire length of service. In addition, employee contribution rates under ERS Tier VI vary based on a sliding salary scale. The Comptroller annually certifies the actuarially determined rates expressly used in computing the employers' contributions based on salaries paid during the System's fiscal year ending March 31.

Pension Liabilities, Pension Expense, Deferred Outflows of Resources, and Deferred Inflows of Resources Related to Pensions—At December 31, 2017, the County reported the following liabilities for its proportionate share of the net pension liability for ERS. The net pension liability was measured as of March 31, 2017. The total pension liabilities used to calculate the net pension liabilities were determined by actuarial valuations as of April 1, 2016, with update procedures used to roll forward the total net pension liabilities to the measurement date. The County's proportion of the net pension liabilities were based on projections of the County's long-term share of contributions to the System relative to the projected contributions of all participating members, actuarially determined. This information was provided by the System in reports provided to the County.

	ERS	
	Governmental Activities	Business-type Activities
Measurement date	March 31, 2017	
Net pension liability	$ 43,249,327	$ 196,573
County's portion of the Plan's total net pension liability	0.4602844%	0.0020920%

For the year ended December 31, 2017, the County recognized pension expense of $24,565,531 and $111,654 for governmental activities and business-type activities, respectively. At December 31, 2017, the County reported deferred outflows of resources and deferred inflows of resources related to pensions from the sources shown on the following page.

	ERS			
	Deferred Outflows of Resources		Deferred Inflows of Resources	
	Governmental Activities	Business-type Activities	Governmental Activities	Business-type Activities
Differences between expected and actual experiences	$ 1,083,788	$ 4,926	$ 6,567,655	$ 29,851
Changes of assumptions	14,775,554	67,157	-	-
Net difference between projected and actual earnings on pension plan investments	8,638,643	39,264	-	-
Changes in proportion and differences between the County's contributions and proportionate share of contributions	1,050,611	4,775	1,362,492	6,192
County contributions subsequent to the measurement date	13,368,908	65,216	-	-
Total	$ 38,917,504	$ 181,338	$ 7,930,147	$ 36,043

County contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ending December 31, 2018. Other amounts reported as deferred outflows of resources and deferred inflow of resources related to pensions will be recognized in pension expense as follows:

	ERS	
Year Ending December 31,	Governmental Activities	Business-type Activities
2018	$ 7,977,751	$ 36,062
2019	7,977,751	36,062
2020	7,355,473	33,249
2021	(5,692,526)	(25,294)

Actuarial Assumptions—The total pension liabilities as of the measurement date were determined by using an actuarial valuation as noted in the table below, with update procedures used to roll forward the total pension liabilities to the measurement date. The actuarial valuations used the following actuarial assumptions:

	ERS
Measurement date	March 31, 2017
Actuarial valuation date	April 1, 2016
Interest rate	7.00%
Salary scale	3.80%
Decrement tables	April 1, 2010 - March 31, 2015
Inflation date	2.50%

Annuitant mortality rates are based on April 1, 2010 – March 31, 2015 System's experience with adjustments for mortality improvements based on Society of Actuaries' Scale MP-2014. The actuarial assumptions used in the April 1, 2016 valuation are based on the results of an actuarial experience study for the period April 1, 2010 – March 31, 2015.

The long-term rate of return on pension plan investments was determined using a building block method in which best estimate ranges of expected future real rates of return (expected returns net of investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by each the target asset allocation percentage and by adding expected inflation. Best estimates of the arithmetic real rates of return for each major asset class included in the target asset allocation are summarized below:

	ERS	
	Target Allocation	Long-Term Expected Real Rate of Return
Measurement date	March 31, 2017	
Asset class:		
Domestic equities	36.0 %	4.6 %
International equities	14.0	6.4
Private equity	10.0	7.8
Real estate	10.0	5.8
Absolute return strategies	2.0	4.0
Opportunistic portfolio	3.0	5.9
Real assets	3.0	5.5
Bonds and mortgages	17.0	1.3
Cash	1.0	(0.3)
Inflation-indexed bonds	4.0	1.5
Total	100.0 %	

Discount Rate—The discount rate used to calculate the total pension liabilities was 7.0%. The projection of cash flows used to determine the discount rate assumes that contributions from plan members will be made at the current contribution rates and that contributions from employers will be made at statutorily required rates, actuarially. Based upon the assumptions, the System's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability/(asset).

Sensitivity of the Proportionate Share of the Net Pension Liability to the Discount Rate Assumption—The chart on the following page presents the County's proportionate share of the net pension liability/(asset) calculated using the discount rate of 7.0%, as well as what the County's proportionate share of the net pension liability/(asset) would be if they were calculated using a discount rate that is one percentage-point lower (6.0%) or one percentage-point higher (8.0%) than the current assumption.

	1% Decrease (6.0%)	Current Assumption (7.0%)	1% Increase (8.0%)
Governmental activities:			
Employer's proportionate share of the net pension liability/(asset)	$ 138,133,190	$ 43,249,327	$ (36,972,831)
Business-type activities:			
Employer's proportionate share of the net pension liability/(asset)	$ 624,409	$ 196,573	$ (167,130)

Pension Plan Fiduciary Net Position—The components of the current-year net pension liabilities of the employers as of the valuation date, was as follows:

	(Dollars in Thousands)
	ERS
Valuation date	April 1, 2016
Employers' total pension liability	$ 177,400,586
Plan fiduciary net position	168,004,363
Employers' net pension liability	$ 9,396,223
System fiduciary net position as a percentage of total pension liability	94.7%

A. Discretely presented component units

i) Dutchess Community College

Plan Description and Benefits Provided

Employees' Retirement System—The College participates in the ERS. The plan description is the same as disclosed previously within this footnote.

Teachers' Retirement System—The College participates in the New York State Teachers' Retirement System ("TRS"). This is a cost-sharing multiple-employer retirement system. TRS provides retirement benefits as well as death and disability benefits to plan members and beneficiaries as authorized by the Education Law and Retirement and the New York State Retirement and Social Security Law ("NYSRSSL"). TRS is governed by a 10 member Board of Trustees. TRS benefits are established under New York State Law. Membership is mandatory and automatic for all full-time teachers, teaching assistants, guidance counselors and administrators employed in New York State Public Schools and BOCES who elect to participate in TRS. Once a public employer elects to participate in TRS, the election is irrevocable. The New York State Constitution provides that pension membership is a contractual relationship and plan benefits cannot be diminished or impaired. Benefits can be changed for future members only by enactment of a State statute. Additional information regarding TRS may be obtained by writing to the New York State Teachers' Retirement System, 10 Corporate Woods Drive, Albany, NY 12211-2395 or by referring to the NYSSTR Comprehensive Annual Financial Report which can be found on TRS' website at www.nystrs.org.

Plan members who joined the TRS before July 27, 1976, are not required to make contributions. Those joining after July 27, 1976 are required to contribute three percent (3.0%) to three and one half percent (3.5%) of their annual salary. Employees in the System more than ten years are no longer required to contribute. Pursuant to Article 11 of the Education Law, rates are established annually by the New York State Teachers' Retirement Board.

Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions—At August 31, 2017, the College reported the following liabilities for its proportionate share of the net pension liability for each of the Systems. The net pension liability was measured as of March 31, 2017 for ERS and June 30, 2017 for TRS. The total pension liabilities used to calculate the net pension liabilities were determined by an actuarial valuation as of April 1, 2016 for ERS and June 30, 2017 for TRS. The College's proportion of the net pension liability was based on a projection of the College's long-term share

of contributions to the Systems relative to the projected contributions of all participating members, actuarially determined. This information was provided by ERS and TRS in reports provided to the College.

	TRS	ERS
Measurement date	June 30, 2017	March 31, 2017
Net pension (asset) liability	$ (276,607)	$ 4,093,109
The College's portion of the Plan's total net pension liability	0.0363910%	0.0435610%

For the year ended August 31, 2017, the College recognized pension expense of $652,657 and $2,232,402 for TRS and ERS, respectively. At August 31, 2017, the College reported deferred outflows of resources and deferred inflows of resources related to pensions from the sources shown below:

	Deferred Outflows of Resources		Deferred Inflows of Resources	
	TRS	ERS	TRS	ERS
Differences between expected and actual experiences of economic and demographic assumptions	$ 227,579	$ 102,569	$ 107,846	$ 621,562
Changes in assumptions	2,814,529	1,398,356	-	-
Net difference between projected and actual earnings on pension plan investments	-	817,560	651,489	-
Changes in proportion and differences between the College's contributions and proportionate share of contributions	-	99,430	252,415	128,946
College contributions subsequent to the measurement date	97,958	681,527	-	-
Total	$ 3,140,066	$ 3,099,442	$ 1,011,750	$ 750,508

The College's contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ending August 31, 2018. Other amounts reported as deferred inflows of resources and deferred outflows of resources related to ERS and TRS will be recognized as pension expense as follows:

Year Ending August 31,	TRS	ERS
2018	$ 18,089	$ 754,994
2019	698,718	754,994
2020	486,954	696,104
2021	86,365	(538,685)
2022	485,404	-
Thereafter	254,828	-

Actuarial Assumptions—The pension liability as of the measurement date was determined by using an actuarial valuation date as noted below with update procedures used to roll forward the total pension liability to the measurement date. The actuarial valuations used the following actuarial assumptions:

	TRS	ERS
Measurement date	June 30, 2017	March 31, 2017
Actuarial valuation date	June 30, 2016	April 1, 2016
Interest rate	7.25%	7.00%
Salary scale	1.90%-4.72%	3.80%
Decrement tables	July 1, 2009 - June 30, 2014	April 1, 2010 - March 31, 2015
Inflation rate	2.5%	2.5%

For ERS, the long-term rate of return on pension plan investments is the same as disclosed within the County's footnote.

For TRS, annuitant mortality rates are based on July 1, 2009 – June 30, 2014 System experience with adjustments for mortality improvements based on Society of Actuaries Scale MP2014, applied on a generational basis. The actuarial assumptions used in the June 30, 2016 valuation are based on the results of an actuarial experience study for the period July 1, 2009 – June 30, 2014.

The long-term expected rate of return on pension plan investments was determined in accordance with Actuarial Standards of Practice ("ASOP") No. 27, *Selection of Economic Assumptions for Measuring Pension Obligations*. ASOP No. 27 provides guidance on the selection of an appropriate assumed investment rate of return. Consideration was given to expected future real rates of return (expected returns, net of pension plan investment expenses and inflation) for each major asset class as well as historical investment data and plan performance. Best estimates of the arithmetic real rates of return for each major asset class included in the target asset allocation are summarized below.

	Target Allocation		Long-Term Expected Real Rate of Return	
	TRS	ERS	TRS	ERS
Measurement date			June 30, 2017	March 31, 2017
Asset class:				
Domestic equities	35.0 %	36.0 %	5.9 %	4.6 %
International equities	18.0	14.0	7.4	6.3
Private equity	8.0	10.0	9.0	7.8
Real estate	11.0	10.0	4.3	5.8
Absolute return strategies	19.0	2.0	6.8	4.0
Opportunistic portfolio	0.0	3.0	0.0	5.9
Real assets	0.0	3.0	0.0	5.5
Bonds and mortgages	8.0	17.0	2.8	1.3
Cash	1.0	1.0	6.0	(0.3)
Inflation-indexed bonds	0.0	4.0	0.0	1.5
Total	100.0 %	100.0 %		

Discount Rate— The discount rate used to calculate the total pension liabilities was 7.25% for TRS and 7.0% for ERS. The projection of cash flows used to determine the discount rate assumes that contributions from plan members will be made at the current contribution rates and that contributions from employers will be made at statutorily required rates, actuarially. Based upon the assumptions, the System's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability/(asset).

Sensitivity of the Proportionate Share of the Net Pension Liability to the Discount Rate Assumption—The following chart presents the College's proportionate share of the net pension liability/(asset) calculated using the discount rate of 7.25% for TRS and 7.0% for ERS, as well as what the College's proportionate share of the net pension liability/(asset) would be if they were calculated using a discount rate that is one percentage-point lower (6.25% for TRS and 6.0% for ERS) or one percentage-point higher (8.25% for TRS and 8.0% for ERS) than the current assumption.

TRS	1% Decrease (6.25%)	Current Assumption (7.25%)	1% Increase (8.25%)
Employer's proportionate share of the net pension liability/(asset)	$ 4,765,117	$ (276,607)	$ (4,498,800)

ERS	1% Decrease (6.0%)	Current Assumption (7.0%)	1% Increase (8.0%)
Employer's proportionate share of the net pension liability/(asset)	$ 13,072,578	$ 4,093,109	$ (3,499,016)

Pension Plan Fiduciary Net Position—The components of the current-year net pension liabilities of the employers as of the valuation dates, were as follows:

	(Dollars in Thousands)		
	TRS	ERS	Total
Measurement date	June 30, 2017	March 31, 2017	
Employers' total pension liability	$ 114,708,261	$ 177,400,586	$ 292,108,847
Plan fiduciary net position	115,468,360	168,004,363	283,472,723
Employers' net pension liability/(asset)	$ (760,099)	$ 9,396,223	$ 8,636,124
System fiduciary net position as a percentage of total pension liability	100.7%	94.7%	97.0%

ii) Dutchess County Resource Recovery Agency

The Agency participates in the ERS.

Plan Description and Benefits Provided—The plan description is the same as disclosed within the County's footnote.

Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions—At December 31, 2017, the Agency reported a liability of $22,726 for its proportionate share of the net pension liability. The net pension liability was measured as of March 31, 2017, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The Agency's proportion of the net pension liability was based on a projection of the Agency's long-term share of contributions to the pension plan relative to the projected contributions of all participating members, actuarially determined.

At March 31, 2017, the Agency's proportion was 0.0002419 percent of the ERS liability.

For the year ended December 31, 2017, the Agency recognized pension expense of $31,678. At December 31, 2017, the Authority reported deferred outflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
	ERS	
Differences between expected and actual experiences	$ 569	$ 3,451
Changes in assumptions	7,764	-
Net difference between projected and actual earnings on pension plan investments	4,539	-
Changes in proportion and differences between the Agency's contributions and proportionate share of contributions	62,761	8,407
Agency contributions subsequent to the measurement date	26,030	-
Total	$ 101,663	$ 11,858

Deferred outflows of resources and deferred inflows of resources related to pensions resulting from the Agency's contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ending December 31, 2018. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Year Ending December 31,	ERS
2018	$ 22,962
2019	22,962
2020	16,430
2021	1,421

Sensitivity of the Proportionate Share of the Net Pension Liability to the Discount Rate Assumption—The following chart represents the Agency's proportionate share of the net pension liability (asset) calculated using the discount rate of 7.0%, as well as what the Agency's proportionate share of the net pension liability would be if they were calculated using a discount rate that is one percentage-point lower (6.0%) or one percentage point higher (8.0%) than the current assumption.

	1% Decrease (6.0%)	Current Assumption (7.0%)	1% Increase (8.0%)
Employer's proportionate share of the net pension liability—ERS	$ 72,583	$ 22,726	$ (19,428)

The actuarial assumptions, asset allocations and pension plan fiduciary net position are the same as those disclosed for the System within the County's portion of the footnote.

iii) Dutchess County Water and Wasterwater Authority

The Authority participates in the ERS.

Plan Description and Benefits Provided—The plan description is the same as disclosed within the County's footnote.

Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions—At December 31, 2017, the Authority reported a liability of $430,891 for its proportionate share of the net pension liability. At March 31, 2017, the Authority's proportion was 0.0045858 percent of the ERS liability.

For the year ended December 31, 2017, the Authority recognized pension expense of $278,443. At December 31, 2017, the Authority reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
	ERS	
Differences between expected and actual experiences	$ 10,798	$ 65,433
Changes in assumptions	147,208	-
Net difference between projected and actual earnings on pension plan investments	86,066	-
Changes in proportion and differences between the Authority's contributions and proportionate share of contributions	97,198	-
Authority contributions subsequent to the measurement date	242,033	-
Total	$ 583,303	$ 65,433

Deferred outflows of resources related to pensions resulting from the Authority's contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ending December 31, 2018. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Year Ended December 31,	ERS
2018	$ 113,177
2019	113,177
2020	97,264
2021	(47,781)

Sensitivity of the Proportionate Share of the Net Pension Liability to the Discount Rate Assumption—The chart below represents the Authority's proportionate share of the net pension liability (asset) calculated using the discount rate of 7.0%, as well as what the Authority's proportionate share of the net pension liability would be if they were calculated using a discount rate that is one percentage-point lower (6.0%) or one percentage point higher (8.0%) than the current assumption.

	1% Decrease (6.0%)	Current Assumption (7.0%)	1% Increase (8.0%)
Employer's proportionate share of the net pension liability—ERS	$ 1,376,183	$ 430,891	$ (368,350)

The actuarial assumptions, asset allocations and pension plan fiduciary net position are the same as those disclosed for the System within the County's portion of the footnote.

8. OTHER POSTEMPLOYMENT BENEFITS ("OPEB") OBLIGATION

Plan Description—Dutchess County Retiree Medical Program is a single-employer defined benefit healthcare plan administered by the New York State Employee Retirement System. The County provides certain health care benefits for retired employees including employees at the Airport and one employee at Mass Transit (enterprise funds). The various collective bargaining agreements stipulate the employees covered and the percentage of contribution.

Funding Policy—Contributions by the primary government may vary according to length of service. Substantially all employees may become eligible for those benefits if they reach normal retirement age and length of service requirement while working for these entities. The cost of retiree health care benefits is recognized as an expenditure as premiums are paid within the governmental funds.

The County's annual OPEB cost is calculated based on the annual required contributions ("ARC") of the employer, an amount actuarially determined in accordance with the parameters of GASB. The ARC represents a level of funding that, if paid on an ongoing basis, is projected to cover normal cost each year and amortize any unfunded actuarial liabilities over a period not to exceed thirty years. Participating employees and active plan members are required to contribute to the plan at rates expressed as percentages of the payroll of active plan members. The percentage that is contributed is determined by the class of employee and their adjusted benefit date. For management employees their rate is either 2.5%, 7.5%, 10%, or 15% based on if their adjusted benefit dates are prior to July 1, 1979, on or after July 1, 1979 through December 31, 2010, or after January 1, 2011. For DCSEA employees their rate is either 5%, 15%, or 20% based on if their adjusted benefit dates are prior to July 1, 1979, prior to January 1, 2007 or after January 1, 2007, respectively. CSEA employees have no contribution, a 15% contribution or a 20% contribution if their adjusted benefit dates are prior to November 1, 1979, between November 1, 1979 and January 1, 2004 or after January 1, 2004, respectively. For PBA employees there is no contribution or a 20% contribution if their adjusted benefit date is prior to November 1, 1979 or after November 1, 1979, respectively.

The following tables show the components of the County's annual OPEB cost for the past three years, the amount actually contributed to the plan, and changes in the County's net OPEB obligation.

	Year Ended December 31, 2017			
	Governmental Activities	Business-type Activities		
		Airport	Transportation	Total
Annual required contribution ("ARC")	$ 29,739,155	$ 120,498	$ -	$ 29,859,653
Interest on net OPEB obligation	6,524,619	47,924	856	6,573,399
Adjustment to ARC	(6,660,085)	(48,919)	(874)	(6,709,878)
Annual OPEB cost (expense)	29,603,689	119,503	(18)	29,723,174
Contributions made	(8,577,106)	(648)	-	(8,577,754)
Increase (decrease) in net OPEB obligation	21,026,583	118,855	(18)	21,145,420
Net OPEB obligation—beginning	186,417,690	1,369,259	24,456	187,811,405
Net OPEB obligation—ending	$ 207,444,273	$ 1,488,114	$ 24,438	$ 208,956,825
Percentage of ARC contributed	28.8%	0.5%	0.0%	28.7%

	Year Ended December 31, 2016			
	Governmental Activities	Business-type Activities		
		Airport	Transportation	Total
Annual required contribution ("ARC")	$ 23,026,034	$ 141,862	$ -	$ 23,167,896
Interest on net OPEB obligation	1,691,080	12,326	244	1,703,650
Adjustment to ARC	(6,655,890)	(48,514)	(962)	(6,705,366)
Annual OPEB cost (expense)	18,061,224	105,674	(718)	18,166,180
Contributions made	(5,824,738)	(5,990)	-	(5,830,728)
Increase (decrease) in net OPEB obligation	12,236,486	99,684	(718)	12,335,452
Net OPEB obligation—beginning	174,181,204	1,269,575	25,174	175,475,953
Net OPEB obligation—ending	$ 186,417,690	$ 1,369,259	$ 24,456	$ 187,811,405
Percentage of ARC contributed	25.3%	4.2%	0.0%	25.2%

	Year Ended December 31, 2015			
	Governmental Activities	Business-type Activities		
		Airport	Transportation	Total
Annual required contribution ("ARC")	$ 21,899,371	$ 133,367	$ -	$ 22,032,738
Interest on net OPEB obligation	6,286,843	45,437	1,005	6,333,285
Adjustment to ARC	(6,005,891)	(43,406)	(960)	(6,050,257)
Annual OPEB cost (expense)	22,180,323	135,398	45	22,315,766
Contributions made	(5,170,205)	(1,747)	-	(5,171,952)
Increase in net OPEB obligation	17,010,118	133,651	45	17,143,814
Net OPEB obligation—beginning	157,171,086	1,135,924	25,129	158,332,139
Net OPEB obligation—ending	$ 174,181,204	$ 1,269,575	$ 25,174	$ 175,475,953
Percentage of ARC contributed	23.6%	1.3%	0.0%	23.5%

Funding Status and Funding Progress—As of December 31, 2017, calculations were based on plan data as of January 1, 2017 and financial data as of December 31, 2017. The actuarial accrued liability for benefits was $378,985,127 and $1,386,893 for governmental activities and business-type activities, respectively, all of which was unfunded.

Actuarial valuations of an ongoing plan involve estimates of the fair value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about future employment, mortality, and the healthcare cost trends. Amounts determined regarding the funded status of the plan and the annual required contributions of the employer are subject to continual revision as actual results are compared with past expectations and new estimates are made about the future. The schedule of funding progress, presented as required supplementary information following the notes to the financial statements, presents multi-year trend information about whether the actuarial value of Plan assets is increasing or decreasing over time relative to the actuarial accrued liabilities for benefits.

The County's primary government schedule of contributions for the most recent three years is shown below:

	Total Primary Government			
Year Ended December 31,	Annual OPEB Cost	Contributions Made	Percentage Contributed	Net OPEB Obligation
2017	$ 29,723,174	$ 8,577,754	28.9%	$ 208,956,825
2016	18,166,180	5,830,728	32.1%	187,811,405
2015	22,315,766	5,171,952	23.2%	175,475,953

	Governmental Activities			
Year Ended December 31,	Annual OPEB Cost	Contributions Made	Percentage Contributed	Net OPEB Obligation
2017	$ 29,603,689	$ 8,577,106	29.0%	$ 207,444,273
2016	18,061,224	5,824,738	32.2%	186,417,690
2015	22,180,323	5,170,205	23.3%	174,181,204

	Business-type Activities—Airport			
Year Ended December 31,	Annual OPEB Cost	Contirubtions Made	Percentage Contributed	Net OPEB Obligation
2017	$ 119,503	$ 648	0.5%	$ 1,488,114
2016	105,674	5,990	5.7%	1,369,259
2015	135,398	1,747	1.3%	1,269,575

	Business-type Activities—Transportation			
Year Ended December 31,	Annual OPEB Cost	Contributions Made	Percentage Contributed	Net OPEB Obligation
2017	$ (18)	$ -	0.0%	$ 24,438
2016	(718)	-	0.0%	24,456
2015	45	-	0.0%	25,174

Actuarial Methods and Assumptions—Calculations are based on the types of benefits provided under terms of the substantive plan (the plan as understood by the employer and plan members) at the time of valuation and on the pattern of cost sharing between employer and plan members. Calculations reflect a long-term perspective, so methods and assumptions used include techniques that are designed to reduce short-term volatility.

In the January 1, 2017 actuarial valuation, the projected unit credit method was used. The actuarial assumptions included a valuation date of January 1, 2017 and measurement date of December 31, 2017. The RPH-2014 Mortality Tables for males and females was used for mortality rates. The valuation uses a discount rate of 3.5%. The rates of decrement due to retirement is based on the experience under the New York State and Local Retirement System as prepared by the Department of Civil Service's actuarial consultant in the report titled, Development of Recommended Actuarial Assumptions for New York State/SUNY GASB 45 Valuation. The Retiree Health Plan's unfunded actuarial accrued liability is being amortized as a level percentage of expected payroll over thirty years, therefore the remaining amortization period at December 31, 2017, was twenty-one years.

A. Discretely presented component units

i) Dutchess Community College

In addition to providing pension benefits, the College provides certain healthcare benefits for retired employees through a single employer defined benefit plan. The various collective bargaining agreements stipulate the employees covered and the percentage of contribution. Contributions by the College may vary according to length of service. The cost of providing postemployment health care benefits is shared between the College and the retired employee. Substantially all of the College's employees may become eligible for those benefits if they reach normal retirement age while working for the College.

The College's annual other postemployment benefit ("OPEB") cost (expense) is calculated based on the annual required contribution, ("ARC"), an amount actuarially determined in accordance with the parameters of GASB which establishes standards for the measurement, recognition and display of the expenses and liabilities for retirees' medical insurance. As a result, reporting of expenses and liabilities will no longer be accounted for under the "pay-as-you-go" approach. Instead of expensing the current year premiums paid, a per capita claims cost will be determined, which will be used to determine a "normal cost", an "actuarial accrued liability", and ultimately the annual required contribution ARC. The ARC represents a level of funding that, if paid on an ongoing basis, is projected to cover normal cost each year and amortize any unfunded actuarial liabilities over a period not to exceed thirty years.

Actuarial valuations for OPEB plans involve estimates of the value of reported amounts and assumptions about the probability of events far into the future. These amounts are subject to continual revision as results are compared to past expectations and new estimates are made about the future. Calculations are based on the OPEB benefits provided under the terms of the substantive plan in effect at the time of each valuation and on the pattern of sharing of costs between the employer and plan members to that point. In addition, the assumptions and projections utilized do not explicitly incorporate the potential effects of legal or contractual funding limitations on the pattern of cost sharing between the employer and plan members in the future. The actuarial calculations of the OPEB plan reflect a long-term perspective.

The amortization basis is the level dollar of payroll method with an open amortization approach, with twenty-one years remaining in the amortization period. The actuarial assumptions included a 3.5% investment return. The College currently has no assets set aside for the purpose of paying postemployment benefits. The actuarial cost method utilized was the unit credit method.

	Year Ended August 31,		
	2017	2016	2015
Annual required contribution ("ARC")	$ 7,753,805	$ 7,312,879	$ 6,892,107
Interest on net OPEB Obligation	2,181,099	2,303,912	2,116,796
Adjustment to ARC	(3,273,686)	(3,166,558)	(2,942,656)
Annual OPEB cost (expense)	6,661,218	6,450,233	6,066,247
Contributions made	(2,149,979)	(1,694,683)	(1,424,562)
Increase in net OPEB obligation	4,511,239	4,755,550	4,641,685
Net OPEB obligation—beginning	62,317,126	57,561,576	52,919,891
Net OPEB obligation—ending	$ 66,828,365	$ 62,317,126	$ 57,561,576

The College's annual OPEB cost, the percentage of annual OPEB cost contributed to the Plan, and the net OPEB obligation for 2017 and the two preceding years were as follows:

Year Ended, August 31,	Annual OPEB Cost	Percentage of Annual OPEB Cost Contributed	Net OPEB Obligation
2017	$ 6,661,218	32.28%	$ 66,828,365
2016	6,450,233	26.27%	62,317,126
2015	6,066,247	23.48%	57,561,576

The projection of benefits is based on the types of benefits provided under the substantive Plan at the time of the valuation date and on the pattern of cost-sharing between the employer and Plan members. In addition, the projections do not explicitly incorporate the potential effects of legal or contractual funding limitations on the pattern of cost-sharing between the employer and Plan members of the future. The actuarial calculations reflect a long-term perspective; actuarial methods and assumptions used include techniques that are designed to reduce short-term volatility in actuarial accrued liabilities and the actuarial value of assets.

ii) Dutchess County Resource Recovery Agency

From an accrual accounting perspective, the cost of postemployment healthcare benefits, like the cost of pension benefits, generally should be associated with the periods in which the cost occurs, rather than in the future when it will be paid. In adopting the requirements of GASB No. 45, *Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions*, the Agency recognizes the cost of postemployment healthcare in the year when the employee services are received, reports the accumulated liability from the prior year and provides information useful in assessing potential demands on the Agency's cash flows.

Recognition of the liability accumulated from prior years will be phased in over 30 years, commencing with the 2007 liability. The postemployment benefits liability as of December 31, 2017 is $679,557.

iii) Dutchess County Water and Wastewater Authority

From an accrual accounting perspective, the cost of other postemployment healthcare benefits, like the cost of pension benefits, generally should be associated with the periods in which the cost occurs, rather than in the future when it will be paid. In adopting the requirements of GASB No. 45, *Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions*, the Agency recognizes the cost of postemployment healthcare in the year when the employee services are received, reports the accumulated liability from the prior year and provides information useful in assessing potential demands on the Agency's cash flows.

Recognition of the liability accumulated from prior years will be phased in over 30 years, commencing with the 2007 liability. The postemployment benefits liability as of December 31, 2017 is $1,747,807.

9. DEFERRED COMPENSATION PLAN

The County offers its employees a deferred compensation plan created in accordance with Internal Revenue Code Section 457. The plan, available to all County employees, permits them to defer a portion of their salary until future years. The deferred compensation is not available to employees until termination, retirement, death or unforeseeable emergency.

As of October 1, 1997 the New York State Deferred Compensation Board (the "Board") created a Trust and Custody agreement making Chase Manhattan Bank the Trustee and Custodian of the Plan. Since the Board is no longer the trustee of the plan, the plan no longer meets the criteria for inclusion in New York State's financial statements. Municipalities which participate in New York State's Deferred Compensation Plan are no longer required to record the value of the plan assets.

At December 31, 2017, the market value, as reported by the New York State Deferred Compensation Plan, of the plan assets totaled $159,188,806.

10. RISK MANAGEMENT

The County is exposed to various risks of loss related to property damage and destruction of assets, vehicle liability, injuries to employees, and unemployment insurance. The County purchases commercial insurance to cover such potential risks. The County purchases insurance for general liability, property, automobile, building, law enforcement, crime, airport, public entity management, employment related practices liability, foster care liability and owners and contractors protective (OCP Liability) and medical malpractice coverage. The general liability insurance is limited to $1 million per occurrence and an aggregate $2 million limit. All other policies have limits ranging from $1 million to $20 million. The County has not incurred claims over the respective coverage limits in any of the last three fiscal years.

The Dutchess County Self-Insured Workers' Compensation Plan (the "Plan") was organized in 1980 to provide a program of workers' compensation coverage for its member organizations. All political subdivisions in the County are eligible to participate. The Plan's general objectives are to formulate, develop, and administer, on behalf of the member political subdivisions, a program of workers' compensation insurance and to develop a comprehensive loss control program. Plan members are subject to a supplemental assessment in the event of deficiencies. If the assets of the Plan were to be exhausted, members would not be responsible for the Plan's liabilities but would remain responsible for their individual liabilities, which would include their estimated claims and related administrative obligations. A Plan member would also be responsible for its individual liabilities if it were to withdraw from the Plan. Plan members currently include one city, nine towns, three villages, Dutchess Community College, Dutchess County Resource Recovery Agency and Dutchess County. The County is the predominant participant in the workers' compensation risk pool and, therefore, the activity of the Plan is recorded in the County's General Fund.

The Plan maintains insurance coverage for claims in excess of $1,100,000. The County estimates $1,000,000 related to general claims against the County which is recorded within governmental activities long-term liabilities at December 31, 2017.

The Plan establishes a liability for both reported and unreported insured events, which includes estimates of both future payments of losses and related claim adjustment expenses. The following information supplied by the Plan Administrator represents changes in those aggregate liabilities for the Plan during the past two years:

Year Ended December 31,	Liability, Beginning of Year	Claims and Adjustments	Claim Payments and Adjustments	Liability, End of Year
2017	$ 26,904,529	$ 6,167,340	$ 3,617,622	$ 29,454,247
2016	25,503,283	4,589,445	3,188,199	26,904,529

The financial information for the self-insurance plan is reported on the modified accrual basis within the General Fund. The liability for workers' compensation claims payable is recorded within governmental activities long-term liabilities at December 31, 2017.

11. LEASES

Operating Leases—The County's leases buildings, equipment and office space under non-cancelable operating leases. Total costs for such leases were $4,515,057 and $57,540 for governmental activities and business-type activities, respectively, for the year ended December 31, 2017. Future minimum lease payments at December 31, 2017 are presented below:

Year Ending December 31,	Governmental Activities	Business-type Activities	Total
2018	$ 3,412,086	$ 59,266	$ 3,471,352
2019	1,574,048	61,044	1,635,092
2020	1,022,235	62,876	1,085,111
Total	$ 6,008,369	$ 183,186	$ 6,191,555

A. Discretely presented component units:

i) Dutchess Community College

Capital Lease—The College has entered into an installment purchase agreement for equipment. The agreements provide that payments for any future fiscal period will not be required should funding not be appropriated. Interest on the purchase agreement is 4.2%. The future minimum payments required under the lease as of August 31, 2017 are presented below:

Year Ending August 31,	Principal	Interest
2018	$ 237,005	$ 61,427
2019	247,695	50,698
2020	258,868	39,483
2021	270,545	27,764
2022	282,748	15,515
Thereafter	220,399	3,268
Total	$ 1,517,260	$ 198,155

Interest expense related to capital lease obligations was approximately $71,693 in 2017.

In addition to the College, its component unit the Association entered into a capital lease agreement to finance the purchase of geothermal pumps used to heat the student resident halls. Interest on the capital lease is 3.9% and the outstanding balance on the lease is $297,402.

Operating Leases—The College leases buildings for use in its operations under operating lease agreements which expire at various times through August 2018. The agreements require the following minimum future annual lease payments as of August 31, 2017:

Year Ending August 31,	
2018	$ 517,055

Rental expense for 2017 was approximately $721,236.

12. SHORT-TERM LIABILITIES

A. Discretely presented component units:

Dutchess County Water and Wastewater Authority

State law requires that BANs issued for capital purposes be converted to long-term obligations within five years after the original issue date. However, BANs issued for assessable improvement projects may be renewed for periods equivalent to the life of permanent financing, provided that annual reductions of principal are made. The following is a summary of the Authority's short-term debt for the year ended December 31, 2017:

Description	Interest Rate	Balance 1/1/2017	Increases	Decreases	Balance 12/31/2017
EFC BANs - Shore Haven water system *	0.00%	$ 1,132,921	$ 1,614,020	$ 14,000	$ 2,732,941

* Reclassified from long-term

13. LONG-TERM LIABILITIES

In the government-wide financial statements, long-term debt and other long-term obligations are reported as noncurrent liabilities in the statement of net position.

In the fund financial statements, governmental funds recognize bond premiums and discounts during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources, while discounts on debt issuances are reported as other financing uses. Further, the unmatured principal of general long-term debt does not require current appropriations and expenditure of governmental fund financial resources.

The County's outstanding long-term liabilities include bonds payable, compensated absences, environmental clean up, workers' compensation and general claims, other postemployment benefits ("OPEB") obligation, and net pension liability,. A summary of changes in the County's long-term liabilities for the year ended December 31, 2017 is presented on the following page.

	Balance 1/1/2017	Additions	Reductions	Balance 12/31/2017	Due Within One Year
Governmental activities:					
Bonds payable:					
Serial bonds	$ 99,119,988	$ 4,900,000	$ 14,348,434	$ 89,671,554	$ 12,983,345
Premiums on serial bonds	7,867,858	43,139	709,895	7,201,102	712,052
DTASC tobacco settlement bonds	49,520,000	-	175,000	49,345,000	1,450,000
Premium on DTASC bonds	3,662,634	-	12,943	3,649,691	107,246
DTASC subordinate turbo CABs	5,496,235	382,939	-	5,879,174	-
Total bonds payable	165,666,715	5,326,078	15,246,272	155,746,521	15,252,643
Compensated absences	9,121,129	442,837	126,465	9,437,501	471,875
Environmental clean up	32,500	91,500	-	124,000	124,000
Workers' compensation and general claims	27,904,529	6,167,340	3,617,622	30,454,247	1,522,712
OPEB obligation	186,417,690	29,603,689	8,577,106	207,444,273	-
Net pension liability*	68,782,035	-	25,532,708	43,249,327	-
Total governmental activities	$ 457,924,598	$ 41,631,444	$ 53,100,173	$ 446,455,869	$ 17,371,230
Business-type activities:					
Bonds payable:					
Airport bonds	$ 1,225,527	$ -	$ 255,964	$ 969,563	$ 265,652
Transportation bonds	1,439,485	100,000	280,601	1,258,884	226,003
Total bonds payable	2,665,012	-	536,565	2,228,447	491,655
Compensated absences	41,079	6,357	8,171	39,265	1,963
OPEB obligation	1,393,715	119,485	648	1,512,552	-
Net pension liability*	333,416	-	136,843	196,573	-
Total business-type activities	$ 4,433,222	$ 125,842	$ 682,227	$ 3,976,837	$ 493,618

*(Reductions to the net pension liability are shown net of additions.)

Serial Bonds—General obligation bonds of the County (not including the DTASC debt) are issued principally as serial bonds, which are due at various times through 2037. The bonds are issued primarily to finance acquisition or construction of capital facilities. General obligation bonds have been issued for governmental activities. General obligation bonds are direct obligations and pledge the full faith and credit of the County. Principal and interest payments are included in the expenditures of the General Fund. The County has utilized 4.3% of its constitutional debt limit as of December 31, 2017.

On September 14, 2017, the County issued $5,000,000 in public improvement serial bonds for various capital improvements and equipment purchases. The serial bonds were issued at a premium of $43,139, carry an interest rate between 2.0 and 3.0 percent, and mature in March 2037.

A summary of additions and payments for the year ended December 31, 2017 is presented on the following page.

Description	Maturity Date	Interest Rate (%)	Balance 1/1/2017	Additions	Reductions	Balance 12/31/2017
Governmental activities:						
2006 Refunding	2018	4.00-5.00	$ 420,000	$ -	$ 325,000	$ 95,000
2007 Public Improvement	2028	4.00-5.00	1,500,000	-	1,500,000	-
2008 Public Improvement	2023	3.00-5.00	950,000	-	525,000	425,000
2009 Refunding Series A	2018	3.00-4.00	320,000	-	160,000	160,000
2009 Refunding Series B	2021	3.00-4.00	2,685,000	-	910,000	1,775,000
2010 Public Improvement	2025	2.00-4.00	9,004,120	-	1,196,754	7,807,366
2011 Public Improvement	2031	2.00-3.50	8,475,000	-	745,000	7,730,000
2011 Refunding	2022	2.00-5.00	1,198,139	-	470,087	728,052
2012 Public Improvement	2032	2.00-4.00	6,098,000	-	685,500	5,412,500
2013 Public Improvement	2033	2.00-4.13	3,529,000	-	481,000	3,048,000
2014 Public Improvement	2034	2.13-5.00	17,651,900	-	2,335,914	15,315,986
2015 Public Improvement	2035	2.00-5.00	24,316,000	-	2,963,000	21,353,000
2015 Refunding	2027	2.00-5.00	12,012,829	-	2,041,179	9,971,650
2016 Public Improvement	2028	3.00-4.00	10,960,000	-	10,000	10,950,000
2017 Public Improvement	2037	2.00-3.00	-	4,900,000	-	4,900,000
Total governmental activities			$99,119,988	$ 4,900,000	$14,348,434	$89,671,554
Business-type activities:						
2010 Public Improvement—Airport	2025	2.00-4.00	73,000	-	8,000	65,000
2010 Public Improvement—Transportation	2025	2.00-4.00	197,880		20,246	177,634
2011 Public Improvement—Transportation	2031	2.00-3.50	450,000	-	45,000	405,000
2011 Refunding—Airport	2022	2.00-5.00	281,861	-	59,912	221,949
2012 Public Improvement—Transportation	2032	2.00-4.00	72,000	-	64,500	7,500
2013 Public Improvement—Airport	2033	2.00-4.13	346,000	-	49,000	297,000
2014 Public Improvement—Airport	2034	2.13-5.00	28,100	-	9,086	19,014
2015 Public Improvement—Transportation	2035	2.00-5.00	489,000	-	122,000	367,000
2015 Refunding—Airport	2035	2.00-5.00	496,566		129,966	366,600
2015 Refunding—Transportation	2027	2.00-5.00	230,605		28,855	201,750
2017 Public Improvement	2037	2.00-3.00	-	100,000	-	100,000
Total business-type activities			$ 2,665,012	$ 100,000	$ 536,565	$ 2,228,447

DTASC Debt—In 2003, DTASC issued $47,815,000 of the New York Counties Tobacco Trust III Tobacco Settlement Pass-Through Bonds, Series 2003 ("Series 2003 Term Bonds") pursuant to an indenture dated as of December 18, 2003. The issue value of the bonds was $45,912,363, net of a bond discount of $1,902,637. Net proceeds were paid to the County for deposit to an escrow fund as a purchase from the County of all of the County's right, title and interest, under the MSA and the Decree, including the Tobacco Settlement Revenues ("TSR"). On September 22, 2016, DTASC issued $49,520,000 of Tobacco Settlement Asset Backed Refunding Bonds, Series 2016. The Series 2016 bonds and additional consideration received as a result of the refunding transaction were used to redeem or exchange all of DTASC's Tobacco Settlement Asset Backed Bonds Series 2003 outstanding in the aggregate principal amount of $22,250,000. As a result, the Series 2003 Term Bonds have been removed from the financial statements. Additionally, the Series 2016 Bonds' proceeds were used to acquire by negotiated purchase the initial principal amount of outstanding NYCTT Subordinate Bonds component S4B attributable to DTASC, to cancel the related NYCTT Subordinate Bonds component S2, and redeem NYCTT Subordinate Bonds component S1 bonds.

On November 15, 2005, DTASC participated in New York Counties Tobacco Trust V ("NYCTT"), along with 23 other New York County Tobacco Corporations, and issued Tobacco Settlement Pass-Through Bonds—Subordinate Turbo CABs in various series for the purpose of securitizing additional future tobacco settlement revenues. The proceeds of these bonds, $25,500,000 (after the deduction of $736,279 in bond issuance and underwriter costs), were used to purchase tobacco settlement rights from the County. The issuance had four components and payments on the Subordinate Turbo CABs were subordinate to the Series 2003 Term Bonds. As a result of the Tobacco Asset Back Refunding Bonds, Series 2016 transaction as described below, only the Series 2005 S3 Subordinate Turbo CABs remain.

Changes in bonds payable for the year ended December 31, 2017 are presented as follows:

Description	Year of Maturity	Yield	Beginning Balance 1/1/2017	Additions	Deletions	Ending Balance 12/31/2017	Amount Due Within One Year
Tobacco Settlement Bonds:							
Series 2016	2035	various	$ 49,520,000	$ -	$ 175,000	$ 49,345,000	$ 1,450,000
Plus: Bond premium			3,662,634	-	12,943	3,649,691	107,246
Net Tobacco Settlement Bonds			$ 53,182,634	$ -	$ 187,943	$ 52,994,691	$ 1,557,246

DTASC debt service requirements based upon planned principal payments for Tobacco Settlement Bonds, Series 2016 are as follows:

Year ended December 31,	Principal	Interest	Total
2018	$ 1,450,000	$ 1,598,000	$ 3,048,000
2019	1,185,000	2,518,950	3,703,950
2020	1,775,000	2,430,150	4,205,150
2021	1,885,000	2,320,350	4,205,350
2022	1,990,000	2,204,100	4,194,100
2023-2027	12,025,000	9,024,075	21,049,075
2028-2031	16,070,000	5,338,750	21,408,750
2033-2035	12,965,000	1,043,375	14,008,375
Total	$ 49,345,000	$ 26,477,750	$ 75,822,750

Subordinate Turbo CABs—Interest on the Subordinate Turbo CABs is compounded semiannually on June 1 and December 1, but is not payable until bond maturity. Interest accretes until both principal and accreted interest are paid. Future interest accretion has been recorded as bond discount and amortized as the current interest accretes. The accreted interest on the Subordinate Turbo CABs is reflected within the Subordinate Turbo CABs payable liability.

A summary of the Subordinate Turbo CABs net bond balance activity for the year ended December 31, 2017 follows:

	Interest Rate	Beginning Balance 1/1/2017	Annual Net Interest Accretion	Reductions	Ending Balance 12/31/2017
Subordinate Turbo CABs	6.85%	$ 5,496,235	$ 382,939	$ -	$ 5,879,174

Redemption of the Subordinate Turbo CABs as outlined in the New York Counties Tobacco Trust VI Tobacco Settlement Pass-Through Bonds, Series 2016 official statement totals $22,446,736 and is scheduled to be paid from 2035 to 2040, while early payment is allowed. During the year ended

December 31, 2017, DTASC did not make any redemption payments. Outstanding Subordinate Turbo CABs consist of one installment, Series 2005 S3.

Amortization of Bond Premiums and Discount—The County issued advanced refunding serial bonds which included a bond premium. The premiums are being amortized on a straight-line basis over the life of the bonds, with maturity dates ranging from 2021 to 2037. The total unamortized premium of the County as of December 31, 2017 was $7,201,102. Additionally, DTASC issued Tobacco Settlement Asset Backed Refunding Bonds during the year which included a bond premium. The total unamortized premium of the DTASC as of December 31, 2017 was $3,649,691.

Compensated Absences—As explained in Note 1, compensated absences are recorded in the government-wide and proprietary fund financial statements. Governmental funds report only matured compensated absences payable to currently terminating employees which are included in wages and benefits. The payment of compensated absences is dependent on many factors and, therefore, cannot be reasonably estimated as to future timing of payment. The annual budgets of operating funds provide for such as amounts become payable. The values recorded at December 31, 2016 for governmental and business-type activities are $9,437,501 and $39,265, respectively.

Environmental Clean Up—The results of the County's evaluation of its underground storage tank removal concluded with an estimate of $124,000 liability being recorded in the governmental activities of the government-wide financial statements.

Workers' Compensation and General Claims—As explained in Note 10, the County is self-insured. Liabilities are established for workers' compensation and general claims in accordance with GASB requirements. At December 31, 2017, the County reported $29,454,247 of workers' compensation liability and $1,000,000 as general claims. Estimated long-term contingent loss liabilities in the governmental fund types have been reported as long-term liabilities in the government-wide financial statements. The proprietary funds have no loss contingency liability other than workers' compensation, which is only recognized when invoiced from the County.

OPEB Obligation—As explained in Note 8, the County provides medical, dental, and life insurance benefits for retirees, spouses, and their covered dependents while contributing a portion of the expenses. The County's annual OPEB cost is calculated based on the annual required contributions of the employer, an amount actuarially determined in accordance with GASB. The County's long-term OPEB obligation is estimated to be $207,444,273 and $1,512,552 at December 31, 2017 for governmental and business-type activities, respectively.

Net Pension Liability—The County reports a liability for its proportionate share of the net pension liability for the Employees' Retirement System. The net pension liability is estimated to be $43,249,327 and $196,573 in the governmental and business-type activities, respectively. Refer to Note 7 for additional information related to the County's net pension liability.

The following is a maturity schedule of the County's indebtedness:

	Governmental Activities				
Year ending December 31,	Serial Bonds	Premiums on Serial Bonds	DTASC Tobacco Settlement Bonds	Premium on DTASC Bonds	DTASC Subordinate Turbo CABs
2018	$ 12,983,345	$ 712,052	$ 1,450,000	$ 107,246	$ -
2019	12,083,084	712,052	1,185,000	183,131	-
2020	10,222,735	712,052	1,775,000	183,131	-
2021	8,110,163	712,052	1,885,000	183,131	-
2022	7,182,064	625,109	1,990,000	183,131	-
2023-2027	25,407,663	2,124,785	12,025,000	915,655	-
2028-2032	10,582,500	1,131,485	16,070,000	915,655	-
2033-2037	3,100,000	471,515	12,965,000	978,611	-
Thereafter	-	-	-	-	5,879,174
Total	$ 89,671,554	$ 7,201,102	$ 49,345,000	$ 3,649,691	$ 5,879,174

	Governmental Activities					
Year ending December 31,	Workers' Compensation and General Claims	OPEB	Net Pension Liability	Compensated Absences	Environmental Clean Up	Total
2018	$ 1,522,712	$ -	$ -	$ 471,875	$ 124,000	$ 17,371,230
2019	-	-	-	-	-	14,163,267
2020	-	-	-	-	-	12,892,918
2021	-	-	-	-	-	10,890,346
2022	-	-	-	-	-	9,980,304
2023-2027	-	-	-	-	-	40,473,103
2028-2032	-	-	-	-	-	28,699,640
2033-2037	-	-	-	-	-	17,515,126
Thereafter	28,931,535	207,444,273	43,249,327	8,965,626	-	294,469,935
Total	$ 30,454,247	$ 207,444,273	$ 43,249,327	$ 9,437,501	$ 124,000	$ 446,455,869

	Business-type Activities					
Year ending December 31,	Airport Bonds	Transportation Bonds	OPEB	Net Pension Liability	Compensated Absences	Total
2018	$ 265,652	$ 226,003	$ -	$ -	$ 1,963	$ 493,618
2019	175,364	226,552	-	-	-	401,916
2020	154,401	227,865	-	-	-	382,266
2021	156,400	108,437	-	-	-	264,837
2022	140,746	102,190	-	-	-	242,936
2023-2027	77,000	365,337	-	-	-	442,337
2028-2032	-	2,500	-	-	-	2,500
Thereafter	-	-	1,512,552	196,573	37,302	1,746,427
Total	$ 969,563	$ 1,258,884	$ 1,512,552	$ 196,573	$ 39,265	$ 3,976,837

Interest requirements relating to bonds payable are as follows:

Year Ending December 31,	Governmental Actvities	Business-type Activities	Total
2018	$ 3,074,927	$ 80,558	$ 3,155,485
2019	2,522,850	58,850	2,581,700
2020	2,049,008	42,917	2,091,925
2021	1,672,673	30,652	1,703,325
2022	1,350,413	22,306	1,372,719
2023-2027	3,821,591	42,856	3,864,447
2028-2032	1,164,045	168	1,164,213
2033-2037	150,734	-	150,734
Total	$ 15,806,241	$ 278,307	$ 16,084,548

A. Discretely presented component units

i) Dutchess Community College

The following table summarizes changes in the College's long-term liabilities for the year ended August 31, 2017:

	Balance 9/1/2016	Additions	Reductions	Balance 8/31/2017	Due Within One Year
Capital lease obligations	$ 1,744,036	$ -	$ 226,776	$ 1,517,260	$ 237,005
Compensated absences	2,638,008	486,829	264,000	2,860,837	286,000
Net pension liability	6,782,722	-	2,689,613	4,093,109	-
OPEB obligation	62,317,126	6,661,218	2,149,979	66,828,365	-
Total long-term liabilities	$ 73,481,892	$ 7,148,047	$ 5,330,368	$ 75,299,571	$ 523,005

In addition to the College, its component unit, the Association reported a long-term mortgage payable and capital leases in the amounts of $24,847,465 and $297,402, respectively, as of August 31, 2017.

Capital Leases—As explained in Note 11, the College entered into an installment purchase agreement for equipment. At August 31, 2017, the future minimum lease obligation is $1,517,260.

Compensated Absences—College recognizes a liability for vested sick leave and other compensated absences with similar characteristics to the extent it is probable that the College will compensate the employees for the benefits through cash payments at retirement rather than be taken as absences due to illness or other contingencies. The value recorded at August 31, 2017 for the College is $2,860,837.

Net Pension Liability—The College reported a liability, $4,093,109, for its proportionate share of the net pension liability for the Employee Retirement System. Refer to Note 7 for additional information related to the College's net pension liability.

OPEB Obligation—As explained in Note 8, the College provides medical, dental, and life insurance benefits for retirees, spouses, and their covered dependents while contributing a portion of the expenses. The College's annual OPEB cost is calculated based on the annual required contributions of the employer, an amount actuarially determined in accordance with GASB. The College's long-term OPEB obligation is estimated to be $66,828,365 at August 31, 2017.

ii) Dutchess County Resource Recovery Agency

Bonds Payable—In May 2017, the Agency issued $12,130,000 in solid waste system revenue bonds with interest rates ranging from 3.0 percent to 5.0 percent. The proceeds were used to refund the outstanding principal of the Agency's $16,140,000 Solid Waste System Revenue Bonds, Series 2007, paying certain costs of issuance of the Series 2017 bonds, and funding of a debt service reserve fund. The net proceeds of the refunding, $13,502,501, after payment of underwriting and other issuance costs, were used to purchase federal government securities. These securities were deposited in an irrevocable trust with an escrow agent to provide for all future debt service payments on the refunded debt. The cash flow required to service the old debt was $16,686,213, and the cash flow required to service the new debt is $15,298,575, resulting in a savings of $1,387,638.

In November 2007, the Agency issued the 2007 Series Bonds in the amount of $16,140,000 to permanently finance the Agency's plant improvements to be in compliance with the standards set forth by the U.S. Environmental Protection Agency (E.P.A.).

The 2007 Series Bonds are payable from and secured by an express lien on the unexpended proceeds of the bonds held by the Trustee; the Agency's right to receive and/or enforce receipt of revenues; and the Agency's rights and remedies under certain agreements. In addition, the Agency is required to fulfill certain covenants as described below.

The Agency has covenanted under the indenture that operating revenues earned from the disposal of solid waste at the plant plus investment earnings will equal or exceed the sum of (i) all operating expenses of the Agency contained in the budget for such bond year, (ii) an amount equal to 110% of the debt service requirement for such bond year and (iii) amounts, if any, necessary to fund the debt service reserve fund to the debt service reserve requirement or to fund the reserve and contingency fund to the reserve and contingency fund requirement.

Annual amortization and sinking fund requirements for bonds payable are as follows:

Year Ending December 31,	Principal	Interest	Total
2018	$ 1,170,000	$ 555,400	$ 1,725,400
2019	1,015,000	517,550	1,532,550
2020	1,055,000	470,875	1,525,875
2021	1,105,000	416,875	1,521,875
2022	1,165,000	360,125	1,525,125
2023-2027	6,620,000	847,750	7,467,750
Total	$ 12,130,000	$ 3,168,575	$ 15,298,575

The Agency must obtain additional certifications regarding events of default occurring, landfill capacity and the quantity of waste processed. The Agency must maintain various accounts, described as restricted assets, which are subject to minimum funding requirements. At December 31, 2017 these debt service reserves exceeded their funding requirements.

OPEB Obligation—As explained in Note 8, the Agency provides certain benefits for retirees, spouses, and their covered dependents while contributing a portion of the expenses. The Agency's annual OPEB cost is calculated based on the annual required contributions of the employer, an amount actuarially determined in accordance with GASB. The Agency's long-term OPEB obligation is estimated to be $679,557 at December 31, 2017.

Net Pension Liability—As explained in Note 7, the Agency reports a liability for its proportionate share of the net pension liability for the Employees' Retirement System. The net pension liability is estimated to be $22,726.

Non-Performance Liability—The Agency was a defendant in a lawsuit regarding liabilities due to the former plant operator from the Agency. The matter was resolved to the mutual satisfaction of the former plant operator and the Agency in November 2017. At December 31, 2017, the Agency's non-performance liability is estimated to be $1,250,000, of which $400,000 is expected to be due within one year.

iii) Dutchess County Water and Wastewater Authority

Bond Anticipation Notes ("BANs")—In February 2017, the Authority authorized financing of $3,752,144 with New York State Environmental Facilities Corporation maturing in February 2022. The purpose of the notes is to provide the Authority with funds to pay for improvements to the Pinebrook Sewer District wastewater treatment plant. As of December 31, 2017, the Authority reported a noncurrent BAN liability of $147,682 for drawdowns as of that date.

Bonds Payable—The Authority issues revenue bonds to finance the acquisition of systems and the cost of the capital renovations to those systems and to pay costs of issuance.

As of June 1, 1995, the Authority executed a trust indenture authorizing the issuance of debt for the purpose of acquiring a sewage facility. This trust indenture was amended in 2007 to authorize debt issued for Part County Sewer Districts #1 and #2. One supplemental trust indenture was authorized under terms similar to those described in the General Bond Resolution described below for Part County Sewer District #2.

As of September 30, 1997, the Authority adopted a special bond resolution authorizing debt to be sold at private sale for the purpose of acquiring a privately held water system.

As of June 1, 1998 the Authority adopted a General Bond Resolution which enabled the Authority to issue additional debt pursuant to supplemental resolutions without having to modify the form or general terms of the debt, referred to as additional parity debt. The Authority has issued fifteen supplemental resolutions pursuant to this general bond resolution, authorizing debt issues in the years of 1998, 1999, 2000, 2001, 2004, two issues during 2002, 2008, 2009, 2010, 2011, 2013, 2014, two issues in 2015 and 2016.

As of August 1, 2004, the Authority adopted a general bond resolution pertaining to the Part County Sewer District No. 3, which enabled it to issue bonds to finance the purchase of Dalton Farms Sewer System.

Debt service requirements to maturity as of December 31, 2017 are presented on the following page.

Description	Maturity	Interest Rate (%)	Balance December 31, 2017
1998 Revenue Bonds (Zero Coupon) Series One	2029	3.90-5.40	$ 3,817,818
2000 Service Agreement Revenue Bond Series 2000	2020	5.65	190,000
2001 Service Agreement Revenue (Refunding) Bond Series 2001	2041	3.00-5.36	1,123,410
2004 Water Service Agreement Revenue Bond Series 2004	2024	2.00-4.25	925,000
2004 Sewer Service Agreement Revenue Bond Series 2004	2024	2.00-4.25	980,000
2009 Water Service Agreement Revenue Bond Series 2009	2029	3.00-5.00	1,535,000
2009 Water Service Agreement Revenue Bond Series 2009	2030	5.62-5.96	1,347,524
New York State Environmental Facilities Corporation State Clean Water and Drinking Water Revolving Fund Revenue (Refunding) Bond Series 2010 C	2029	0.85-3.36	2,440,000
New York State Environmental Facilities Corporation State Drinking Water Revolving Fund Revenue (Refunding) Bond Series 2011C	2023	0.54-3.17	985,000
2011 Service Agreement Revenue Bond Series 2011	2041	3.50-4.25	1,730,000
New York State Environmental Facilities Corporation Revenue Refunding Bond Series 2014B	2026	0.15-2.75	265,000
New York State Environmental Facilities Corporation Revenue Refunding Bond Series 2014B	2037	0.15-4.20	1,765,000
New York State Environmental Facilities Corporation Bond Series 2016	2025	4.36-4.96	1,055,000
New York State Environmental Facilities Corporation Bond Series 2016 B	2044	0.55-3.35	3,934,399
2016 Service Agreement Revenue Bond Series 2016	2046	1.50-3.25	1,545,000
2016 Service Agreement Revenue Refunding Bond Series 2016	2029	1.75-4.00	3,865,000
Total bonds			27,503,151
Accreted interest recorded on zero coupon bonds			8,524,081
Total bonds payable			36,027,232
Portion due within one year			(2,541,638)
Net bonds payable due in more than one year			$ 33,485,594

Debt issued and outstanding under the above listed authorizations as of December 31, 2017 is presented below:

	Balance 1/1/2017	Additions	Payments	Balance 12/31/2017	Due Within One Year
Bonds payable*	$ 37,813,791	$ 678,441	$ 2,465,000	$ 36,027,232	$ 2,541,638
Long-term bond anticipation notes**	1,132,921	1,761,702	2,746,941	147,682	-
Net pension liability	714,613	-	283,722	430,891	242,033
OPEB liability	1,525,118	222,689	-	1,747,807	-
	$ 41,186,443	$ 2,662,832	$ 5,495,663	$ 38,353,612	$ 2,783,671

*Bonds payable increased by $678,441 in adjustments for accreted interest on 1998 Series I debt, 2001 debt, and 2009 debt.

**The Shore Haven water system improvements bond anticipation note was reclassified to short-term in 2017.

Bond Covenants—The Authority has agreed to maintain dedicated sources of revenues with respect to the projects financed in accordance with the State Act and in amounts such that the revenues of the Authority with respect to the financial projects shall be sufficient, together with all other funds available to the Authority for cash purposes, to pay all costs of operating and maintaining the projects and to pay principal and interest requirements. The bonds payable are special obligations of the Authority, collateralized by the assets of the Authority and to be amortized solely from the revenues of the Authority.

The Authority has pledged its revenues, subject to the right to pay operating expenses, its interest in its Service Agreement with Dutchess County, its interest in cash and investments held by the Bond Trustee and any other property subsequently pledged.

In addition to pledging its revenues and other rights as described above, the Authority made certain covenants including that it will fix, charge and collect water rates together with other Authority revenues in amounts sufficient to provide for operating expenses as included in the Authority's budget. The Authority also pledges to maintain, in full force and effect, the service agreement with the County, as is further described in Note 15.

In April 2016, the Authority issued $3,895,000 in service agreement revenue refunding bonds with interest rates of 1.75-4.00%. The proceeds were used to refund a portion of the Authority's 2009 bonds for Birch Hill and Hyde Park system improvements, and pay the costs of issuance of the 2016 refunding bonds. The net proceeds of the refunding, $4,178,704 after payment of underwriting and other issuance costs, were used to purchase state and local government securities. These securities were deposited in an irrevocable trust with an escrow agent to provide for all future debt service payments on the refunded debt. The cash flow required to service the old debt was $5,368,563, and the cash flow required to service the new debt is $4,977,859, resulting in a reduction of $390,703. The economic gain (net present value savings resulting from the refunding) amounted to $350,743. Escrow funds were used to pay down refunded debt, resulting in an outstanding balance of $3,941,589 as of December 31, 2017. The refunded bonds will be called in 2019.

14. NET POSITION AND FUND BALANCE

The government-wide financial statements utilize a net position presentation. Net position is categorized as net investment in capital assets, restricted and unrestricted.

- ***Net Investment in Capital Assets***—This category groups all capital assets, including infrastructure, into one component of net position. Accumulated depreciation and the outstanding balances of debt that are attributable to the acquisition, construction or improvement of these assets reduce the balance in this category. A reconciliation of the County's governmental activities net investment in capital assets is presented below.

Capital assets, net of accumulated depreciation		$205,183,460
Other noncurrent asset, net of amortization		7,680,550
Less related debt:		
Serial bonds—County	$(89,671,554)	
Unamortized bond premium—County	(7,201,102)	
Serial bonds—DTASC	(55,224,174)	
Unamortized bond premium—DTASC	(3,649,691)	
Serial bonds issued on behalf of Dutchess Community College	2,197,086	
Serial bonds issued for non-capital purposes	4,545,000	
Unspent debt proceeds reported within the Capital Projects Fund	7,862,101	(141,142,334)
Net investment in capital assets		$ 71,721,676

- ***Restricted Net Position***—This category represents external restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments and restrictions imposed by law through constitutional provisions or enabling legislation. The total restricted component of net position is $24,556,841, of which $13,823,535 is restricted for debt service; $5,696,788 for workers' compensation; and $5,036,518 for other restrictions, which represents capital projects, $147,340; self-insurance, $1,623,786; and miscellaneous special reserves, $3,265,392.

- ***Unrestricted Net Position***—This category represents net position of the County not restricted for any project or other purpose.

In the fund financial statements, nonspendable amounts represent net current financial resources that cannot be spent because they are either not in spendable form or legally or contractually required to be maintained intact. Nonspendable fund balance maintained by the County at December 31, 2017 is presented on the below.

- ***Prepaid Items***—Represents amounts prepaid to the retirement system that are applicable to future accounting periods. The General Fund, County Road Fund and Road Machinery Fund reported amounts of $4,395,860, $189,348 and $34,245, respectively, at December 31, 2017.

- ***Inventories***—Represents the portion of fund balance, $100,081, composed of inventory and is nonspendable in the General Fund because inventory is not an available spendable resource.

In the fund financial statements, restricted fund balances are amounts constrained to specific purposes (such as creditors, grants, contributors, or laws and regulations of other governments) through constitutional provisions or enabling legislation. The following table presents restricted fund balances of the County as of December 31, 2017.

	General Fund	Capital Projects Fund	DTASC Fund	Total
Restricted for:				
Workers' compensation	$ 5,696,788	$ -	$ -	$ 5,696,788
Self insurance	1,623,786	-	-	1,623,786
Capital projects	147,340	4,432,914	-	4,580,254
Debt service	7,201,587	-	3,327,805	10,529,392
Sheriff—Asset forfeiture	140,170	-	-	140,170
Sheriff—DWI and traffic safety	152,411	-	-	152,411
Aging and special needs programs	139,781	-	-	139,781
Veterans services	16,253	-	-	16,253
Shared services	2,816,777	-	-	2,816,777
Total restricted fund balance	$ 17,934,893	$ 4,432,914	$ 3,327,805	$ 25,695,612

- ***Restricted for Workers' Compensation***—Represents reserves established within the General Fund which will be used to pay self-insured workers' compensation claims and expenses in excess of claims and expenses paid from current appropriations.

- ***Restricted for Self Insurance***—Represents reserves established within the General Fund which will be used to pay claims, actions or judgments against the County that results from personal injuries or property damage.

- ***Restricted for Capital Projects***—Represents reserves established within the General Fund and Capital Projects Fund which will be used to pay for the costs of future capital expenditures.

- ***Restricted for Debt Service***—Represents reserves which will be used for the reduction of future debt service requirements.

- ***Restricted for Sheriff—Asset Forfeiture***—Represents asset forfeiture revenue restricted to pay for equipment or other uses that will aid in drug enforcement activities, pursuant to state and federal laws.

- ***Restricted for Sheriff—DWI and Traffic Safety***—Represents STOP DWI fees restricted to pay for road safety programs and equipment to combat the use and abuse of drugs and alcohol which eventually results in reducing the incidents of driving while intoxicated.
- ***Restricted for Aging and Special Needs Programs***—Represents programs for the aging and special needs revenue restricted to pay for the operation and maintenance of those programs.
- ***Restricted for Veterans Services***—Represents reserves established within the General Fund which will be used to pay for the future costs associated with veteran services.
- ***Restricted for Shared Services***—Represents reserves established within the General Fund which will be used to pay for the future costs associated with the Dutchess County Municipal Consolidation & Shared Services Grant Program.

In the fund financial statements, commitments are amounts that are subject to a purpose constraint imposed by a formal action of the County's highest level of decision-making authority. As of December 31, 2017, the County had no committed fund balance.

In the fund financial statements, assignments are not legally required segregations, but are subject to a purpose constraint that represents an intended use established by the County's Legislature, or by its designated body or official. The purpose of the assignment must be narrower than the purpose of the General Fund, and in funds other than the General Fund, assigned fund balance represents the residual amount of fund balance.

As of December 31, 2017, the County reported the following fund balances assignments:

	General Fund	DTASC	Nonmajor Governmental Funds	Total
Assigned for:				
Encumbrances	$ 3,871,446	$ -	$ -	$ 3,871,446
Subsequent year's expenditures	12,500,000	-	2,500,000	15,000,000
Specific use	-	52,857	2,136,457	2,189,314
Total assigned fund balance	$ 16,371,446	$ 52,857	$ 4,636,457	$ 21,060,760

- ***Assigned to Encumbrances***—Represents commitments related to unperformed contracts or purchase orders for goods or services.
- ***Assigned to Subsequent Year's Expenditures***—Represents available fund balance being appropriated to meet expenditure requirements in the 2018 fiscal year.
- ***Assigned to Specific Use***—Represents fund balance within the special revenue funds that is assigned for a specific purpose. The assignments' purpose relates to each fund's operations and represent the remaining amounts within funds that are not restricted or committed.

It is the County's policy to expend fund balances in the following order: nonspendable fund balance, restricted fund balance, committed fund balance, assigned fund balance, and unassigned fund balance.

15. RELATED PARTY TRANSACTIONS

The following schedule presents significant transactions between the primary government and its component units during the year ended December 31, 2017:

Component Unit	Amount	Nature of Transaction
Dutchess Community College	$ 13,537,898	Operating and capital support
Dutchess County Resource Recovery Agency	(1,333,474)	Net service fee (over-accrual)
Dutchess County Water and Wastewater Authority	3,227,305	Net service fee
Aggregated nonmajor component units	295,800	Charges for services
Total	$ 15,727,529	

The County provided economic support to the above component units based on contractual obligations between the parties (see Note 20).

A. Discretely presented component units:

i) Dutchess County Resource Recovery Agency:

As further discussed in Note 20, Dutchess County is responsible for net service fees due to/(from) the Agency. The net service fees calculation resulted in a payment of $(1,333,474) during 2017, as past net service fees were determined to be over accrued and owed to Dutchess County. At December 31, 2017, $351,125 was due to Dutchess County and included in due to primary government.

During 2017, the Agency participated in the health and dental insurance plan administered by Dutchess County and was charged $98,336.

ii) Dutchess County Water and Wastewater Authority:

The Authority has entered into service agreements with Dutchess County for the Water District and Part County Sewer Districts to provide water and/or sewer services and receive a service fee from Dutchess County based on a contractual formula, generally when revenues are insufficient to cover certain operating expenses and debt service requirements. The Authority also receives payments from Dutchess County for the completion of certain consulting projects. Although these payments are subject to budgetary resolutions by the Dutchess County Legislature for approval, no approvals have been withheld by the Legislature. For the year ended 2017, the Authority recorded net revenues of $3,227,303, having recorded a return of $123,481 to the County during the year. Nothing was due to the County at year-end. Since the Authority is a component unit of Dutchess County, these transactions are also considered related party transactions.

16. INTERFUND BALANCES AND ACTIVITY

Interfund receivables and payables are short-term in nature and exist because of temporary advances or payments made on behalf of other funds. All interfund balances are expected to be collected/paid within the subsequent year. Interfund transfers are routine annual events for both the budget and accounting process and are necessary to present funds in their proper fund classification. The composition of interfund balances as of December 31, 2017 is shown in the table below:

	Interfund	
Fund	Receivable	Payable
Governmental funds:		
General Fund	$ 14,932,838	$ -
Capital Projects Fund	-	13,936,283
Nonmajor governmental funds	-	34,628
Proprietary funds:		
Airport Fund	318	103,643
Transportation Fund	-	858,602
Total	$ 14,933,156	$ 14,933,156

Transfers are used primarily to (1) move revenues from the fund that statute or budget requires to collect them to the fund that statute of budget required to expend them, (2) move receipts restricted to debt service from the funds collecting the receipts to the fund making payments when due, and (3) move residual cash from closed capital projects.

The County made the following transfers during the year ended December 31, 2017:

	Transfers in:					
	Governmental funds			Proprietary funds		
Transfers out:	General Fund	Capital Projects Fund	Total Nonmajor Funds	Airport Fund	Transportation Fund	Total
Governmental funds:						
General Fund	$ -	$ 4,443,900	$ 13,600	$ 297,711	$ 1,167,936	$ 5,923,147
Capital Projects Fund	495,082	-	-	-	-	495,082
Proprietary fund:						
Transportation Fund	50,000	-	-	-	-	50,000
Total	$ 545,082	$ 4,443,900	$ 13,600	$ 297,711	$ 1,167,936	$ 6,468,229

17. AGENCY FUND

An agency fund exists for employee withholding and temporary deposit funds. A summary of changes in the assets and liabilities for the year ended December 31, 2017 is presented below:

	Balance 1/1/2017	Additions	Deletions	Balance 12/31/2017
ASSETS				
Cash and cash equivalents	$ 7,406,581	$ 105,714,116	$ 104,535,645	$ 8,585,052
Accounts receivable	921,930	526,612	921,930	526,612
Total assets	8,328,511	106,240,728	105,457,575	9,111,664
LIABILITIES				
Agency liabilities	8,328,511	97,477,676	96,694,523	9,111,664
Due to other funds	-	3,200,000	3,200,000	-
Total liabilities	$ 8,328,511	$ 100,677,676	$ 99,894,523	$ 9,111,664

18. LABOR RELATIONS

The County's employees operate under three collective bargaining units: the CSEA Local 1000 AFSCME/AFL-CIO ("CSEA"), the Dutchess County Sheriff's Employees Association ("DCSEA"), and the Dutchess County Sheriff and Deputy Sheriff's P.B.A., Inc, ("PBA"). The DCSEA and PBA contracts are negotiated through December 31, 2019. The CSEA contract is negotiated through December 31, 2020.

19. TAX ABATEMENTS

The County is subject to tax abatements granted by the Dutchess County Industrial Development Agency ("DCIDA"). These programs have the stated purpose of increasing business activity and employment in the region. Economic development agreements are entered into by the DCIDA and include the abatement of state, county, local and school district taxes, in addition to other assistance. In the case of the County, the abatements have resulted in reductions of property taxes, which the County administers as a temporary reduction in the assessed value of the property involved. The abatement agreements stipulate a percentage reduction of property taxes, which can be as much as 100 percent. Under the agreements entered into by DCIDA, the County collected $2,092,886 during 2017 in payments in lieu of taxes ("PILOT"), these collections were made in lieu of $10,287,212 in sales and use taxes and $1,727,175 in property taxes.

20. COMMITMENTS

Encumbrances—Encumbrances are commitments related to unperformed (executory) contracts for goods or services (i.e., purchase orders, contracts, and commitments). Encumbrance accounting is utilized to the extent necessary to assure effective budgetary control and accountability and to facilitate effective cash planning and control. Open encumbrances are reported as an assignment of fund balance since such commitments will be honored through budget appropriations in the subsequent year. The County considers encumbrances to be significant for amounts that are encumbered in excess of $1,000,000. As of December 31, 2017, the County reported no significant encumbrances.

The County had the following outstanding construction projects in progress as of December 31, 2017, as evidenced by contractual commitments.

Project	Encumbrances Outstanding
Capital Projects Fund:	
Transportation	$ 745,117
County roads and bridges	3,413,899
Parks and recreation	89,894
Building and building improvements	2,348,619
Water transmission line	2,362,834
Jail project - design phase	8,601,145
Total	$ 17,561,508

Dutchess Utility Corridor Contract—In 2006, the County entered into the Dutchess Utility Corridor Contract with Dutchess County Water and Wastewater Authority. The contract requires Dutchess County to provide $10,375,000 to the Authority to pay for certain project costs. The County, in exchange, will receive the rights to utilize 50% of the capacity of the new system and be paid a service fee by the Authority for its usage of the line in conjunction with their operations. At December 31, 2017, the County has provided $7,680,550 to the Authority which is reflected as "Other Assets" in the Statement of Net Position. The project is being amortized on a straight-line basis over the next 40 years, with amortization expense of $274,572 in 2017.

Economic Support for Component Units—The County is responsible to pay economic support to the Dutchess County Resource Recovery Agency and the Dutchess County Water and Wastewater Authority based on contracted formulas when revenues at these component units are insufficient to cover their operating expenses and debt service requirements. During the year ended December 31, 2017, the County's portion of these costs was $1,893,829.

The County is required by New York State Education Law to pay to Dutchess Community College a portion of the college's operating costs for nonresident students. This amount is determined based on the rate reported by the State of New York.

21. CONTINGENCIES

Grants—The County receives significant financial assistance from numerous federal and state governmental agencies in the form of grants. The disbursement of funds received under these programs generally requires compliance with terms and conditions, specified in the grant agreements and is subject to audit. Any disallowed expenditure resulting from such audits could become a liability of the governmental funds. While the amount of expenditures, if any, which may be disallowed cannot be determined at this time, management expects any amounts to be immaterial.

Litigation—The County is a defendant in a number of lawsuits. In the opinion of the County Attorney, after considering all relevant facts, such litigation in the aggregate will not have a material adverse effect on the financial position or results of operations of the County.

A. Discretely presented component units

i) Dutchess Community College

Litigation—The College is a defendant in several lawsuits. While the outcome of these lawsuits or other proceedings against the College cannot be predicted with certainty, the College does not expect that these matters will have a material adverse effect on its financial position.

State and Federal Grant Programs and State Aid—The College participates in various State and Federal grant programs. These programs are subject to program compliance audits by the grantors or their representative. The audits of these programs are an ongoing process and many have not yet been conducted or completed. Accordingly, the College's compliance with applicable grant requirements will be established at a future date. The amount, if any, of expenditures which may be disallowed by the granting agencies cannot be determined at this time, although the College anticipates such amounts, if any, will not be material. The College's Federal compliance audit under Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards* ("Uniform Guidance"), is performed in conjunction with the audit of the Sponsor and is included in the Sponsor's report.

The College is subject to audits of State aid by New York State. The amount of aid previously paid to the College which may be disallowed cannot be determined at this time, although the College anticipates such amounts, if any, to be immaterial.

Rate Adjustment—Operating Chargebacks—The College is authorized by the New York State Education Law to charge and collect from each county within the State for each nonresident student an allocable portion of the operating costs of the College. The College calculates this charge on a yearly basis and bills the respective counties at this rate. This rate is adjusted by the State on a two year lag period.

ii) Dutchess County Resource Recovery Agency

Solid Waste Disposal Service Agreement—The Agency and Dutchess County entered into a solid waste disposal service agreement dated December 1, 1984, amended September 20, 1990 and September 1993. The County agreed to deliver at least 140,000 tons per year of solid waste to the plant and to pay net service fees to the Agency amounting to the excess of payments for debt service and reserves, fees to the contractor and accrued expenses over tipping fees, energy and other revenues. It is the Agency's obligation to process and to provide for disposal of the solid waste. The terms of the agreement were extended during 2007 to remain in effect through July 1, 2027.

Operations Service Agreement—The Agency has entered into an operations service agreement, with a commercial corporation wherein the corporation has agreed to operate the resource recovery plant, and the Agency is required to provide the plant with a guaranteed amount of solid waste, provide an ash landfill, and pay fees to the corporation. The Agency entered into an agreement with a new commercial corporation to become the plant operator, effective July 1, 2014 and expiring 162 months from that date.

The Agency's current operating permit allows for up to 164,000 tons to be processed at the plant. However the Agency is required to supply the 140,000 tons, or pay the corporation $68 a ton for each ton of solid waste below that amount which is not delivered to the plan, adjusted based upon changes in labor and material price indexes. During 2017, the Agency caused to have delivered 145,637 tons, meeting its guarantees.

Power Sales Agreement—The Agency and a commercial corporation have entered into a power sales agreement dated November 1, 1984. The Agency agrees to sell all electricity produced by the plant in excess of its own requirements to the corporation at a price based on tariffs filed with the New York State Public Service Commission. The terms of the agreement were effective through January 1, 2008, and included provisions for an automatic renewal for two consecutive 5-year periods, plus extensions, currently expiring January 1, 2018.

Transportation of Ash Residue and Non-processable Waste—Effective January 2, 1999, the Agency executed a contract with a commercial corporation for the transportation of ash residue and non-processable waste to a municipal landfill for the period of January 2, 1999 through December 31, 2001 for incineration residue up to 40,000 tons per year, and up to 6,000 tons for unprocessed waste per year. The contract has continued in effect through report date on similar terms.

Commencing in November 2004, the Agency executed an amendment to the contract that the commercial corporation shall deliver up to 10,000 tons per year at a cost of $25 per ton to an alternate landfill site.

Economic Dependency—The Agency is entitled to receive net service fees from Dutchess County based on a contractual formula, generally when revenues are insufficient to cover operating expenses and debt service requirements. These payments are subject to approval by resolution of the Dutchess County Legislature.

Operating Permits—The Agency is required to maintain operating permits for its small power production and solid waste management facility. The Part 360 Operating permit expired in July 2011 and the Title V Air Control permit expired in July 2011. The Agency submitted a timely renewal application and is now operating under the State Administrative Procedures Act while the permit is under NYSDEC review. The Title V Air Control permit has been renewed and runs through October 2021.

Operations Service Agreement—The Agency employs an independent engineer to prepare an annual report summarizing waste processed, utility usage, supplemental compensation, and other items relating to revenues and expenses of the Operator. The Agency records a receivable and expense accrual covering the amounts shown to be due to and due from the Operator. The Agency and the current Operator have agreed upon and accepted the 2017 annual reconciliation.

Litigation—The Agency is a defendant in a lawsuit regarding liabilities due to the former plant operator from the Agency. The matter was resolved to the mutual satisfaction of the former plant operator and the Agency in November 2017.

The Town of Poughkeepsie has a claim against the Agency regarding Host Community Benefit payments due to the Town. The Agency and the Town settled the liability in exchange for Town use of disposal services for a five year period.

iii) Dutchess County Water and Wastewater Authority

Litigation—The Authority is subject to various litigation and claims arising out of the course of its operations. While the results of the lawsuits cannot be predicted with certainty, management does not believe these matters will have an adverse effect on the Authority's overall financial position.

The Authority assumes the liability for most risk including, but not limited to, property damage and personal injury liability. Such risks are covered by the purchase of commercial insurance. Workers compensation coverage is provided through a retrospective policy, wherein premiums are recorded based on the ultimate cost of the experience to date of workers in similar occupations. Judgments and claims are recorded when it is probable that an asset has been impaired or a liability has been incurred and the amount of loss can be reasonably estimated. The Authority has purchased insurance with limits as follows: umbrella coverage of $20,000,000, business, automobile of $1,000,000, general liability of $3,000,000, property of $41,907,181 and workers' compensation of $100,000.

System Acquisitions—The Authority has been in the process of investigating various systems for acquisition. In 2015, the Authority signed agreements for the transfer of six water and three wastewater systems. Closings for two wastewater systems and three water systems were completed in 2015, and closings for one wastewater system and two water systems were completed in 2016. As part of the agreements, all assets and remaining fund balance were transferred to the Authority. The Authority included the receipt of funds totaling $70,715 and $187,171 in revenue for the years ended December 31, 2016 and 2015, respectively. The assets that were acquired prior to year-end were recorded at the value as reported by an independent appraisal company totaling $2,788,531 and $2,073,579 as of December 31, 2016 and 2015, respectively. In 2016, the Authority assumed debt totaling $1,300,000 from one of the acquired systems.

In 2017, the Authority authorized memorandums of understanding for the acquisition of three subdivision sewer systems. The closing dates are dependent on the timeline for the construction and completion of the new infrastructure.

22. SUBSEQUENT EVENTS

On March 1, 2018, the County issued $14,949,536 in public improvement serial bonds ("Series A") with an interest rate ranging between 3.00-3.25 percent for various construction projects and equipment purchases. The bonds mature on March 1, 2038. Additionally, the County also issued $40,000,000 in public improvement serial bonds ("Series B") with an interest rate ranging between 3.25-4.00 percent for the County Justice and Transition Center Project. The bonds mature on March 1, 2048.

Management has evaluated subsequent events through September 20, 2018, which is the date the financial statements are available for issuance, and have determined, except as disclosed above regarding the bond issuances and the following disclosures regarding component units, there are no subsequent events that require disclosure under generally accepted accounting principles.

A. Discretely presented component units

i) Dutchess County Water and Wastewater Authority

The Authority purchased a new office building for $875,000 and financed the purchase with the issuance of a bond anticipation note of $1,250,000. The additional amount borrowed, $375,000, is to be used for renovations. The purchase closed on February 23, 2018.

* * * * *

REQUIRED SUPPLEMENTARY INFORMATION

COUNTY OF DUTCHESS, NEW YORK
Schedule of Funding Progress—Other Postemployment Benefits Plans
Year Ended December 31, 2017

Primary government:

Actuarial Valuation Date	Actuarial Value of Assets	Actuarial Accrued Liability ("AAL")	Unfunded AAL ("UAAL")	Funded Ratio	Covered Payroll	UAAL as a Percentage of Covered Payroll
As of January 1, 2017	$ -	$ 380,372,020	$ 380,372,020	$ -	$119,689,617	317.8%
As of December 31, 2016	-	280,466,321	280,466,321	-	117,126,534	239.5%
As of January 1, 2015	-	263,537,265	263,537,265	-	114,070,716	231.0%

Discretely presented component units:

Dutchess Community College:

Actuarial Valuation Date	Actuarial Value of Assets	Actuarial Accrued Liability ("AAL")	Unfunded AAL ("UAAL")	Funded Ratio	Covered Payroll	UAAL as a Percentage of Covered Payroll
As of September 1, 2016	$ -	$ 78,358,072	$ 78,358,072	$ -	$ 28,220,665	277.7%
As of September 1, 2015	-	69,443,298	69,443,298	-	26,729,188	259.8%
As of September 1, 2014	-	64,708,432	64,708,432	-	25,421,014	254.5%

Dutchess County Resource Recovery Agency:

Actuarial Valuation Date	Actuarial Value of Assets	Actuarial Accrued Liability ("AAL")	Unfunded AAL ("UAAL")	Funded Ratio	Covered Payroll	UAAL as a Percentage of Covered Payroll
As of December 31, 2017	$ -	$ 564,908	$ 564,908	$ -	$ 154,959	364.6%
As of December 31, 2014	-	1,027,127	1,027,127	-	209,503	490.3%
As of December 31, 2011	-	1,027,127	1,027,127	-	344,260	298.4%

Dutchess County Water and Wastewater Authority:

Actuarial Valuation Date	Actuarial Value of Assets	Actuarial Accrued Liability ("AAL")	Unfunded AAL ("UAAL")	Funded Ratio	Covered Payroll	UAAL as a Percentage of Covered Payroll
As of December 31, 2017	$ -	$ 2,792,807	$ 2,792,807	$ -	$ 1,623,233	172.1%
As of December 31, 2014	-	1,645,843	1,645,843	-	1,582,671	104.0%
As of December 31, 2011	-	1,195,514	1,195,514	-	1,322,276	90.4%

COUNTY OF DUTCHESS, NEW YORK
Schedule of the Local Government's Proportionate Share of the Net Pension Liability—Employees' Retirement System
Last Four Fiscal Years*

	Year Ended December 31,			
	2017	**2016**	**2015**	**2014**
Measurement date	March 31, 2017	March 31, 2016	March 31, 2015	March 31, 2014
Plan fiduciary net position as a percentage of the total pension liability	94.7%	90.7%	97.9%	97.2%
Governmental activities:				
County's proportion of the net pension liability	0.4602844%	0.4285410%	0.4315423%	0.4315423%
County's proportionate share of the net pension liability	$ 43,249,327	$ 68,782,035	$ 14,578,554	$ 19,500,790
County's covered payroll	$ 116,780,725	$ 112,421,243	$ 106,956,864	$ 104,474,311
County's proportionate share of the net pension liability as a percentage of its covered payroll	37.0%	61.2%	13.6%	18.7%
Business-type activities:				
County's proportion of the net pension liability	0.0020920%	0.0022695%	0.0024813%	0.0024813%
County's proportionate share of the net pension liability	$ 196,573	$ 333,416	$ 83,823	$ 112,125
County's covered payroll	$ 568,778	$ 601,284	$ 653,156	$ 643,338
County's proportionate share of the net pension liability as a percentage of its covered payroll	34.6%	55.5%	12.8%	17.4%

Discretely presented component units:
Dutchess Community College (the "College"):

	Year Ended August 31,			
	2017	**2016**	**2015**	**2014**
College's proportion of the net pension liability	0.0435610%	0.0398490%	0.0404747%	n/a
College's proportionate share of the net pension liability	$ 4,093,109	$ 6,395,803	$ 1,367,334	n/a
College's covered payroll	$ 10,785,934	$ 9,969,544	$ 9,576,118	n/a
College's proportionate share of the net pension liability as a percentage of its covered payroll	37.9%	64.2%	14.3%	n/a

(continued)

*Information prior to the year ended December 31, 2014 is not available.

COUNTY OF DUTCHESS, NEW YORK
Schedule of the Local Government's Proportionate Share of the Net Pension Liability—Employees' Retirement System
Last Four Fiscal Years*

(concluded)

	Year Ended December 31,			
	2017	2016	2015	2014
Dutchess County Resource Recovery Agency (the "Agency"):				
Agency's proportion of the net pension liability	0.0002419%	0.0004802%	0.0005205%	n/a
Agency's proportionate share of the net pension liability	$ 22,726	$ 77,066	$ 17,583	n/a
Agency's covered payroll	$ 154,959	$ 209,503	$ 282,986	n/a
Agency's proportionate share of the net pension liability as a percentage of its covered payroll	14.7%	36.8%	6.2%	n/a
Dutchess County Water and Wastewater Authority (the "Authority"):				
Authority's proportion of the net pension liability	0.0045858%	0.0044523%	0.0044387%	n/a
Authority's proportionate share of the net pension liability	$ 430,892	$ 714,613	$ 149,950	n/a
Authority's covered payroll	$ 1,623,233	$ 1,582,671	$ 1,513,848	n/a
Authority's proportionate share of the net pension liability as a percentage of its covered payroll	26.5%	45.2%	9.9%	n/a

*Information prior to the year ended December 31, 2014 is not available.

COUNTY OF DUTCHESS, NEW YORK
Schedule of the Local Government's Contributions—
Employees' Retirement System
Last Four Fiscal Years*

	Year Ended December 31,			
	2017	**2016**	**2015**	**2014**
Governmental activities:				
Contractually required contributions	$ 17,759,949	$ 17,666,654	$ 18,538,858	$ 20,015,701
Contributions in relation to the contractually required contribution	(17,759,949)	(17,666,654)	(18,538,858)	(20,015,701)
Contribution deficiency (excess)	$ -	$ -	$ -	$ -
County's covered payroll	$ 120,664,775	$ 116,343,200	$ 111,314,366	$ 106,341,809
Contributions as a percentage of covered payroll	14.7%	15.2%	16.7%	18.8%
Business-type activities:				
Contractually required contributions	$ 81,606	$ 92,861	$ 114,874	$ 127,959
Contributions in relation to the contractually required contribution	(81,606)	(92,861)	(114,874)	(127,959)
Contribution deficiency (excess)	$ -	$ -	$ -	$ -
County's covered payroll	$ 550,675	$ 565,023	$ 640,032	$ 640,050
Contributions as a percentage of covered payroll	14.8%	16.4%	17.9%	20.0%

Discretely presented component unit:

Dutchess Community College (the "College"):

	Year Ended August 31,			
	2017	**2016**	**2015**	**2014**
Contractually required contributions	$ 1,650,757	$ 1,676,786	$ 1,897,221	n/a
Contributions in relation to the contractually required contribution	(1,650,757)	(1,676,786)	(1,897,221)	n/a
Contribution deficiency (excess)	$ -	$ -	$ -	n/a
College's covered payroll	$ 11,035,124	$ 10,202,724	$ 9,961,962	n/a
Contributions as a percentage of covered payroll	15.0%	16.4%	19.0%	n/a

(continued)

*Information prior to the year ended December 31, 2014 is not available.

COUNTY OF DUTCHESS, NEW YORK
Schedule of the Local Government's Contributions—
Employees' Retirement System
Last Four Fiscal Years*

(concluded)

	Year Ended December 31,			
	2017	2016	2015	2014
Dutchess County Resource Recovery Agency (the "Agency"):				
Contractually required contributions	$ 41,623	$ 62,345	$ 56,026	n/a
Contributions in relation to the contractually required contribution	(41,623)	(62,345)	(56,026)	n/a
Contribution deficiency (excess)	$ -	$ -	$ -	n/a
Agency's covered payroll	$ 154,959	$ 189,322	$ 269,736	n/a
Contributions as a percentage of covered payroll	26.9%	32.9%	20.8%	n/a
Dutchess County Water and Wastewater Authority (the "Authority"):				
Contractually required contributions	$ 226,072	$ 261,541	$ 256,914	n/a
Contributions in relation to the contractually required contribution	(226,072)	(261,541)	(256,914)	n/a
Contribution deficiency (excess)	$ -	$ -	$ -	n/a
Authority's covered payroll	$ 1,623,233	$ 1,582,671	$ 1,513,848	n/a
Contributions as a percentage of covered payroll	13.9%	16.5%	17.0%	n/a

*Information prior to the year ended December 31, 2014 is not available.

COUNTY OF DUTCHESS, NEW YORK
Schedule of the Local Government's Proportionate Share of the Net Pension Liability (Asset)—Teachers' Retirement System Last Four Fiscal Years*

Discretely presented component unit:

Dutchess Community College (the "College"):

	Year Ended August 31,			
	2017	**2016**	**2015**	**2014**
Measurement date	June 30, 2016	June 30, 2015	June 30, 2014	n/a
Plan fiduciary net position as a percentage of the total pension liability (asset)	100.7%	99.0%	110.5%	n/a
College's proportion of the net pension liability (asset)	0.0363910%	0.0361260%	0.0320250%	n/a
College's proportionate share of the net pension liability (asset)	$ (276,607)	$ 386,919	$ (3,326,364)	n/a
College's covered payroll	$ 5,766,757	$ 5,574,525	$ 4,810,570	n/a
College's proportionate share of the net pension liability (asset) as a percentage of its covered payroll	(4.8%)	6.9%	(69.2%)	n/a

*Information prior to the year ended August 31, 2015 is not available.

COUNTY OF DUTCHESS, NEW YORK
Schedule of the Local Government's Contributions—
Teachers' Retirement System
Last Four Fiscal Years*

Discretely presented component unit:

Dutchess Community College (the "College"):

	Year Ended August 31,			
	2017	2016	2015	2014
Contractually required contributions	$ 675,864	$ 739,182	$ 843,293	n/a
Contributions in relation to the contractually required contribution	(675,864)	(739,182)	(843,293)	n/a
Contribution deficiency (excess)	$ -	$ -	$ -	n/a
College's covered payroll	$ 5,769,740	$ 5,475,827	$ 5,536,762	n/a
Contributions as a percentage of covered payroll	11.7%	13.5%	15.2%	n/a

*Information prior to the year ended August 31, 2015 is not available.

COUNTY OF DUTCHESS, NEW YORK

Schedule of Revenues, Expenditures, and Changes in Fund Balances—Budget and Actual—General Fund

Year Ended December 31, 2017

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
REVENUES				
Real property taxes	$ 101,423,540	$ 104,361,824	$ 105,596,222	$ 1,234,398
Sales and use taxes (includes other taxes)	187,588,250	187,588,250	188,319,641	731,391
Departmental income	26,191,765	26,326,141	23,086,093	(3,240,048)
Use of money and property	1,084,190	1,039,190	1,783,022	743,832
Miscellaneous	2,867,755	2,923,658	3,476,537	552,879
Grants and aid	107,191,840	108,784,177	115,269,357	6,485,180
Total revenues	426,347,340	431,023,240	437,530,872	6,507,632
EXPENDITURES				
Current:				
General government support	69,469,392	68,911,164	67,724,418	1,186,746
Education	16,555,698	16,469,398	16,447,819	21,579
Public safety	62,349,141	63,004,417	60,522,521	2,481,896
Health	56,159,546	57,254,641	56,779,391	475,250
Transportation	2,811,100	2,812,067	2,807,813	4,254
Economic assistance and opportunity	145,188,939	144,648,887	141,443,220	3,205,667
Culture and recreation	2,123,214	2,123,214	1,979,961	143,253
Home and community services	6,409,351	10,256,135	10,082,525	173,610
Employee benefits	62,079,174	62,046,970	60,670,306	1,376,664
Debt service:				
Principal	14,338,434	14,348,436	14,348,434	2
Interest and other fiscal charges	3,697,232	3,687,230	3,572,836	114,394
Total expenditures	441,181,221	445,562,559	436,379,244	9,183,315
Excess (deficiency) of revenues over expenditures	(14,833,881)	(14,539,319)	1,151,628	15,690,947
OTHER FINANCING SOURCES (USES)				
Transfers in	624,751	1,493,537	545,082	(948,455)
Transfers out	(1,860,647)	(6,543,148)	(5,923,147)	620,001
Premium on serial bonds issued	-	-	43,139	43,139
Total other financing sources (uses)	(1,235,896)	(5,049,611)	(5,334,926)	(285,315)
Net change in fund balances*	(16,069,777)	(19,588,930)	(4,183,298)	15,405,632
Fund balances—beginning	98,373,117	98,373,117	98,373,117	-
Fund balances—ending	$ 82,303,340	$ 78,784,187	$ 94,189,819	$ 15,405,632

* The net change in fund balance was included in the budget as an appropriation (i.e., spenddown) of fund balance and re-appropriation of prior year encumbrances.

The note to the required supplementary information is an integral part of this schedule.

1. BUDGETARY INFORMATION

Budgetary Basis of Accounting—Annual budgets are adopted on a basis consistent with accounting principles generally accepted in the United States of America for all governmental funds, except the Capital Projects Fund. The Capital Projects Fund is appropriated on a project-length basis; appropriations are approved through County Legislature resolution at the project's inception and lapse upon termination of the project.

The appropriated budget is prepared by fund, function, and department. Transfers of appropriations between separate funds and departments require the approval of the County Legislature. The legal level of budgetary control (i.e., the level at which expenditures may not legally exceed appropriations) is the functional classification.

Actual results of operations presented in accordance with GAAP and the County's accounting policies do not recognize encumbrances and restricted fund balance as expenditures until the period in which the actual goods or services are received and a liability is incurred. Encumbrances are only reported on the balance sheet of the governmental funds included within restricted, committed or assigned fund balance. Significant encumbrances are disclosed in the notes to the financial statements.

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FEDERAL AWARDS INFORMATION

COUNTY OF DUTCHESS, NEW YORK
Schedule of Expenditures of Federal Awards
Year Ended December 31, 2017

Federal Grantor/ Pass-Through Grantor Program/Cluster Title (1a)	Federal CFDA Number (1b)	Pass-Through Identifying Number (1c)	Passed-Through to Subrecipients	Federal Expenditures (1d)
U.S. Department of Agriculture:				
Passed through NYS Office of Temporary and Disability Assistance:				
SNAP Cluster:				
State Administrative Matching Grants for the Supplemental Nutrition Assistance Program	10.561	N/A	$ -	$ 2,292,273
Total SNAP Cluster			-	2,292,273
Total U.S. Department of Agriculture			-	2,292,273
U.S. Department of Housing and Urban Development:				
Direct Programs:				
Community Development Block Grants/Entitlement Grants	14.218	N/A	1,275,799	1,275,799
Home Investment Partnerships Program	14.239	N/A	411,367	411,367
Continuum of Care Program	14.267	N/A	579,364	579,364
Total U.S. Department of Housing and Urban Development			2,266,530	2,266,530
U.S. Department of Justice:				
Direct Program:				
State Criminal Alien Assistance Program	16.606	N/A	-	177,702
Total U.S. Department of Justice			-	177,702
U.S. Department of Labor:				
Passed through NYS Department of Labor:				
Trade Adjustment Assistance	17.245	80060	13,912	13,912
Workforce Investment Act Cluster:				
WIA/WIOA Adult Program	17.258	80060	548,431	548,431
WIA/WIOA Youth Activities	17.259	80060	531,922	531,922
WIA/WIOA Dislocated Workers Formula Grants	17.278	80060	493,560	493,560
Total Workforce Investment Act Cluster			1,573,913	1,573,913
Total U.S. Department of Labor			1,587,825	1,587,825
U.S. Department of Transportation:				
Direct Programs:				
Airport Improvement Program	20.106	N/A	-	440,336
Federal Transit Cluster:				
Federal Transit Capital Investment Grants	20.500	N/A	-	2,410,506
Federal Transit Formula Grants	20.507	N/A	-	25,685
Bus and Bus Facilities Formula Program	20.526	N/A	-	3,364,627
Total Federal Transit Cluster			-	5,800,818
Formula Grants for Rural Areas	20.509	N/A	-	109,075
Passed through NYS Department of Transportation:				
Metropolitan Transportation Planning and State and Non-Metropolitan Planning and Research	20.505	MPO C33462	-	74,495

(continued)

COUNTY OF DUTCHESS, NEW YORK
Schedule of Expenditures of Federal Awards
Year Ended December 31, 2017

Federal Grantor/ Pass-Through Grantor Program/Cluster Title (1a)	Federal CFDA Number (1b)	Pass-Through Identifying Number (1c)	Passed-Through to Subrecipients	Federal Expenditures (1d)
Highway Planning and Construction Cluster:				
Highway Planning and Construction	20.205	8755.38	-	72,388
Highway Planning and Construction	20.205	8755.41	-	481,331
Highway Planning and Construction	20.205	8755.44	-	139,536
Highway Planning and Construction	20.205	8755.45	-	111,514
Highway Planning and Construction	20.205	8755.86	-	3,611
Highway Planning and Construction	20.205	8755.91	-	1,066,295
Highway Planning and Construction	20.205	8757.26	-	1,068,000
Highway Planning and Construction	20.205	8757.27	-	28,673
Highway Planning and Construction	20.205	8757.37	-	83,584
Highway Planning and Construction	20.205	8758.69	-	592,968
Highway Planning and Construction	20.205	8758.71	-	15,066
Highway Planning and Construction	20.205	8758.74	-	57,964
Highway Planning and Construction	20.205	P216.14.881	-	9,987
Highway Planning and Construction	20.205	MPO C33462-53	-	552,641
Total Highway Planning and Construction Cluster			-	4,283,558
Passed through NYS Governor's Traffic Safety Committee and Stop DWI Foundation:				
Highway Safety Cluster:				
State and Community Highway Safety	20.600	HS1-2017/0043-(014)	-	69,233
National Priority Safety Programs	20.616	HS1-2017/0033-(088)	-	20,333
Total Highway Safety Cluster			-	89,566
Total U.S. Department of Transportation			-	10,797,848
U.S. Department of Education:				
Passed through NYS Department of Health:				
Special Education—Grants for Infants and Families	84.181	C027476	-	67,839
Total U.S. Department of Education			-	67,839
U.S. Department of Health and Human Services:				
Passed through Health Research Institute:				
Public Health Emergency Preparedness	93.069	001600-10	-	235,844
State and Local Public Health Actions to Prevent Obesity, Diabetes, Heart Disease and Stroke (PPHF)	93.757	HSLC-DC	-	8,514
Passed through NYS Office for the Aging:				
Special Programs for the Aging, Title III, Part D—Disease Prevention and Health Promotion Services	93.043	N/A	-	15,998
Aging Cluster:				
Special Programs for the Aging, Title III, Part B—Grants for Supportive Services and Senior Centers	93.044	N/A	-	310,509
Special Programs for the Aging, Title III, Part C—Nutrition Ser	93.045	N/A	-	438,735
Nutrition Services Incentive Program	93.053	N/A	-	109,936
Total Aging Cluster			-	859,180

(continued)

COUNTY OF DUTCHESS, NEW YORK
Schedule of Expenditures of Federal Awards
Year Ended December 31, 2017

(concluded)

Federal Grantor/ Pass-Through Grantor Program/Cluster Title (1a)	Federal CFDA Number (1b)	Pass-Through Identifying Number (1c)	Passed-Through to Subrecipients	Federal Expenditures (1d)
National Family Caregiver Support Title III, Part E	93.052	N/A	-	135,643
Centers for Medicare and Medicaid Services (CMS)				
Research, Demonstrations and Evaluations	93.779	N/A	-	33,168
Passed through NYS Department of Health:				
Immunization Cooperative Agreements	93.268	C0028288	-	36,168
Medical Assistance Program	93.778	N/A	-	4,244,166
Preventive Health Services - Sexually Transmitted Disease Control Grants	93.977	T-031103	-	18,858
Maternal and Child Health Services Block Grant to the States	93.994	C029713	-	32,285
Maternal and Child Health Services Block Grant to the States	93.994	C308899GG	-	35,618
Passed through National Association of County and City Health Officials:				
Building Capacity of the Public Health System to Improve Population Health through National, Non-Profit Organizations- financed in part by Prevention and Public Health Funds (PPHF)	93.524	5589-01	-	24,139
Passed through NYS Office of Temporary and Disability Assistance:				
Temporary Assistance for Needy Families	93.558	N/A	431,718	13,274,221
Child Support Enforcement	93.563	N/A	-	2,187,832
Low-Income Home Energy Assistance Program	93.568	N/A	-	4,064,284
Passed through NYS Office of Children and Family Services:				
Guardianship Assistance	93.090	N/A	-	84,880
Promoting Safe and Stable Families	93.556	N/A	-	156,350
Stephanie Tubbs Jones Child Welfare Services Program	93.645	N/A	-	100,000
Foster Care, Title IV-E	93.658	N/A	-	5,704,236
Adoption Assistance	93.659	N/A	-	2,090,649
Social Services Block Grant	93.667	N/A	-	3,714,411
Chafee Foster Care Independence Program	93.674	N/A	-	32,963
Passed through NYS Division of Alcoholism and Alcohol Abuse:				
Medical Assistance Program	93.778	N/A	-	843,095
Total U.S. Department of Health and Human Services			431,718	37,932,502
U.S. Department of Homeland Security:				
Passed through NYS Office of Homeland Security:				
Disaster Grants - Public Assistance	97.036	4322 DRNY	-	215,977
Hazard Mitigation Grant	97.039	C000590	-	1,488
Emergency Management Performance Grants	97.042	EM17-1039-D00	-	248,848
Homeland Security Grant Program	97.067	C970250	-	204,062
Total U.S. Department of Homeland Security			-	670,375
Total Expenditures of Federal Awards (1e)			$ 4,286,073	$ 55,792,894

The notes to the Schedule of Expenditures of Federal Awards are an integral part of this schedule.

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1. BASIS OF PRESENTATION

The accompanying schedule of expenditures of federal awards (the "Schedule") includes the federal grant activity of the County of Dutchess, New York (the "County") under programs of the federal government for the year ended December 31, 2017. The information in this Schedule is presented in accordance with the requirements of Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* ("Uniform Guidance"). Because the Schedule presents only a selected portion of the operations of the County, it is not intended to and does not present the financial position, changes in net position or cash flows of the County. The following notes were identified on the schedule of expenditures of federal awards:

(a) Includes all federal award programs of the County of Dutchess, New York. The federal expenditures of the Dutchess Community College, Dutchess County Resource Recovery Agency, Dutchess County Water and Wastewater Authority, Dutchess County Industrial Development Agency, Dutchess County Soil and Water Conservation District, and Dutchess County Local Development Corporation have not been included.

(b) Source: Catalog of Federal Domestic Assistance.

(c) Pass-through entity identifying numbers are presented where available.

(d) Prepared under accounting principles generally accepted in the United States of America and includes all federal award programs.

(e) A reconciliation to the basic financial statements is available.

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Expenditures reported on the Schedule are reported on the modified accrual basis of accounting. Such expenditures are recognized following the cost principles contained in the Uniform Guidance, wherein certain types of expenditures are not allowable or limited as to reimbursement. The County has not elected to use the 10 percent de minimus indirect cost rate as allowed under the Uniform Guidance.

3. AMOUNTS PROVIDED TO SUBRECIPIENTS

Certain program funds are passed through the County to subrecipient organizations. The County identifies, to the extent practical, the total amount provided to subrecipients from each federal program; however, the Schedule does not contain separate schedules disclosing how the subrecipients outside of the County's control utilize the funds. The County requires subrecipients receiving funds to submit separate audit reports disclosing the use of the program funds.

4. MATCHING COSTS

Matching costs (i.e., the County's share of certain program costs) are not included in the reported expenditures.

5. NON-MONETARY FEDERAL PROGRAM

The County is the recipient of federal financial assistance programs that do not result in cash receipts or disbursements, termed "nonmonetary programs." New York State makes payments of benefits directly to vendors, primarily utility companies on behalf of eligible persons participating in the Low-Income Home Energy Assistance Program (CFDA Number 93.568).

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Drescher & Malecki

Certified Public Accountants

INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

To the Honorable County Legislature of the
County of Dutchess, New York:

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to the financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, the major discretely presented component units, the aggregate nonmajor discretely presented component units, each major fund, and the aggregate remaining fund information of the County of Dutchess, New York (the "County") as of and for the year ended December 31, 2017 (with the Dutchess Community College for the fiscal year ended August 31, 2017), and the related notes to the financial statements, which collectively comprise the County's basic financial statements, and have issued our report thereon dated September 20, 2018 (which report includes an emphasis of matter paragraph regarding the implementation of GASB Statement No. 80). Our report is qualified on the aggregate nonmajor discretely presented component units and includes a reference to other auditors who audited the financial statements of the Dutchess County Local Development Corporation, Dutchess Community College, the Dutchess County Resource Recovery Agency, the Dutchess County Water and Wastewater Authority, and the Dutchess County Industrial Development Agency, as described in our report on the County's financial statements. This report does not include the results of the other auditors' testing of internal control over financial reporting or compliance and other matters that are reported on separately by those auditors. The financial statements of the Dutchess County Soil and Water Conservation District have not been audited.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the County's internal control over financial reporting ("internal control") to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the County's internal control. Accordingly, we do not express an opinion on the effectiveness of the County's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the County's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the County's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

September 20, 2018

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Drescher & Malecki

Certified Public Accountants

INDEPENDENT AUDITORS' REPORT ON COMPLIANCE FOR EACH MAJOR FEDERAL PROGRAM AND REPORT ON INTERNAL CONTROL OVER COMPLIANCE IN ACCORDANCE WITH THE UNIFORM GUIDANCE

To the Honorable County Legislature of the
County of Dutchess, New York:

Report on Compliance for Each Major Federal Program

We have audited the County of Dutchess, New York's (the "County") compliance with the types of compliance requirements described in the *OMB Compliance Supplement* that could have a direct and material effect on each of the County's major federal programs for the year ended December 31, 2017. The County's major federal programs are identified in the summary of auditors' results section of the accompanying schedule of findings and questioned costs.

The County's basic financial statements include the operations of the Dutchess County Local Development Corporation (the "Corporation"), Dutchess Community College (the "College"), Dutchess County Resource Recovery Agency (the "Agency"), Dutchess County Water and Wastewater Authority (the "Authority"), Dutchess County Industrial Development Agency (the "IDA"), and the Dutchess County Soil and Water Conservation District (the "District"), which reported expenditures of $0, $17,699,197, $0, $0, $0, and $0 in federal awards, respectively, which are not included in the County's schedule of expenditures of federal awards for the year ended December 31, 2017. Our compliance audit, described below, did not include the operations of the Corporation, College, Agency, Authority, IDA, or the District. Other auditors were engaged to perform such audits on the Corporation, College, Agency, Authority, and IDA in accordance with the Uniform Guidance, as applicable. The financial statements of the District have not been audited for the year ended December 31, 2017.

Management's Responsibility

The County's management is responsible for compliance with federal statutes, regulations and the terms and conditions of its federal awards applicable to its federal programs.

Auditor's Responsibility

Our responsibility is to express an opinion on compliance for each of the County's major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (the "Uniform Guidance"). Those standards and the Uniform Guidance require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the County's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of the County's compliance.

Opinion on Each Major Federal Program

In our opinion, the County complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended December 31, 2017.

Report on Internal Control Over Compliance

Management of the County is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the County's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the County's internal control over compliance.

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that were not identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

[illegible] & M[illegible] LLP

September 20, 2018

COUNTY OF DUTCHESS, NEW YORK
Schedule of Findings and Questioned Costs
Year Ended December 31, 2017

Section I. SUMMARY OF AUDITORS' RESULTS

Financial Statements:

Type of report the auditor issued: Unmodified*

*(which report is qualified on the aggregate nonmajor discretely presented component units, includes an emphasis of matter paragraph regarding the implementation of GASB Statement No. 80, and includes a reference to other auditors)

Internal control over financial reporting:

Material weakness(es) identified?	____ Yes	✓ No
Significant deficiency(ies) identified?	____ Yes	✓ None reported
Noncompliance material to the financial statements noted?	____ Yes	✓ No

Federal Awards:

Internal control over major federal programs:

Material weakness(es) identified?	____ Yes	✓ No
Significant deficiency(ies) identified?	____ Yes	✓ None reported

Type of auditor's report issued on compliance for major federal programs: Unmodified

Any audit findings disclosed that are required to be reported in accordance with 2 CFR 200.516(a)?	____ Yes	✓ No

Identification of major federal programs:

CFDA Number(s)	Name of Federal Program or Cluster
17.258/17.259/17.278	Workforce Investment Act Cluster
20.500/20.507/20.526	Federal Transit Cluster
93.558	Temporary Assistance for Needy Families
93.778	Medical Assistance Program

Dollar threshold used to distinguish between Type A and Type B programs? $ 1,673,787

Auditee qualified as low-risk auditee?	✓ Yes	____ No

Section II. FINANCIAL STATEMENT FINDINGS

No findings noted.

Section III. FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

No findings noted.

COUNTY OF DUTCHESS, NEW YORK

Summary Schedule of Prior Year Audit Findings and Corrective Action Plan
Year Ended December 31, 2017
(Follow Up on December 31, 2016 Findings)

No findings were reported.

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COUNTY OF DUTCHESS, NEW YORK

New York State Department of Transportation
Financial Assistance Schedules for the
Year Ended December 31, 2017 and
Independent Auditors' Report

COUNTY OF DUTCHESS, NEW YORK

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INDEPENDENT AUDITORS' REPORT ON COMPLIANCE FOR NEW YORK STATE DEPARTMENT OF TRANSPORTATION ASSISTANCE EXPENDED AND REPORT ON INTERNAL CONTROL OVER COMPLIANCE IN ACCORDANCE WITH DRAFT PART 43 OF NYCRR

To the Honorable County Executive and County Legislature
County of Dutchess, New York:

Report on Compliance for New York State Transportation Assistance Programs

We have audited the County of Dutchess, New York's (the "County") compliance with the types of compliance requirements described in Draft Part 43 of the New York State Codification of Rules and Regulations ("NYCRR") that are applicable to each state transportation assistance program tested for the year ended December 31, 2017. The program tested is identified in the summary of auditors' results section of the accompanying schedule of findings and questioned costs.

Management's Responsibility

Management is responsible for compliance with the laws, regulations, contracts and grants applicable to its state transportation assistance programs.

Auditor's Responsibility

Our responsibility is to express an opinion on compliance for the County's program based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and Draft Part 43 of NYCRR. Those standards and Draft Part 43 of NYCRR require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a state transportation assistance programs tested has occurred. An audit includes examining, on a test basis, evidence about the County's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each state transportation assistance program tested. However, our audit does not provide a legal determination on the County's compliance.

Opinion

In our opinion, the County complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its state transportation assistance programs tested for the year ended December 31, 2017.

Report on Internal Control Over Compliance

Management of the County is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the County's internal control over compliance with requirements that could have a direct and material effect on each state transportation assistance program tested as a basis for designing auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each state transportation assistance program tested and to test and report on internal control over compliance in accordance with Draft Part 43 of NYCRR, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the County's internal control over compliance.

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct noncompliance with a type of compliance requirement of a state transportation assistance program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a state transportation assistance program will not be prevented, or detected and corrected on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a state transportation assistance program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in the internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Report on Schedule of New York State Department of Transportation Assistance Expended

We have audited the financial statements of the County as of and for the year ended December 31, 2017 and have issued our report thereon dated September 20, 2018, which contained an unmodified opinion on those financial statements, a qualified opinion on the aggregate nonmajor discretely presented component units, includes a reference to other auditors, and includes an emphasis of matter paragraph regarding the implementation of Governmental Accounting Standards Board Statement No. 80. Our audit was conducted for the purpose of forming an opinion on the County's financial statements as a whole. The accompanying Schedule of New York State Department of Transportation Assistance Expended is presented for purposes of additional analysis as required by Draft Part 43 of NYCRR, and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the Schedule of New York State Department of Transportation Assistance Expended is fairly stated in all material respects in relation to the financial statements as a whole.

Purpose of this Report

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of Draft Part 43 of NYCRR. This report is for the information and use of County Legislators, County management, the New York State Department of Transportation and the Office of the State Comptroller of the State of New York. Accordingly, this communication is not suitable for any other purpose.

[illegible] & [illegible] LLP

September 20, 2018

COUNTY OF DUTCHESS, NEW YORK

Schedule of New York State Department of Transportation Assistance Expended
Year Ended December 31, 2017

Program Title / Description	NYSDOT Contract/ Reference Number	NYSDOT Expenditures
Consolidated Local Street and Highway Improvement Program ("CHIPS"):	820000	$ 3,714,864
State Transit Operating Assistance ("STOA")	N/A	2,331,170
Highway Planning and Construction Program	*	739,468
Airport Improvement Program	**	24,463
Transit Cluster	***	3,209,881
State Emergency Management Agency	N/A	42,028
Total New York State Department of Transportation Assistance Expended		$ 10,061,874

*Highway Planning and Construction Program contract/grant numbers: D22359, D22362, D22494, D24641, D24642, D24643, D24757, and D24760.

**Airport Improvement Program contract/grant numbers: 3-36-100-46-15, 3-36-100-47-16, and 3-36-100-48-17.

***Transit Cluster contract/grant numbers: K007051, K007064, K007150, R17-1556, R17-3380, R17-5389, and R17-6778.

See notes to Schedule of New York State Department of Transportation Assistance Expended.

1. BASIS OF PRESENTATION

The accompanying Schedule of New York State Department of Transportation (the "NYSDOT") Assistance Expended includes the financial assistance provided by or passed through NYSDOT for the year ended December 31, 2017. Amounts shown on the Schedule include adjustments or credits made in the normal course of business to amounts reported as expenditures in prior years. Because the Schedule presents only a selected portion of the operations of Dutchess County, New York, it is not intended to and does not present the financial position, changes in financial position or cash flows of Dutchess County, New York.

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The accompanying schedule is presented on the modified accrual basis of accounting.

3. MATCHING COSTS

Amounts identified as Highway Planning and Construction Program and Airport Improvement Program represent matching costs for federally aided projects.

* * * * * *

COUNTY OF DUTCHESS, NEW YORK
Schedule of Findings and Questioned Costs
New York State Department of Transportation Assistance Expended
Year Ended December 31, 2017

Section I. SUMMARY OF AUDITORS' RESULTS

New York State Department of Transportation Assistance Expended:

Internal control over major programs:

1. Material weakness(es) identified?	____	Yes	✓	No
2. Significant deficiency(ies) identified?	____	Yes	✓	None reported
Type of auditor's report issued on compliance for programs tested:	Unmodified			
3. Any audit findings disclosed that are required to be reported in accordance with Draft Part 43 of NYCRR?	____	Yes	✓	No

4. Identification of State Transportation Assistance Program tested:

Name of Program

Consolidated Local Street and Highway Improvement Program ("CHIPS")

Section II. COMPLIANCE FINDINGS AND QUESTIONED COSTS

No matters reported.

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Auditors' Reports, and

New York State Department of Transportation Financial Assistance Schedules for the Year Ended December 31, 2017, and Independent Auditors' Report

Resolution No. 2018248, Local Law No. 5 of 2018, A Local Law Regulating Secondhand Dealers, was laid on desks on September 12, 2018, and considered on October 9, 2018.

Roll call vote at that time resulted as follows:

AYES:	23	Pulver, Roman, Sagliano, Black, Munn, Llaverias, Borchert, Edwards, Truitt, Brendi, Johnson, Jeter-Jackson, Tyner Metzger, Bolner, Amparo, Incoronato, Zernike, Page, Garito, Thomes, Surman, Houston
NAYS:	0	
ABSENT:	2	Miccio, Horton

Resolution adopted.

The County Executive held a public hearing on the foregoing Local Law on October 29, 2018, and signed it into Law on the same day. The effective date of the Local Law is June 1, 2019.

Environment

RESOLUTION NO. 2018256

RE: DECLARING DUTCHESS COUNTY LEAD AGENCY AND ADOPTION OF NEGATIVE DECLARATION WITH RESPECT TO GRANT AWARD TO PARTIALLY FUND THE PURCHASE OF AN OPEN SPACE PARCEL LOCATED ADJACENT TO THE PROPERTY KNOWN AS "THE HISTORIC KIMLIN CIDER MILL" IN THE TOWN OF POUGHKEEPSIE, NEW YORK

Legislators BORCHERT, PULVER, ROMAN, BOLNER, HORTON, BRENDLI, EDWARDS, and THOMES offer the following and move its adoption:

WHEREAS, Dutchess County is considering a recommendation of the Dutchess County Planning Board (Resolution No. 01/2018) for an award in an amount not to exceed $40,000 in grant funds available through the Dutchess County Partnership for Manageable Growth Program (the "Program"), and

WHEREAS, this award shall be used to partially fund the purchase of an open space parcel, to be owned by the Cider Mill Friends, hereinafter referred to as "CMF", on approximately 1+/- acre of property, (Tax Grid Number: 134689-6160-02-722793) located adjacent to "The Historic Kimlin Cider Mill" on Cedar Avenue in the Town of Poughkeepsie, Dutchess County, New York, and

WHEREAS, as a result of CMF's organizing efforts and an application to the Program, Dutchess County shall contribute an amount not to exceed $40,000, the Jane W. Nuhn Charitable Trust shall contribute an amount not to exceed $40,000, and CMF shall contribute the remainder of the funds for a total contribution not to exceed $101,800, and

WHEREAS, the subject property will be preserved as open space and provide for reasonable access to this site and the adjacent Historic Kimlin Cider Mill, and

WHEREAS, CMF shall grant the County a conservation easement to ensure the preservation of the property as publicly-accessible open space and shall assume primary responsibility to monitor the easement and provide the County with an annual report, and

WHEREAS, the Dutchess County Department of Planning and Development has concluded, after review of a Full Environmental Assessment Form, that the proposed Project: 1) is an unlisted action; and 2) will not have a significant adverse impact on the environment, and

WHEREAS, the County is the only involved agency and it is the purpose of this Resolution to establish Dutchess County as the lead agency in the purchase of this conservation easement and to adopt the Full Environmental Assessment Form and the Negative Declaration

reflecting the finding of non-significance, annexed hereto and made a part hereof, now therefore, be it, and

WHEREAS, it is the purpose of this Legislature in adopting this resolution to adopt and confirm those findings, and

RESOLVED, that the County hereby assumes lead agency status, adopts and confirms the Full Environmental Assessment Form and Negative Declaration attached hereto with respect to a grant award to partially fund the purchase of open space of 1 +/- acre on the property adjacent to the "The Historic Kimlin Cider Mill" (Tax Grid No. 134689-6160-02-722793) in the Town of Poughkeepsie, Dutchess County, New York.

CA-170-18
LDF/kvh
G-1749
09/17/18
Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 10/13/18

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th day of October 2018, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of October 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☑ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 0

Total Current Year Revenue $ 0
and Source

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

Identify Line Items(s):

H0476.8020.3006.7016 - Acquistion of Open Space, consisting of +/- 1 acre, known as Cider Mill Friends Lot 1

Related Expenses: Amount $ 0

Nature/Reason:

Anticipated Savings to County: $0

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

Additional Comments/Explanation:

Dutchess County has awarded $40,000 in matching funds from the Dutchess County Partnership for Manageable Growth Program to assist the Cider Mill Friends of Open Space and Historic Preservation in the purchase of an approximately 1-acre parcel, located adjacent to the historic Kimlin Cider Mill (already owned by the Cider Mill Friends). The not to exceed cost of the acquisition of the parcel is a $101,800 with Jane W, Nuhn Charitable Trust and the Cider Mill Friends providing the remainder of the required funding.

The source of County funds is Capital Account H0476, bonds approved by Dutchess County Legislature Resolution No. 2014323 to support the Partnership for Manageable Growth (PMG) Program.

Prepared by: Brad Barclay, Department of Planning and Development

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

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

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

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

A. Project and Sponsor Information.

Name of Action or Project: Purchase of Lot #722792, Town of Poughkeepise, New York		
Project Location (describe, and attach a general location map): Tax Parcel #722792, Cedar Avenue, Poughkeepsie, NY		
Brief Description of Proposed Action (include purpose or need): Non-profit Friends group owning adjoining historic Mill property seeks to purchase the subject tax parcel to preserve it from future development.		
Name of Applicant/Sponsor: Cider Mill Friends of Open Space and Historic Preservation, Inc.	Telephone: 845-462-2516 E-Mail: cidermillfriends@gmail.com	
Address: P.O. Box 2873		
City/PO: Poughkeepsie	State: NY	Zip Code: 12603
Project Contact (if not same as sponsor; give name and title/role): Lisa Weiss - President	Telephone: 845-235-3710 mobile E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): John F. & Barbara Cassidy	Telephone: 845-485-4809 E-Mail:	
Address: 10 Alden Road		
City/PO: Poughkeepsie	State: NY	Zip Code: 12603

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees ☐Yes☑No		
b. City, Town or Village Planning Board or Commission ☐Yes☑No		
c. City Council, Town or Village Zoning Board of Appeals ☐Yes☑No		
d. Other local agencies ☐Yes☑No		
e. County agencies ☑Yes☐No	Dutchess County Planning Board & Legislature	December 15, 2017
f. Regional agencies ☐Yes☑No		
g. State agencies ☐Yes☑No		
h. Federal agencies ☐Yes☑No		

i. Coastal Resources.

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

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

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

C. Planning and Zoning

C.1. Planning and zoning actions.

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

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

C.2. Adopted land use plans.

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

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

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

If Yes, identify the plan(s):

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

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
R-20; 20,000 square feet residential zone

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

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

C.4. Existing community services.

a. In what school district is the project site located? Spackenkill

b. What police or other public protection forces serve the project site?
Town of Poughkeepsie Police Department

c. Which fire protection and emergency medical services serve the project site?
Arlington Fire District

d. What parks serve the project site?
N/A

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? passive recreational, open space

b. a. Total acreage of the site of the proposed action? 0.97 acres
b. Total acreage to be physically disturbed? 0 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0 acres

c. Is the proposed action an expansion of an existing project or use? ☑ Yes ☐ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % 100 Units: acres

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

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

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

f. Does the project include new residential uses? ☐Yes ☑No

If Yes, show numbers of units proposed.

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

g. Does the proposed action include new non-residential construction (including expansions)? ☐Yes ☑No

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____height; _____width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes ☑No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐Yes ☑No

If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes ☐No

If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐Yes ☐No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐Yes ☑No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

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

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐Yes ☐No

If Yes, describe: _____

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

If Yes:

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

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

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

If Yes:

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

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

If Yes:

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

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

If Yes:

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

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

If, Yes:

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

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

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

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

If Yes:

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

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

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

If Yes:

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

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

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

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

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

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

_____

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

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

If Yes:

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

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

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

_____

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

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

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

If Yes, identify:

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

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

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

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

If Yes:

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

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

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

If Yes:

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

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

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

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

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

If Yes:

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

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

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

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

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

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

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

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

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

If Yes:

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

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

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

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

i. During Construction:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: once per month 9:30A-12:30P
- Sunday: _____
- Holidays: _____

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

If yes:

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

_____

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

Describe: _____

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

If yes:

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

_____

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

Describe: _____

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

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

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

If Yes:

i. Product(s) to be stored _____

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

iii. Generally describe proposed storage facilities: _____

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

If Yes:

i. Describe proposed treatment(s):

_____

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

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

If Yes:

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

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

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

- Construction: _____
- Operation: _____

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

- Construction: _____
- Operation: _____

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

☐ Urban ☐ Industrial ☐ Commercial ☑ Residential (suburban) ☑ Rural (non-farm)
☑ Forest ☐ Agriculture ☐ Aquatic ☑ Other (specify): historic site on adjoing property

ii. If mix of uses, generally describe:

Residential lots are on two sides of the property, one side is the historic Kimlin Cider Mill, and across the County road is 7-acres of undeveloped forest, shrub and meadowland.

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	0	0
• Forested	0.25	0.25	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.72	0.72	0
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

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

i. If Yes: explain: _____

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

If Yes,

i. Identify Facilities:

_____

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

If Yes:

i. Dimensions of the dam and impoundment:

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

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

_____

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

If Yes:

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

- If yes, cite sources/documentation: _____

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

_____

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

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

If Yes:

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

_____

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

If Yes:

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

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

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

☐ Neither database

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

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

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

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

_____

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

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

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? 5 feet

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

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

Galway-Farmington complex	19 %
Stockbridge-Farmington complex	81 %
	%

d. What is the average depth to the water table on the project site? Average: 5 feet

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

f. Approximate proportion of proposed action site with slopes:
- ☑ 0-10%: 41 % of site
- ☑ 10-15%: 24 % of site
- ☑ 15% or greater: 35 % of site

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

h. Surface water features.

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

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

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

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

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

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

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

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

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

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

m. Identify the predominant wildlife species that occupy or use the project site:

songbirds, white-tailed deer, mice, racoons, red fox, raptors, gray squirrels

n. Does the project site contain a designated significant natural community? ☐Yes ☑No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): _____

ii. Source(s) of description or evaluation: _____

iii. Extent of community/habitat:

- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

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

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

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐Yes ☑No

If yes, give a brief description of how the proposed action may affect that use: _____

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

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

If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? ☑Yes ☐No

i. If Yes: acreage(s) on project site? 0.97 acres of prime farmland soils

ii. Source(s) of soil rating(s): soil survey geographic (SSURGO) database

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐Yes ☑No

If Yes:

i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐Yes ☑No

If Yes:

i. CEA name: _____

ii. Basis for designation: _____

iii. Designating agency and date: _____

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

If Yes:

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

ii. Name: Kimlin Cider Mill

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

19th century cider mill and cafe previously used for cider production and agriculture

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

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

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

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

If Yes:

i. Identify resource: Esopus-Lloyd Scenic Area, Mid-Hudson Bridge, Wappinger Lake

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): scenic area, scenic road, critical environmental area respectively

iii. Distance between project and resource: 2, 3, 3.8 respectively miles.

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

If Yes:

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

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

F. Additional Information

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

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

G. Verification

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

Applicant/Sponsor Name Lisa Weiss Date 12/6/17

Signature _____ Title President, Cider Mill Friends

PRINT FORM

Agency Use Only [If applicable]

Project :

Date :

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer **"Yes"** to a numbered question, please complete all the questions that follow in that section.
- If you answer **"No"** to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land

Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) ☑ NO ☐ YES

If "Yes", answer questions a - j. If "No", move on to Section 2.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☐	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☐	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☐	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☐	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☐	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☐	☐
h. Other impacts: _____		☐	☐

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☑ NO ☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☑ NO ☐ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

l. Other impacts: _____		☐	☐

4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____		☐	☐

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2)

☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____		☐	☐

6. Impacts on Air

The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D,2,h, D.2.g) ☑NO ☐YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO_2)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____		☐	☐

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☑NO ☐YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☐	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☐	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☐	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	☐	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☐	☐
j. Other impacts: _____		☐	☐

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, Elb	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	El a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)

☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", go to Section 10.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	 ☐ ☐	 ☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	 ☐ ☐	 ☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½ -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____		☐	☐

10. Impact on Historic and Archeological Resources

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)

☑ NO ☐ YES

If "Yes", answer questions a - e. If "No", go to Section 11.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	☐	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☐	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☐	☐

d. Other impacts: _____		☐	☐
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☐	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☐	☐

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.
(See Part 1. C.2.c, E.1.c., E.2.q.)
If "Yes", answer questions a - e. If "No", go to Section 12.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____		☐	☐

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)
If "Yes", answer questions a - c. If "No", go to Section 13.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts: _____		☐	☐

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems. (See Part 1. D.2.j) ☑ NO ☐ YES

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____		☐	☐

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy. (See Part 1. D.2.k) ☑ NO ☐ YES

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting. (See Part 1. D.2.m., n., and o.) ☑ NO ☐ YES

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☐	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☐	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) ☑ NO ☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No,or small impact may cccur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____			

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans. ☑ NO ☐ YES
(See Part 1. C.1, C.2. and C.3.)
If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, Elb	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____		☐	☐

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character. ☑ NO ☐ YES
(See Part 1. C.2, C.3, D.2, E.3)
If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____		☐	☐

PRINT FULL FORM

Agency Use Only [IfApplicable]

Project :

Date :

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

This project involves the purchase of a 0.97 acre parcel (Parcel #134689-6160-02-722793) by the non-profit Cider Mill Friends organisation, which owns the adjacent historic Kimlin Cider Mill. The property will be presevred as open space and the County of Dutchess will recieve a conservation easement on the property to ensure this.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☐ Type 1 ☑ Unlisted

Identify portions of EAF completed for this Project: ☑ Part 1 ☑ Part 2 ☑ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the County of Dutchess as lead agency that:

☑ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Cider Mill Friends Lot 1 Acquisition

Name of Lead Agency: County of Dutchess

Name of Responsible Officer in Lead Agency: Brad Barclay

Title of Responsible Officer: Senior Planner

Signature of Responsible Officer in Lead Agency: Brad Barclay Date: 9/7/2018

Signature of Preparer (if different from Responsible Officer) Date:

For Further Information:

Contact Person: Brad Barclay

Address: 27 High Street, Poughkeepsie NY 12601

Telephone Number: (845) 486-3600

E-mail: bbarclay@dutchessny.gov

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

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html

PRINT FULL FORM

Environment Committee Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*		
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 3 - Town of LaGrange	Borchert (C)		
District 6 - Town of Poughkeepsie	Edwards		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page	absent	
District 22 - Towns of Beekman and Union Vale	Garito		
District 24 - Towns of Dover and Union Vale	Surman (VC)		

Present: 10 **Resolution:** ✓ **Total :** 10 Yes 0 No

Absent: 2 **Motion:** ___

Vacant: 0 **Abstentions:** 0

2018256 DECLARING DUTCHESS COUNTY LEAD AGENCY AND ADOPTION OF NEGATIVE DECLARATION WITH RESPECT TO GRANT AWARD TO PARTIALLY FUND THE PURCHASE OF AN OPEN SPACE PARCEL LOCATED ADJACENT TO THE PROPERTY KNOWN AS "THE HISTORIC KIMLIN CIDER MILL" IN THE TOWN OF POUGHKEEPSIE, NEW YORK

October 4, 2018

Roll Call Sheets

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

Present: 23 **Resolution:** ✓ **Total :** 23 (Yes) 0 (No)

Absent: 2 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018256 DECLARING DUTCHESS COUNTY LEAD AGENCY AND ADOPTION OF NEGATIVE DECLARATION WITH RESPECT TO GRANT AWARD TO PARTIALLY FUND THE PURCHASE OF AN OPEN SPACE PARCEL LOCATED ADJACENT TO THE PROPERTY KNOWN AS "THE HISTORIC KIMLIN CIDER MILL" IN THE TOWN OF POUGHKEEPSIE, NEW YORK

October 9, 2018

ENVIRONMENT

RESOLUTION NO. 2018257

RE: AUTHORIZING EXECUTION OF GRANT AGREEMENT TO PARTIALLY FUND THE PURCHASE OF AN OPEN SPACE PARCEL LOCATED ADJACENT TO "THE HISTORIC KIMLIN CIDER MILL" IN THE TOWN OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK AND REALLOCATING FUNDS THEREFORE

Legislators BORCHERT, PULVER, ROMAN, BOLNER, HORTON, BRENDLI, EDWARDS and THOMES offer the following and move its adoption:

WHEREAS, Dutchess County is considering a recommendation of the Dutchess County Planning Board (Resolution No. 01/2018) for an award in an amount not to exceed $40,000 in grant funds available through the Dutchess County Partnership for Manageable Growth Program (the "Program"), and

WHEREAS, this award shall be used to partially fund the purchase of an open space parcel, to be owned by the Cider Mill Friends, hereinafter referred to as "CMF", on approximately 1+/- acre of property, (Tax Grid Number: 134689-6160-02-722793) located adjacent to "The Historic Kimlin Cider Mill" on Cedar Avenue in the Town of Poughkeepsie, Dutchess County, New York, and

WHEREAS, as a result of CMF's organizing efforts and an application to the Program, Dutchess County shall contribute an amount not to exceed $40,000, the Jane W. Nuhn Charitable Trust shall contribute an amount not to exceed $40,000, and CMF shall contribute the remainder of the funds for a total contribution not to exceed $101,800, and

WHEREAS, the subject property will be preserved as open space and provide for reasonable access to this site and the adjacent Historic Kimlin Cider Mill, and

WHEREAS, CMF shall grant the County a conservation easement to ensure the preservation of the property as publicly-accessible open space and shall assume primary responsibility to monitor the easement and provide the County with an annual report, and

WHEREAS, Resolution 208206, a Bond Resolution, authorized the issuance of $1,600,000 serial bonds of the County for specific open space and farmland purposes, and Resolutions 2014323 and 2017212, subsequent Bond Resolutions, each authorized the issuance of $1,000,000 serial bonds of the County for specific open space and farmland protection purposes/projects, and

WHEREAS, as a result of reductions in the scope and cost of those specific projects referenced in Resolutions 208206, 2014323 and 2017212, the funds are now available for reallocation to partially fund the purchase of an open space parcel adjacent to The Historic Kimlin Cider Mill which is an open space preservation project in accord with the objectives of

said Bond Resolutions and the Partnership for Manageable Growth Program, and now therefore be it

RESOLVED, that the County Executive, or his designee, is hereby authorized to execute the Grant Agreement in substantially the same form as attached hereto, and any other related documents that may be necessary, and be it further, and

RESOLVED, that the County Executive is authorized to take such actions as are necessary and consistent with the requirements of the Dutchess County Partnership for Manageable Growth Program to complete the acquisition contemplated herein, including minor revisions to the documents, if necessary, and be it further

RESOLVED, that as a result of reductions in the scope and cost of specific projects referenced in Resolutions 208206, 2014323 and 2017212, funds are now available in the Capital Projects Account H0476, and have been reallocated to partially fund the purchase of an open space parcel in the amount of $101,800, on property adjacent to The Historic Kimlin Cider Mill, and be it further

RESOLVED, that to provide for expenses for the above referenced Project, the Commissioner of Finance, as appropriate, is hereby authorized, empowered and directed to amend the 2018 Adopted County Budget as follows:

APPROPRIATION		
Decrease		
H0476.8020.3006	Easement – Conservation	($40,000)
Increase		
H0476.8020.3006.7016	Cider Mill Friends Lot 1	$40,000

CA-171-18
EW/LDF/kvh
G-1749
09/13/18
Fiscal Impact: See attached statement

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 10/13/18

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th day of October 2018, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of October 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 40,000

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):

H0476.8020.3006.7016 - Acquistion of Open Space, consisting of +/- 1 acre, known as Cider Mill Friends Lot 1

Related Expenses: Amount $ 0

Nature/Reason:

Anticipated Savings to County: $0

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

Additional Comments/Explanation:

Dutchess County has awarded $40,000 in matching funds from the Dutchess County Partnership for Manageable Growth Program to assist the Cider Mill Friends of Open Space and Historic Preservation in the purchase of an approximately 1-acre parcel, located adjacent to the historic Kimlin Cider Mill (already owned by the Cider Mill Friends). The not to exceed cost of the acquisition of the parcel is a $101,800 with Jane W, Nuhn Charitable Trust and the Cider Mill Friends providing the remainder of the required funding.

The source of County funds is Capital Account H0476, bonds approved by Dutchess County Legislature Resolution No. 2014323 to support the Partnership for Manageable Growth (PMG) Program.

Prepared by: Brad Barclay, Department of Planning and Development

Cider Mill Friends Stewardship/Monitoring Plan

The property will be owned, maintained and monitored by Cider Mill Friends of Open Space & Historic Preservation, Inc. (Cider Mill Friends). Cider Mill Friends certificate of incorporation provides the organization with the ability to protect open space and natural and historic resources in the Town of Poughkeepsie through restoration and advocacy programs and land acquisition. Cider Mill Friends has a 10 year track record of success in the preservation and maintenance of its existing lands. Costs for maintenance, estimated at $2,500/year (including mowing, brush hogging and insurance) will be included in Cider Mill Friends' operating budget. Supervision and maintenance will be managed by Cider Mill Friends' existing administrative and maintenance program.

Once the acquisition is complete, Cider Mill Friends intends to use a combination of public and private funds, contracted services and volunteer labor to remove invasive species, restore the meadow, repair the stone walls, and provide recreational/interpretative trails that connect to Cider Mill Friends existing trail system. Cider Mill Friends' existing shared driveway opening, parking areas and Kimlin Cider Mill will be the primary access points to this new property, eliminating the need for constructing a new access point.

Cider Mill Friends will provide Dutchess County with an annual monitoring report that will consists of photographs of the subject property which is completely visible from County Route 74/Cedar Avenue.

20180715

GRANT AGREEMENT
FOR THE
ACQUISITION OF CONSERVATION EASEMENT

THIS AGREEMENT, made this day of , 2018, by and between **the CIDER MILL FRIENDS OF OPEN SPACE & HISTORIC PRESERVATION,** INC., (the "OWNER") and the **COUNTY OF DUTCHESS,** a municipal corporation with offices at 22 Market Street, Poughkeepsie, New York 12601 (the "COUNTY").

WITNESSETH:

WHEREAS, Grantor is the owner of all that certain real property located on Cedar Avenue, County Route Number 74 in the Town of Poughkeepsie, Dutchess County, New York, commonly known and referred to as "The Historic Kimlin Cider Mill" (the "Mill Property"). The Owner has now acquired approximately 0.97 acres of additional undeveloped property adjacent to the Mill Property and identified as Lot No. 1 on a certain map entitled "Final Subdivision Plat, Cider Mill Development" filed in the Duchess County Clerk's Office on 1/17/2002 as Map No. 11335, and which is more fully depicted in Exhibit A attached hereto (the "Protected Property"); and

WHEREAS, the County shall contribute $40,000 as a "matching share" grant towards the total grant payments to be made for this Property which shall include awards separately authorized and made by the JANE W. NUHN CHARITABLE TRUST (NUHN TRUST), having an address at P.O. Box 112, Poughkeepsie, NY 12602 ("Partial Funder" joining herein solely with respect to the rights and obligations set forth in Paragraph 18 of the Conservation Easement, "Extinguishment") in the amount of $40,000. Remainder of the funds shall be paid for by the Owner. The Total Project Cost for the Protected Property is $101,800; and

WHEREAS, the County wants to acquire the conservation easement, providing grant funds are available as hereinafter provided, now, therefore, the parties agree as follows:

1. **CONVEYANCE OF CONSERVATION EASEMENT**. The Owner agrees to convey to the County, and the County agrees to accept from the Owner, a conservation easement on the Property upon the terms and conditions hereinafter set forth. The conservation easement shall be substantially in the form attached to this Agreement as Exhibit "A," and as further provided by Dutchess County Resolution No.XXXXXX.

2. **GRANT PAYMENTS**. To help fund the purchase cost for the Property incurred by the Owner, the County shall contribute $40,000 as a "matching share" grant, towards the total grant payments to be made to the Owner of EIGHTY THOUSAND and 00/100 ($80,000.00) DOLLARS. The Nuhn Trust has separately authorized an award of $40,000 toward the acquisition of the Property. Remainder of the funds shall be paid for by the Owner.

3. **CLOSING.** The closing shall take place at the Dutchess County Office Building, 22 Market Street, Poughkeepsie, New York 12601 at such time as the parties (the County and Owner) mutually agree, promptly after funds are made available or otherwise confirmed therefore, from the Nuhn Trust and the Dutchess County Open Space and Farmland Protection Matching Grant Program.

4. **CONTINGENCIES**. This Agreement, and the closing are subject to the following contingencies:

   (a) Approval of the proposed conservation easement (Exhibit "A") and related closing documents by the Dutchess County Open Space and Farmland Protection Matching Grant Program.

(b) Conveyance of title satisfactory to the Dutchess County Open Space and Farmland Protection Matching Grant Program subject only to utility company rights, licenses and/or easements to maintain pole, lines, wires and other installations presently servicing the property providing same do not, in the judgment of funding agencies, significantly impede the purposes of the conservation easement or significantly reduce its value.

(c) Any documentation, approvals or consents as may be required by the Dutchess County Open Space and Farmland Protection Matching Grant Program in order to comply with Program requirements.

(d) The Property shall be conveyed, free of all mortgages and encumbrances of any nature whatsoever or they will be subordinated to the conservation easement to the satisfaction of Nuhn Trust and the Dutchess County Open Space and Farmland Protection Matching Grant Program.

(e) The Owner executes a Monitoring Agreement with the County.

(f)

5. **CANCELLATION.** If the contingencies set forth in Section 4 are not satisfied, or if the grant funds referenced in Section 2 are not available, the County may cancel this Agreement on written notice to the Owner and neither party will have any claim or cause of action against the other arising out of this Agreement.

6. **OWNERS' REPRESENTATIONS**. The Owner represents that it has, and will have at the closing, the power, and if applicable, corporate authorization, to convey the conservation easement to the County and that the Owner is not aware of any actions or proceedings which affect the Owners' title to the property and that there are not uncured notices which have been served upon the Owner by any governmental agency, notifying the Owner of any violations of law, ordinance or regulation which would affect the Property, or actual impending mechanics liens against the Property. Owner has not entered into, or does there exist any license, lease, option, right of first refusal or other agreement, which affects title of the Property.

Owner has no knowledge of any condition at, on, under or related to the Property presently or potentially posing a significant hazard to human health or to the environment (whether or not such condition constitutes a violation of law that would result in liability to the Owner or the County under any Federal, State or local environmental laws).

Should any of the above representations or warrantees cease to be true at any time prior to the closing, Owner shall immediately so advise the County in writing, except in so far as Owner has advised the County to the contrary, each of the above representations and warrantees shall be deemed to have been made as of the closing and shall survive the closing.

7. **NO BROKERS COMMISSION.** Each of the parties represents no broker was used in connection with this Agreement or with any of the transactions contemplated herein.

8. **SEVERABILITY.** Each provision of this Agreement is severable from any and all other provisions of the Agreement. Should any provision of this Agreement be, for any reason, unenforceable, the parties shall negotiate an equitable adjustment in the provisions of this Agreement with a view to efficating the purpose of this Agreement and enforceability of the remaining provisions of this Agreement shall not effected thereby.

9. **TERMINATION**. If the parties have not successfully closed this matter by December 31, 2018, this contract shall be deemed terminated and neither party shall have any claim or cause of action for damages against the other arising out of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

APPROVED AS TO FORM:

_____
County Attorney's Office

ACCEPTED: COUNTY OF DUTCHESS

By: _____
Marcus Molinaro, County Executive

APPROVED AS TO CONTENT:

_____
Commissioner of Planning & Development

CIDER MILL FRIENDS OF OPEN SPACE & HISTORIC PRESERVATION, INC.

By: _____
Lisa D. Weiss, President

STATE OF NEW YORK)
) SS:
COUNTY OF DUTCHESS)

On this day of , 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared **MARCUS MOLINARO,** personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his/her capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

STATE OF NEW YORK)
) SS:
COUNTY OF DUTCHESS)

On this day of , 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared **Lisa D. Weiss,** personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his/her capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

DEED OF CONSERVATION EASEMENT

THIS DEED OF CONSERVATION EASEMENT, made this ___ day of _____, 2018 between the CIDER MILL FRIENDS OF OPEN SPACE AND HISTORIC PRESERVATION, INC., having an address at P.O. Box 2873, Poughkeepsie, NY 12603 ("**Grantor**"); the COUNTY OF DUTCHESS, a municipal corporation with offices at 22 Market Street, Poughkeepsie, NY 12601 ("**Grantee**"); and the JANE W. NUHN CHARITABLE TRUST, having an address at P.O. Box 112, Poughkeepsie, NY 12602 ("**Partial Funder**", joining herein solely with respect to the rights and obligations set forth in Paragraph 18 of this Conservation Easement, "Extinguishment").

W I T N E S S E T H:

WHEREAS, Grantor is the owner of all that certain real property located on Cedar Avenue, County Route Number 74 in the Town of Poughkeepsie, Dutchess County, New York, commonly known and referred to as "The Historic Kimlin Cider Mill" (the "Mill Property"). Grantor has now acquired approximately 0.97 acres of additional undeveloped property adjacent to the Mill Property and identified as Lot No. 1 on a certain map entitled "Final Subdivision Plat, Cider Mill Development: filed in the Duchess County Clerk's Office on 1/17/2002 as Map No. 11335, and which is more fully depicted in Schedules A and B attached hereto (the "Protected Property"); and

WHEREAS, the Protected Property possesses significant recreational, scenic, historical, architectural and open space features and values; and

WHEREAS, Grantor desires to merge the Protected Property herein with that of the original Mill Property subject to a conservation easement granted to the People of The State of New York, acting by and through their Commissioner of Parks, Recreation and Historic Preservation, dated _____ ___, 20__, and filed in the Office of the Dutchess County Clerk in Liber ___ at Page ___. This Conservation Easement only pertains to the 0.97 acres designated as the Protected Property.

WHEREAS, Grantor is, as of the date hereof, with the granting of this Conservation Easement, confirming its commitment to develop, maintain, operate and provide for the public's use and enjoyment a PARK PROJECT as defined in 9 NYCRR 439.2m and 441.4b; and is agreeing to construct, develop, preserve and operate a park on the Protected Property as required in 9 NYCRR 441.4b; and

WHEREAS, the County of Dutchess has awarded the Grantor a grant for the acquisition of the Protected Property through the Partnership for Manageable Growth Program/Open Space and Farmland Protection program; and

WHEREAS, the Protected Property will be integrated with the Mill Property. The Mill Property will continue to be used as a public park and historic site, which includes a historic structure, trees, shrubs, walkways, benches, stone walls and protective fencing, among other amenities; and

WHEREAS, existing improvements on the Mill Property include a vernacular agricultural building, originally a barn and expanded in the early 20th century into a cider mill, café and public attraction, which remains essentially intact to the period 1925-1935;

WHEREAS, Grantor has agreed to place restrictions on the Protected Property as part of its transaction with Grantee, while retaining the use of the Mill Property as defined above; and

WHEREAS, the State of New York has enacted Article 49, Title 3 of the Environmental Conservation Law (as the same may be amended, "Article 49") to provide for the limitation and restriction of development, management and use of real property by Conservation Easement;

NOW, THEREFORE, in consideration of the facts above recited and of the mutual covenants, terms, conditions and restrictions herein contained and other good and valuable consideration, Grantor does hereby grant and convey to Grantee, its successors and assigns forever, a Conservation Easement pursuant to Article 49, in perpetuity consisting of the terms, covenants and obligations on Grantor's part to be observed and performed and Grantee's rights to monitor and enforce same, all as hereinafter set forth, over and across the Protected Property (the "Easement").

1. Purpose. The purpose of this Easement is to grant to Grantee certain rights to restrict the use and development of the Protected Property to protect in perpetuity the use of the Protected Property for the purpose of preserving open space, and through such protection, enhance, preserve and protect said Park for the use and enjoyment of the public.

2. Prohibited Uses and Practices. The following uses and practices are inconsistent with the purpose of this Easement and shall be prohibited upon or within the Protected Property, except to the extent permitted by Paragraph 4 hereof:

a. Any commercial, industrial or residential uses of the Protected Property, except as expressly permitted herein.

b. The division or subdivision of the Protected Property.

c. The construction, erection, maintenance or replacement of any buildings, roads, roadways, signs (other than informational or directional signs), billboards, satellite dishes, fences, docks or other structures or improvements of any kind or nature whatsoever on or over the Protected Property except solely the Permitted Improvements (as defined in subparagraph 4(a) hereof).

d. The dumping or storage of ashes, trash, waste, garbage and sawdust on any portion of the Protected Property, except such storage of the aforementioned material as may be normally and reasonably incidental to uses permitted hereunder. No chemical wastes or other hazardous waste materials may be dumped or stored on the protected property.

e. Dredging, mining, excavation; filling or other use of the Protected Property, which

is detrimental to drainage, water quality, flood control or the fish and wildlife attributes of the Protected Property; subject, however, to Grantor's right to build, install, maintain, repair and replace the Permitted Improvements in accordance with the provisions hereof and all applicable laws and governmental regulations.

f. Disturbances of the Protected Property's surface topography, including but not limited to filling, excavation, grading, removal of topsoil, sand, gravel, rocks or minerals, or changing of the topography of the land in any manner except as may be reasonably necessary for the construction, erection, installation, maintenance or replacement of any of the permitted Improvements in accordance with the terms hereof or as may be normally and reasonably incidental to any of the uses of the Protected Property expressly permitted hereby.

g. The use of toxic chemicals, including, without limitation, pesticides and herbicides, on the Protected Property, except in connection with interior operation and maintenance of the Permitted Improvements or as permitted by the Office of Parks, Recreation and Historic Preservation ("OPRHP") and the Department of Environmental Conservation ("DEC") or any other governmental agency having jurisdiction over the Protected Property and in accordance with all applicable governmental laws and regulations.

h. Except as may be required for emergency purposes or for necessary management actions of Grantee or Grantor or for the construction and maintenance of the Permitted Improvements, the use of off-road motorized vehicles other than on the roads on the Protected Property, including, without limitation, automobiles, all-terrain vehicles and motorcycles.

3. Affirmative Rights Conveyed.

a. Grantee and its duly authorized representatives shall have the right to enter the Protected Property at reasonable times, for inspection purposes as contained in Paragraph 6.

b. Grantee shall have the right to review and approve any plans for development, construction or installation of structures or improvements on the Protected Property.

4. Retained Rights of Grantor. Subject to the purpose and provisions of this Easement, including, without limitation, the provisions of Paragraphs 2 and 3 hereof, and to conditions set forth below, Grantor reserves and retains all customary rights of ownership in the Protected Property, including, but not limited to the following which are herein collectively referred to as "Permitted Uses":

a. The right to construct, install, maintain and use the following Permitted Improvements as enhancements to the Protected Property for use as a public park:

i. Signs or kiosks for educational, interpretive or public safety purposes. Any such signs or kiosks shall be of a design, size, materials and content that conforms

to applicable OPRHP requirements and shall be consistent with the use and character of the site as a preserved open space having historic significance.

ii. Expansion and maintenance of the parking area consistent with the historic nature of the Protected Property and to the extent reasonably necessary to enjoy and use the Protected Property as a public park.

iii. The right to manage and improve the land and vegetation by landscaping, including planting, cultivation, trimming and removal of grass, trees, shrubs and flowers for the purpose of enhancing the Protected Property as a public park.

iv. Permanent or temporary fences or other barriers as may be necessary for the purposes of public safety, provided, however, that such barriers shall not restrict public access to the Protected Property.

b. The right to conduct educational and cultural activities on the Protected Property so long as those activities will not have a significant adverse impact upon the Protected Property and its vegetation and landscape, and provided that such activities are consistent with the use and character of the protected property as a preserved open space and its historic significance as a cider mill. This shall include activities conducted for the purpose of raising funds for the GRANTOR provided that the nature of those activities does not otherwise violate the nature of this Conservation Easement.

c. The right to conduct scientific and archeological activities, which pertain to the study of the historic significance of the Protected Property, provided that such activities will not significantly adversely impact the vegetation, landscape or Protected Property as a preserved open space having historic significance. The Grantor shall submit all archeological surveys and reports to the OPRHP Field Services Bureau for review.

d. The right to plant, grow, trim and remove trees and plants on the Protected Property, so long as any new vegetation shall be native to the site, non-invasive and consistent with a landscape plan approved by the New York State Office of Parks, Recreation, and Historic Preservation and the use and character of the Protected Property as a preserved open space having historic significance.

e. Subject to approval by the Grantee, as evidenced by a letter signed by the County Executive or his/her designee, additional recreational, cultural and support facilities consistent with the use and enjoyment of the Protected Property as a public park.

The construction, repair and maintenance of any Permitted Improvement shall be undertaken in a way which mitigates, to the greatest extent practicable, any effects on any stream, wetland, pond, lake or other body of water located within 100 feet of such improvement.

Before the plans for any proposed renovation, repair, maintenance or construction, alteration or demolition affecting the Protected Property are finalized, Grantor will provide such information to the Grantee as will reasonably inform Grantee as to the work

to be performed, the scope of the work, the details of the treatment and materials and application, along with any other documentation requested by the Grantee that is reasonably needed to define the nature and character of the work to be performed and the anticipated period of time in which the work is estimated to be completed.

5. **Public Access.** There shall be public access to the Protected Property, except that access to those areas customarily used for administrative, maintenance, safety and public health purposes, may be restricted. Grantor may promulgate rules and regulations regarding hours of use for the public.

6. **Inspection.** Grantee and its duly authorized agents, employees and representatives shall have the right to enter the Protected Property upon reasonable notice to Grantor, at such times during normal business hours and in such manner as will not unreasonably interfere with Grantor's use of the Protected Property in accordance with this Easement, to examine and inspect the Protected Property to ensure there are no violations, breaches or defaults of any term, provision, covenant or obligation on Grantor's part to be observed or performed under this Easement.

7. **Enforcement Rights of Grantee.** Grantor acknowledges and agrees that Grantee's remedies at law for any violation of this Easement are inadequate. Therefore, in addition to, and not in limitation of, any other rights of Grantee hereunder or at law or in equity, in the event any breach, default or violation of any term, provision, covenant or obligation on Grantor's part to be observed or performed pursuant to this Easement is not cured by Grantor within 30 days notice thereof by Grantee (which notice requirement is expressly waived by Grantor with respect to any such breach, default or violation which requires immediate action to protect the purpose of this Easement) Grantee shall have the right (a) to institute a suit to enjoin or cure such breach, default or violation by temporary and/or permanent injunction, or (b) to seek or enforce such other legal and/or equitable relief or remedies as Grantee deems necessary or desirable to ensure compliance with the terms, conditions, covenants, obligations and purpose of this Easement; provided, however, that any failure, delay or election to so act by Grantee shall not be deemed to be a waiver or a forfeiture of any right or available remedy on Grantee's part with respect to such breach, default or violation or with respect to any other breach, default or violation of any term, condition, covenant or obligation under this Easement.

8. **Baseline Data.** In order to establish the present uses and condition of the Protected Property so as to be able to properly monitor its future uses and condition and assure compliance with the terms hereof, Grantor will make available to Grantee existing documentation in its possession of the natural condition of the Protected Property and Grantee has caused to be prepared such additional documentation deemed appropriate by Grantee, including a survey of the Protected Property showing its relationship to adjacent features and properties, and on-site photographs. The aforementioned documentation shall constitute an inventory of the Protected Property's relevant features and conditions (the "Baseline Data"). The Baseline Data shall be kept on file at Grantee's offices and shall be accessible to Grantor upon reasonable notice during normal business hours. The parties acknowledge and agree that in the event a controversy arises with respect to the nature and extent of the present uses or condition of the Protected Property, the parties shall not be foreclosed from utilizing all other relevant or material documents,

surveys, reports, and other evidence to assist in the resolution of the controversy. To the extent Grantor and Grantee have initialed the Baseline Data, such Baseline Data shall be presumed to be a correct depiction of the Protected Property as of the date hereof.

9. Grant in Perpetuity.

a. The provisions of this Easement shall run with and be a burden upon the Protected Property in perpetuity and shall be binding on Grantor and Grantee and their respective successors and assigns, and any party entitled to possession or use of the Protected Property while such party is entitled to such possession or use. Any successor or assign of Grantee shall be a qualified organization within the meaning of Article 49 and shall expressly assume the obligation to carry out the conservation purpose for which this Easement is granted and the other obligations of Grantee hereunder.

b. If Grantee or any successor or assign ceases or fails (i) to enforce this Easement, (ii) to exist, or (iii) to be a Qualified Organization, and upon the occurrence of such event, fails to assign all its rights and interest in the Protected Property, and delegate all its responsibilities under this Easement to a Qualified Organization, then the rights and interest of Grantee under this Easement shall be vested in another Qualified Organization in accordance with a cypres proceeding of a court of competent jurisdiction.

10. Amendment. This Easement can be modified only in accordance with the common and statutory law of the State of New York applicable to the modification of easements or covenants running with the land. Grantor and Grantee recognize that circumstances could arise which would justify the modification of certain of the restrictions contained in this Easement including requirements imposed on Grantor pursuant to licensing procedures or any authorized governmental licensing or permitting agency. To this end, Grantee and Grantor shall mutually have the right, in their sole discretion, to agree to amendments to this Easement which are not inconsistent with the purpose of the Easement provided, however, that the parties shall have no right or power to agree to any amendments hereto that would result in this Easement failing to qualify as a valid conservation easement under Article 49, any regulation issued pursuant thereto, and provided further that Grantee shall agree to the modification of this Easement to conform to such licensing procedures or any other authorized governmental licensing or permitting agency.

11. Notice. All notices required by this instrument must be in writing, and must be personally delivered or deposited in a mail receptacle maintained by the United States Postal Service. A mailed notice must be contained in an accurately addressed, sealed envelope, marked for delivery by first class registered or certified mail, with sufficient prepaid postage affixed and with return receipt requested. Notices to Grantor and Grantee shall be addressed to their respective addresses as set forth above, or to such other addresses as they may designate by notice given in accordance with this Paragraph and to either of their attorneys as they may from time to time designate by notice given in accordance with this Paragraph. Notice shall be deemed given and received as of the date of its personal delivery or the date of its mailing in accordance with this Paragraph.

12. Cooperation Agreement. Grantor and Grantee agree to cooperate and comply with the provisions of Article 49, and the Regulations promulgated pursuant thereto, so that this Easement will qualify, as a perpetual conservation restriction, thereunder.

13. Indemnification of Grantee. Grantor agrees that Grantee has no affirmative obligation relating to maintenance of the Property. Grantor further agrees that Grantee has no responsibility relating to costs, claims or liability arising from personal injury, accidents, negligence, or damage to Property resulting from public or private use of the Property allowed by, arising out of, or resulting from this Easement. Grantor shall indemnify, hold harmless, defend and reimburse the Grantee from and against any and all claims, actions, suits, damages, liabilities, penalties, costs or expenses, including reasonable attorneys' fees, of any kind or nature whatsoever on account of injuries to or death of any person or damage to any property arising out of Grantee's ownership of this Conservation Easement.

14. Grantor's Title. Grantor represents and warrants to Grantee (a) that Grantor is seized of the Protected Property in fee simple, and (b) that Grantor possesses full corporate right and authority to grant and convey this Easement pursuant to this instrument.

15. Grantee's Representations. Grantee represents and warrants that Grantee is a Qualified Organization.

16. Further Conveyance By Grantor. The Grantor shall not sell, lease, exchange, or donate the project to any entity other than a State agency, local government or other qualifying tax-exempt not-for-profit corporation which will operate and maintain the project for recreation or conservation purposes.

17. Miscellaneous.

a. This Easement shall be binding on the parties and their respective successors and assigns. The terms "Grantor" and "Grantee", wherever used herein, and any pronouns used in place thereof, shall mean and include their respective successors and assigns.

b. If any provision of this Easement or the application thereof to any person or circumstance is found to be invalid, the remainder of the provisions of this Easement and the application of such provisions to persons or circumstances other than those as to which it is found to be invalid shall not be affected thereby.

c. In enforcing its rights hereunder with respect to a breach, default or violation of this Easement, Grantee shall take into account the reasonableness of requiring Grantor to cure the same and the time required to restore the Protected Property under the relevant circumstances, including but not limited to the season of the year and the accessibility of the protected Property to Grantor.

d. All captions set forth herein are for convenience of reference only, and shall in no event be construed to limit, enlarge or modify any substantive provision of this Easement.

18. Extinguishment. If the restrictions herein are extinguished by judicial proceeding as provided in Section 49-0307 of the New York Environmental Conservation Law (ECL), the parties agree that any funds obtained upon any subsequent sale, exchange or involuntary conversion of the Protected Property, Grantor, Grantee, and the Jane W. Nuhn Charitable Trust shall each be entitled to that portion of the proceeds from that transaction equal to the

proportionate values of their contributions to the Total Project Cost of the Protected Property by the Grantor in 2018, as set forth below, after the payment of all expenses incurred by them out of the recovered proceeds. For such purpose, Grantor and Grantee agree that the acquisition of the Protected Property by Grantor and the conveyance of this conservation easement to the Grantee gives rise to property rights immediately vested in Grantor and Grantee. The Grantee, through the Dutchess County Partnership For Manageable Growth/Open Space and Farmland Protection Matching Grant Program, has provided approximately 39.3% of the Total Project Cost. The Grantor has provided approximately 60.7% of the Total Project Cost, approximately 39.3% of which was provided by the Jane W. Nuhn Charitable Trust. These percentages are inclusive of miscellaneous related acquisition expenses. The Total Project Cost for the Protected Property was $101,800. This provision is made with respect to the Grantee in consideration of the County's grant award in the amount of $40,000, and with respect to the Jane W. Nuhn Charitable Trust in consideration of its grant award in the amount of $40,000.

IN WITNESS WHEREOF, Grantor has executed and delivered this Deed of Conservation Easement as of the date first set forth above.

GRANTOR:
CIDER MILL FRIENDS OF OPEN SPACE AND HISTORIC PRESERVATION, INC.

_____

By: LISA WEISS
Title: President

GRANTEE:
COUNTY OF DUTCHESS

_____

By:
Title: County Executive

****

PARTIAL FUNDER:
JANE W. NUHN CHARITABLE TRUST*

_____
By: Michael de Cordova
Title: Trustee

*Partial Funder Executes this Deed of Conservation Easement solely with respect to the rights and obligations as set forth in Paragraph 18, Extinguishment.

STATE OF NEW YORK)
) ss:
COUNTY OF)

On the __ day of _____, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that s/he executed the same in his capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of whom the individual acted, executed the instrument.

_____
NOTARY PUBLIC

STATE OF NEW YORK)
) ss:
COUNTY OF)

On the __ day of _____, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that s/he executed the same in his capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of whom the individual acted, executed the instrument.

_____

NOTARY PUBLIC

STATE OF NEW YORK)
) ss:
COUNTY OF)

On the __ day of _____, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that s/he executed the same in his capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of whom the individual acted, executed the instrument.

_____

NOTARY PUBLIC

SCHEDULE A
(Site Plan Outlining Lot 1)

SCHEDULE B
(Metes and Bounds Description of Property)

Being and intending to grant a conservation easement over all of the premises acquired by the Grantor by deed from _____, dated _____, and recorded _____, in the County Clerk's Office in Liber of deeds at page ___

Background 2018257

Morris, Carolyn

om: Wrafter, Eoin
Sent: Tuesday, October 9, 2018 12:16 PM
To: Morris, Carolyn
Cc: Barclay, Bradford; Baiano, Chris
Subject: FW: Resolution 2018257

Carolyn,

In response to Legislator Incoronato's email of October 7th, we would offer the following response.

1. The County PMG program allows the awarding of grants for up to 50% of the value of the total project costs for acquiring conservation easements on agricultural properties or fee simple acquisitions of open space properties.
2. The County PMG program has only ever required one appraisal from an reputable appraiser, based on three comparable sale prices. This is what was done in this case by Thomas Kuriger from Hudson Valley Appraisal Corporation.
3. The $101,800 figure cited by Legislator Incoronato represents the total estimated cost of completing the project. While the property was appraised at $90,000 (as per Hudson Valley Appraisal Corporation, appraisal dated Feb. 27, 2017), the negotiated bargain sale price of the involved property was $82,000. The donated value of the property (as a result of the bargain sale) and closing costs represent the difference between the sale price for the property and the total estimated cost of the project. The County PMG grant would cover $40,000 of the $82,000 bargain sale price of the property.

If you have any further questions, please let me know.

Eoin

Eoin Wrafter, AICP
Commissioner
Dutchess County Planning and Development
27 High Street, 2nd Floor
Poughkeepsie, NY 12601
Phone: (845) 486-3600 Fax: (845) 486-3610
Email: ewrafter@dutchessny.gov
www.dutchessny.gov

From: jincoronato@verizon.net <jincoronato@verizon.net>
Sent: Sunday, October 7, 2018 7:55 PM
To: Wrafter, Eoin <ewrafter@dutchessny.gov>
Subject: Fwd: Resolution 2018257

Eoin, FYI.

Joe Incoronato

-----Original Message-----
From: jincoronato <jincoronato@verizon.net>
To: cmorris <cmorris@dutchessny.gov>; CountyLegislature <CountyLegislature@dutchessny.gov>
Cc: sortiz <sortiz@dutchessny.gov>; lwager <lwager@dutchessny.gov>
Sent: Sun, Oct 7, 2018 7:52 pm
Subject: Re: Resolution 2018257

Folks, it appears that the $101,800 appraisal for land next to the Cider Mill Friends was based on a single estimate submitted by Thomas Kuriger. I believe that typical real estate valuations are based on input from three different appraisers. Therefore I believe that protocol should also be applied to the subject lot by seeking two more appraisals.

Also, Mr. Kuriger's report indicates three similar lots in the vicinity of the subject lot were appraised at $90,00, $79,400, and $82,200 -- significantly lower than the $101,800 price in connections with the CMF easement.

Given the above circumstance, I think we should table Resolution 2018257 until two more property appraisals are conducted.

Joe I.

-----Original Message-----
From: Morris, Carolyn <cmorris@dutchessny.gov>
To: CountyLegislature <CountyLegislature@dutchessny.gov>
Cc: Ortiz, Sarah <sortiz@dutchessny.gov>; Wager, Leigh <lwager@dutchessny.gov>
Sent: Fri, Oct 5, 2018 1:23 pm
Subject: FW: Resolution 2018257

Please see email below.

Carolyn Morris
Clerk
Dutchess County Legislature
845.486.2100

1968 - 2018
50th
Anniversary

From: Wrafter, Eoin
Sent: Friday, October 5, 2018 1:13 PM

To: Morris, Carolyn <cmorris@dutchessny.gov>
Cc: Baiano, Chris <cbaiano@dutchessny.gov>; Fakhoury, Linda <lfakhoury@dutchessny.gov>; Barclay, Bradford <bbarclay@dutchessny.gov>
Subject: Resolution 2018257

Carolyn,

Attached please find the appraisal for the property being purchased by the Friends of Cider Mill and getting a conservation easement with the PMG funds as requested by Legislator Incoronato.

If you have any questions, please let me know.

Eoin

Eoin Wrafter, AICP
Commissioner
Dutchess County Planning and Development
27 High Street, 2nd Floor
Poughkeepsie, NY 12601
Phone: (845) 486-3600 Fax: (845) 486-3610
Email: ewrafter@dutchessny.gov
www.dutchessny.gov

Land Appraisal Report

File No. 115936

PURPOSE

The purpose of this appraisal report is to provide the client with a credible opinion of the defined value of the subject property, given the intended use of the appraisal.

Client Name/Intended User BARBARA CASSIDY E-mail JCASSIDY80@YAHOO.COM

Client Address N/A City N/A State N/A Zip N/A

Additional Intended User(s) NONE

Intended Use ESTIMATE MARKET VALUE FOR POSSIBLE SALE

SUBJECT

Property Address CEDAR AVE City POUGHKEEPSIE State NY Zip 12601

Owner of Public Record JOHN & BARBARA CASSIDY County DUTCHESS

Legal Description LIBRE 22002 PAGE 4181

Assessor's Parcel # 6160-02-722792-00 Tax Year 2016 R.E. Taxes $ 3,251.97

Neighborhood Name T/O POUGHKEEPSIE Map Reference SKYMAPS Census Tract 2210.01

Property Rights Appraised [X] Fee Simple [ ] Leasehold [ ] Other (describe)

SALES HISTORY

My research [ ] did [X] did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.

Prior Sale/Transfer: Date N/A Price N/A Source(s) REAL RECORDS

Analysis of prior sale or transfer history of the subject property (and comparable sales, if applicable) THERE ARE NO PRIOR SALES OF THE SUBJECT WITHIN THREE YEARS OR PRIOR SALES OF THE COMPARABLES WITHIN ONE YEAR.

Offerings, options and contracts as of the effective date of the appraisal NONE

NEIGHBORHOOD

Neighborhood Characteristics				One-Unit Housing Trends				One-Unit Housing		Present Land Use %	
Location	[ ] Urban	[X] Suburban	[ ] Rural	Property Values	[ ] Increasing	[X] Stable	[ ] Declining	PRICE	AGE	One-Unit	80 %
Built-Up	[X] Over 75%	[ ] 25-75%	[ ] Under 25%	Demand/Supply	[ ] Shortage	[X] In Balance	[ ] Over Supply	$(000)	(yrs)	2-4 Unit	%
Growth	[ ] Rapid	[X] Stable	[ ] Slow	Marketing Time	[ ] Under 3 mths	[X] 3-6 mths	[ ] Over 6 mths	275 Low	15	Multi-Family	%
								650 High	35	Commercial	%
								525 Pred.	20	Other UNDV	20 %

Neighborhood Boundaries CEDAR POND LANE (NORTH), BOARDMAN ROAD (EAST), SPACKENKILL ROAD (SOUTH) AND JONATHAN LANE (WEST).

Neighborhood Description THE SUBJECT IS LOCATED IN A DESIRABLE RESIDENTIAL AREA IN THE TOWN OF POUGHKEEPSIE. THE SURROUNDING HOMES ARE COMPATIBLE AND WELL MAINTAINED. EMPLOYMENT CENTERS ARE WITHIN A 30 MINUTE COMMUTE. ALL SUPPORT FACILITIES ARE WITHIN A REASONABLE DISTANCE.

Market Conditions (including support for the above conclusions) CURRENTLY THE SUPPLY OF HOMES EQUALS THE DEMAND IN THE SUBJECT'S MARKET WITHIN THE SUBJECT'S PRICE RANGE IN THE PAST SIX MONTHS. OVERALL PROPERTY VALUES REMAIN STABLE. HOUSES THAT ARE PRICED COMPETITIVELY SELL WITHIN A THREE TO SIX MONTH MARKETING TIME.

SITE

Dimensions REFER TO THE ATTACHED MAP Area .97 ACRE Shape RECTANGULAR View AVERAGE

Specific Zoning Classification R-20 Zoning Description RESIDENTIAL (20,000 SQ. FT. MINIMUM LOT SIZE)

Zoning Compliance [X] Legal [ ] Legal Nonconforming (Grandfathered Use) [ ] No Zoning [ ] Illegal (describe)

Highest and best use of the subject property RESIDENTIAL DEVELOPMENT

Utilities	Public	Other (describe)		Public	Other (describe)	Off-site Improvements—Type	Public	Private
Electricity	[X]	[ ] AVAILABLE	Water	[X]	[ ] AVAILABLE	Street BLACKTOP	[X]	[ ]
Gas	[ ]	[ ] NONE	Sanitary Sewer	[X]	[ ] AVAILABLE	Alley NONE	[ ]	[ ]

FEMA Special Flood Hazard Area [ ] Yes [X] No FEMA Flood Zone X FEMA Map # 36027C0367E FEMA Map Date 05-02-2012

Site Comments THE SITE IS A CLEARED LEVEL LOT WHICH IS RECTANGULAR IN SHAPE WITH 139.4 FEET OF ROAD FRONTAGE. PUBLIC WATER AND SEWER ARE AVAILABLE.

MARKET DATA ANALYSIS

ITEM	SUBJECT	COMPARABLE NO. 1		COMPARABLE NO. 2		COMPARABLE NO. 3	
Address	CEDAR AVE POUGHKEEPSIE, NY 12603	179 CEDAR AVENUE POUGHKEEPSIE, NY 12603		COACHLIGHT DRIVE POUGHKEEPSIE, NY 12603		2 HETTINGER LANE POUGHKEEPSIE, NY 12603	
Proximity to subject		0.60 miles SW		0.93 miles SE		4.04 miles SE	
Sales Price	$ N/A		$ 90,000		$ 55,000		$ 70,000
Price $ /	0		90,000		55,000		70,000
Data Source	REAL RECORDS	MHMLS #323614		MHMLS #340711		MHMLS #344755	
Date of Sale and	DESCRIPTION	DESCRIPTION	+(-) Adjust.	DESCRIPTION	+(-) Adjust.	DESCRIPTION	+(-) Adjust.
Time Adjustment	N/A	06/09/2014		06/03/2015		02/19/2016	
Location	GOOD	GOOD		GOOD		AVERAGE	17,500
Site/View	.97 AC/AVERAGE	2.13 AC/AVERAGE	-5,800	.49 AC/AVERAGE	2,400	2.73 AC/AVERAGE	-8,800
TOPOGRAPHY	LEVEL	LEVEL		LEVEL		LEVEL	
SHAPE	RECTANGULAR	FLAGLOT	5,800	RECT., SHALLOW	5,500	FLAGLOT	3,500
TERRAIN	MEADOW	HOME SITE CLEARED		WOODED	5,500	MEADOW	
IMPROVEMNTS.	NONE	NONE		NONE		NONE	
Sales or Financing Concessions	NONE NOTED	NONE NOTED		MOTIVATED ESTATE SALE	11,000	NONE NOTED	
Net Adj. (Total)		[X] + [ ] -	$ 0	[X] + [ ] -	$ 24,400	[X] + [ ] -	$ 12,200
Indicated Value of Subject		Net Adj. 0.0% Gross Adj. 12.9%	$ 90,000	Net Adj. 44.4% Gross Adj. 44.4%	$ 79,400	Net Adj. 17.4% Gross Adj. 42.6%	$ 82,200

Summary of Sales Comparrison Approach ALL THREE COMPARABLE SALES ARE RELIABLE INDICATORS OF VALUE, HOWEVER SALE #1 IS GIVEN THE MOST WEIGHT DUE TO IT HAVING THE LEAST AMOUNT OF ADJUSTMENT AND BEING ON THE SAME STREET. SALE #1 HAS WATER AND SEWER HOOK-UP AS PER THE TOWN WATER DEPARTMENT. THE SITE ADJUSTMENTS INDICATE THE CONTRIBUTORY VALUE OF LOT SIZE ($5,000/ACRE) AS COMPARED TO THE SUBJECT. SALE #3 IS INFERIOR IN LOCATION DUE TO THE OVERALL HIGHER PROPERTY VALUES IN THE SUBJECT'S NEIGHBORHOOD. SALE #2 WAS AN ESTATE SALE AND THE LOT WAS PURCHASED BY THE ADJOINING PROPERTY OWNER.

RECONCILIATION

This appraisal is made [X] "as is," [ ] subject to the following: THE SALES COMPARISON IS THE ONLY APPLICABLE APPROACH WHEN APPRAISING VACANT LAND.

Based on the scope of work, assumptions, limiting conditions and appraiser's certification, my (our) opinion of the defined value of the real property that is the subject of this report is $ 90,000 as of 02/27/2017, which is the effective date of this appraisal.

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Scope of Work, Assumptions and Limiting Conditions

Scope of work is defined in the Uniform Standards of Professional Appraisal Practice as " the type and extent of research and analyses in an assignment." In short, scope of work is simply what the appraiser did and did not do during the course of the assignment. It includes, but is not limited to: the extent to which the property is identified and inspected, the type and extent of data researched, the type and extent of analyses applied to arrive at opinions or conclusions.

The scope of this appraisal and ensuing discussion in this report are specific to the needs of the client, other identified intended users and to the intended use of the report. This report was prepared for the sole and exclusive use of the client and other identified intended users for the identified intended use and its use by any other parties is prohibited. The appraiser is not responsible for unauthorized use of the report.

The appraiser's certification appearing in this appraisal report is subject to the following conditions and to such other specific conditions as are set forth by the appraiser in the report. All extraordinary assumptions and hypothetical conditions are stated in the report and might have affected the assignment results.

1. The appraiser assumes no responsibility for matters of a legal nature affecting the property appraised or title thereto, nor does the appraiser render any opinion as to the title, which is assumed to be good and marketable. The property is appraised as though under responsible ownership.

2. Any sketch in this report may show approximate dimensions and is included only to assist the reader in visualizing the property. The appraiser has made no survey of the property.

3. The appraiser is not required to give testimony or appear in court because of having made the appraisal with reference to the property in question, unless arrangements have been previously made thereto.

4. Neither all, nor any part of the content of this report, copy or other media thereof (including conclusions as to the property value, the identity of the appraiser, professional designations, or the firm with which the appraiser is connected), shall be used for any purposes by anyone but the client and other intended users as identified in this report, nor shall it be conveyed by anyone to the public through advertising, public relations, news, sales, or other media, without the written consent of the appraiser.

5. The appraiser will not disclose the contents of this appraisal report unless required by applicable law or as specified in the Uniform Standards of Professional Appraisal Practice.

6. Information, estimates, and opinions furnished to the appraiser, and contained in the report, were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy of such items furnished to the appraiser is assumed by the appraiser.

7. The appraiser assumes that there are no hidden or unapparent conditions of the property, subsoil, or structures, which would render it more or less valuable. The appraiser assumes no responsibility for such conditions, or for engineering or testing, which might be required to discover such factors. This appraisal is not an environmental assessment of the property and should not be considered as such.

8. This appraisal report should not be used to disclose the condition of the property as it relates to the presence/absence of defects. The client is invited and encouraged to employ qualified experts to inspect and address areas of concern. If negative conditions are discovered, the opinion of value may be affected.

9. Appraisals involving hypothetical conditions related to completion of new construction, repairs or alteration are based on the assumption that such completion, alteration or repairs will be competently performed.

Additional Comments Related To Scope Of Work, Assumptions and Limiting Conditions

APPRAISAL DEVELOPMENT AND SCOPE OF WORK

THIS IS AN APPRAISAL REPORT WHICH IS INTENDED TO COMPLY WITH THE REPORTING REQUIREMENTS SET FORTH UNDER STANDARDS RULE 2-2 (a) OF THE UNIFORM STANDARDS OF PROFESSIONAL PRACTICE FOR AN APPRAISAL REPORT. IT PRESENTS SUMMARY DISCUSSIONS OF THE DATA, REASONING AND ANALYSES THAT WERE USED IN THE APPRAISAL PROCESS TO DEVELOP THE APPRAISER'S OPINION OF VALUE. SUPPORTING DOCUMENTATION CONCERNING DATA, REASONING AND ANALYSES IS RETAINED IN THE APPRAISER'S FILE. THE DEPTH OF THE DISCUSSION CONTAINED IN THIS REPORT IS SPECIFIC TO THE NEEDS OF THE CLIENT AND TO THE INTENDED USE STATED BELOW. THE APPRAISER IS NOT RESPONSIBLE FOR UNAUTHORIZED USE OF THIS REPORT.

THE INTENDED USER OF THIS APPRAISAL REPORT IS THE CLIENT. THE INTENDED USE IS TO EVALUATE THE PROPERTY THAT IS THE SUBJECT OF THIS APPRAISAL FOR POSSIBLE SALE PURPOSES, SUBJECT TO THE STATED SCOPE OF WORK, PURPOSE OF THE APPRAISAL, REPORTING REQUIREMENTS OF THE APPRAISAL REPORT FORM, AND DEFINITION OF MARKET VALUE. NO ADDITIONAL INTENDED USERS ARE IDENTIFIED BY THE APPRAISER. THIS APPRAISAL REPORT IS NOT INTENDED FOR USE BY A FEDERALLY INSURED DEPOSITORY INSTITUTION IN A FEDERALLY RELATED TRANSACTION.

THIS APPRAISAL IS BASED ON INFORMATION GATHERED BY THE APPRAISER FROM PUBLIC RECORDS, THE APPRAISER'S FILES, THE MULTIPLE LISTING SERVICE, TOWN AND/OR COUNTY OFFICES, OWNERS, BROKERS AND OTHER SOURCES. THE DATA AND SOURCES USED ARE CONSIDERED RELIABLE. WHEN CONFLICTING INFORMATION WAS DISCOVERED, THE SOURCE DEEMED MOST RELIABLE HAS BEEN USED. DATA BELIEVED TO BE UNRELIABLE WAS NOT INCLUDED IN THE REPORT NOR USED AS A BASIS FOR THE VALUE CONCLUSION.

IT IS ASSUMED THE IMPROVEMENTS ON THE SUBJECT PROPERTY COMPLY WITH GENERAL ZONING REQUIREMENTS, UNLESS OTHERWISE NOTED. NO SEARCH HAS BEEN MADE TO DETERMINE IF ALL NECESSARY PERMITS OR VARIANCES WERE OBTAINED. THE APPRAISER HAS ASSUMED THAT ALL TITLE SEARCHES AND VARIANCES WERE OBTAINED AND THAT THERE ARE NO DEED RESTRICTIONS WHICH WOULD IMPACT THE APPRAISED VALUE REPORTED HEREIN.

DIGITAL PHOTOS: THE DIGITALIZED PHOTOGRAPHS IN THIS REPORT WERE NOT ALTERED IN ANY MANNER OTHER THAN THE CUSTOMARY BRIGHTNESS EQUALIZATION.

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Appraiser's Certification

The appraiser(s) certifies that, to the best of the appraiser's knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are the appraiser's personal, impartial, and unbiased professional analyses, opinions, and conclusions.
3. Unless otherwise stated, the appraiser has no present or prospective interest in the property that is the subject of this report and has no personal interest with respect to the parties involved.
4. The appraiser has no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
5. The appraiser's engagement in this assignment was not contingent upon developing or reporting predetermined results.
6. The appraiser's compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
7. The appraiser's analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
8. Unless otherwise noted, the appraiser has made a personal inspection of the property that is the subject of this report.
9. Unless noted below, no one provided significant real property appraisal assistance to the appraiser signing this certification. Significant real property appraisal assistance provided by:

Additional Certifications:

Definition of Value: [X] Market Value [ ] Other Value:

Source of Definition: The Appraisal of Real Estate, 13th Edition, 2008, Appraisal Institute.

"The most probable price, as of a specified date, in cash, or in terms equivalent to cash, or in other precisely revealed terms, for which the specified property rights should sell after reasonable exposure in a competitive market under all conditions requisite to a fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming that neither is under undue duress".

ADDRESS OF THE PROPERTY APPRAISED:
CEDAR AVE
POUGHKEEPSIE, NY 12601
EFFECTIVE DATE OF THE APPRAISAL: 02/27/2017
APPRAISED VALUE OF THE SUBJECT PROPERTY $ 90,000

APPRAISER	SUPERVISORY APPRAISER
Signature:	Signature:
Name: THOMAS KURIGER	Name:
State Certification # 45000015786	State Certification #
or License #	or License #
or Other (describe): State #:	State:
State: NY	Expiration Date of Certification or License:
Expiration Date of Certification or License: 05/07/2017	Date of Signature:
Date of Signature and Report: 03/09/2017	Date of Property Viewing:
Date of Property Viewing: 02/27/2017	Degree of property viewing:
Degree of property viewing:	[ ] Did personally view [ ] Did not personally view
[X] Did personally view [ ] Did not personally view	

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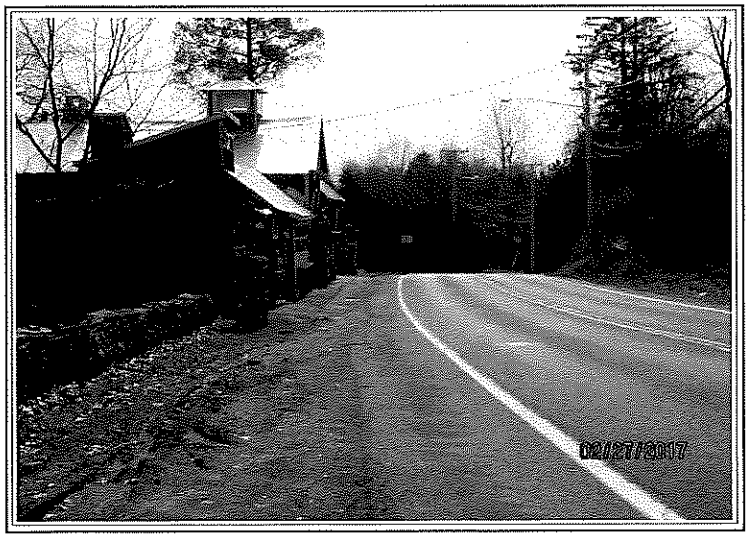
SUBJECT PROPERTY PHOTO ADDENDUM

Client: BARBARA CASSIDY		File No.: 115936
Property Address: CEDAR AVE		Case No.:
City: POUGHKEEPSIE	State: NY	Zip: 12601

FRONT VIEW OF
SUBJECT PROPERTY

Appraised Date: February 27, 2017
Appraised Value: $ 90,000

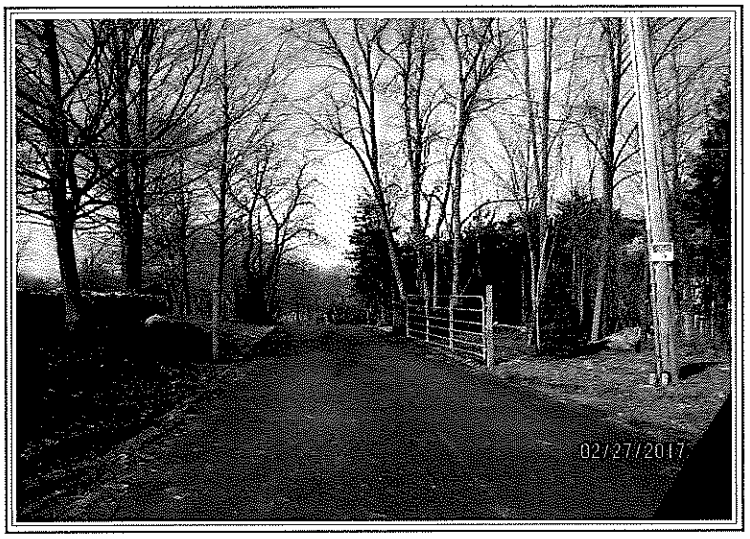
REAR VIEW OF
SUBJECT PROPERTY



STREET SCENE

COMPARABLE PROPERTY PHOTO ADDENDUM

Client: BARBARA CASSIDY		File No.: 115936
Property Address: CEDAR AVE		Case No.:
City: POUGHKEEPSIE	State: NY	Zip: 12601

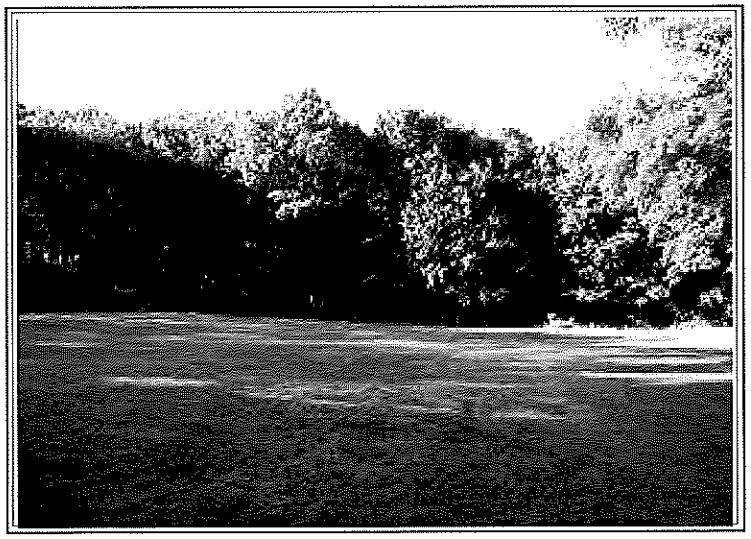


COMPARABLE SALE #1

179 CEDAR AVENUE
POUGHKEEPSIE, NY 12603
Sale Date: 06/09/2014
Sale Price: $ 90,000

COMPARABLE SALE #2

COACHLIGHT DRIVE
POUGHKEEPSIE, NY 12603
Sale Date: 06/03/2015
Sale Price: $ 55,000

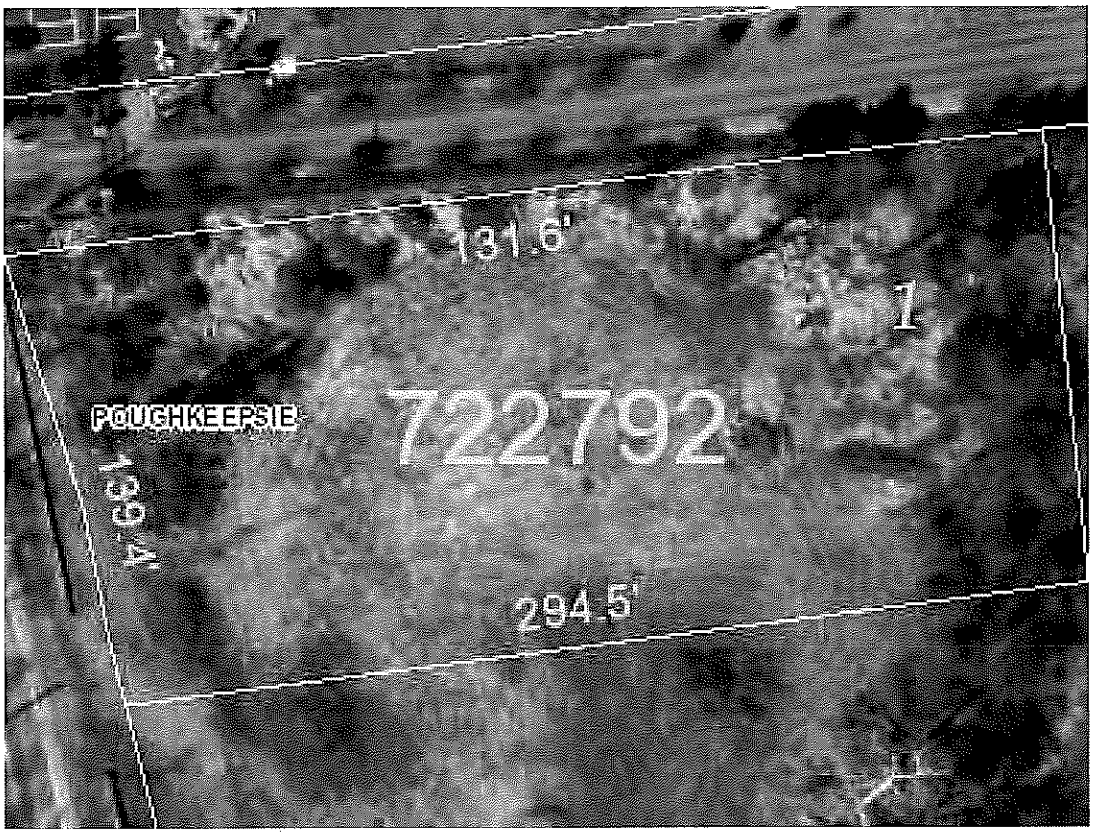


COMPARABLE SALE #3

2 HETTINGER LANE
POUGHKEEPSIE, NY 12603
Sale Date: 02/19/2016
Sale Price: $ 70,000

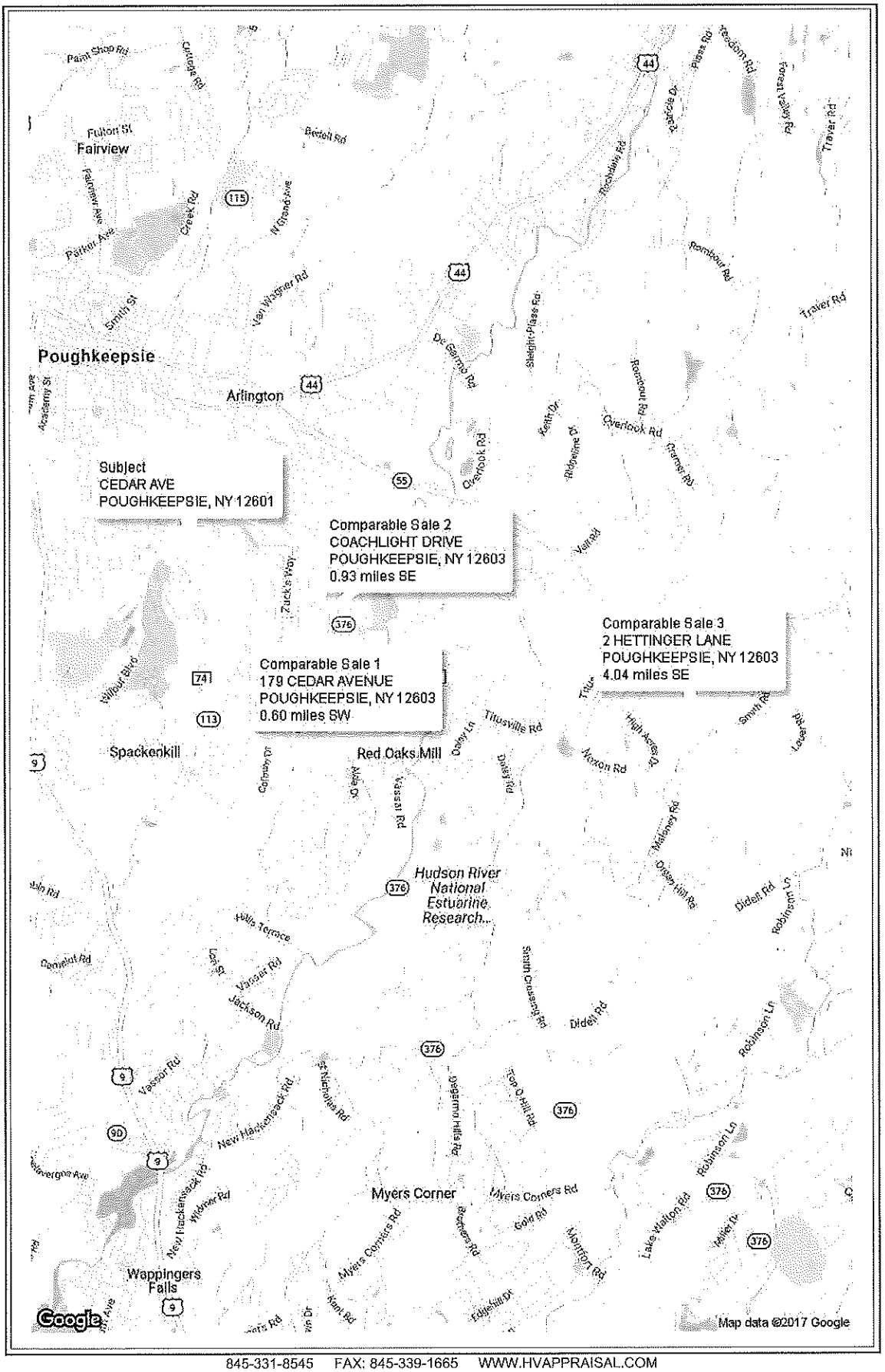
PLAT MAP

Client: BARBARA CASSIDY	File No.: 115936	
Property Address: CEDAR AVE	Case No.:	
City: POUGHKEEPSIE	State: NY	Zip: 12601



LOCATION MAP

Client: BARBARA CASSIDY	File No.: 115936	
Property Address: CEDAR AVE	Case No.:	
City: POUGHKEEPSIE	State: NY	Zip: 12601



USPAP ADDENDUM

File No. 115936

Borrower: BARBARA CASSIDY
Property Address: CEDAR AVE
City: POUGHKEEPSIE County: DUTCHESS State: NY Zip Code: 12601
Lender: PRIVATE

Reasonable Exposure Time

My opinion of a reasonable exposure time for the subject property at the market value stated in this report is: 4-6 MONTHS

EXPOSURE TIME FOR PROPERTIES IN THE SUBJECT'S PRICE RANGE AND MARKET, IS ESTIMATED AT 4-6 MONTHS PRIOR TO THE EFFECTIVE DATE OF THE APPRAISAL, BASED ON MLS STATISTICS, UNDER THE HYPOTHETICAL CONSUMMATION OF A SALE AT MARKET VALUE ON THE EFFECTIVE DATE OF THE APPRAISAL.

Additional Certifications

[X] I have performed NO services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

[ ] I HAVE performed services, as an appraiser or in another capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment. Those services are described in the comments below.

Additional Comments

APPRAISER:

Signature:
Name: THOMAS KURIGER
Date Signed: 03/09/2017
State Certification #: 45000015786
or State License #:
or Other (describe): State #:
State: NY
Expiration Date of Certification or License: 05/07/2017
Effective Date of Appraisal: 02/27/2017

SUPERVISORY APPRAISER (only if required):

Signature:
Name:
Date Signed:
State Certification #:
or State License #:
State:
Expiration Date of Certification or License:
Supervisory Appraiser Inspection of Subject Property:
[ ] Did Not [ ] Exterior-only from street [ ] Interior and Exterior

FLOOD MAP

Client: BARBARA CASSIDY		File No.: 115936
Property Address: CEDAR AVE		Case No.:
City: POUGHKEEPSIE	State: NY	Zip: 12601

FLOOD INFORMATION

Community: City of Poughkeepsie
Property is NOT in a FEMA Special Flood Hazard Area
Map Number: 36027C0367E
Panel: 0367E
Zone: X
Map Date: 05-02-2012
FIPS: 36027
Source: FEMA DFIRM

LEGEND

= FEMA Special Flood Hazard Area - High Risk

= Moderate and Minimal Risk Areas

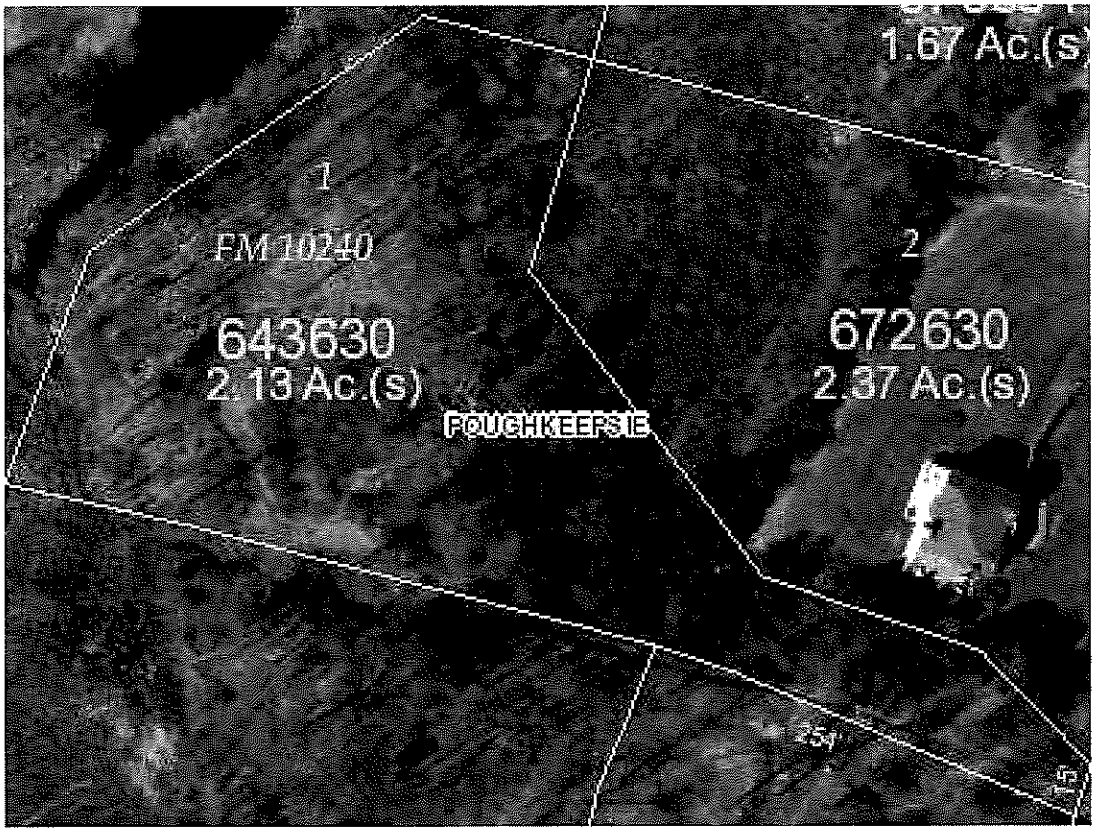
Road View:

= Forest = Water

Sky Flood™

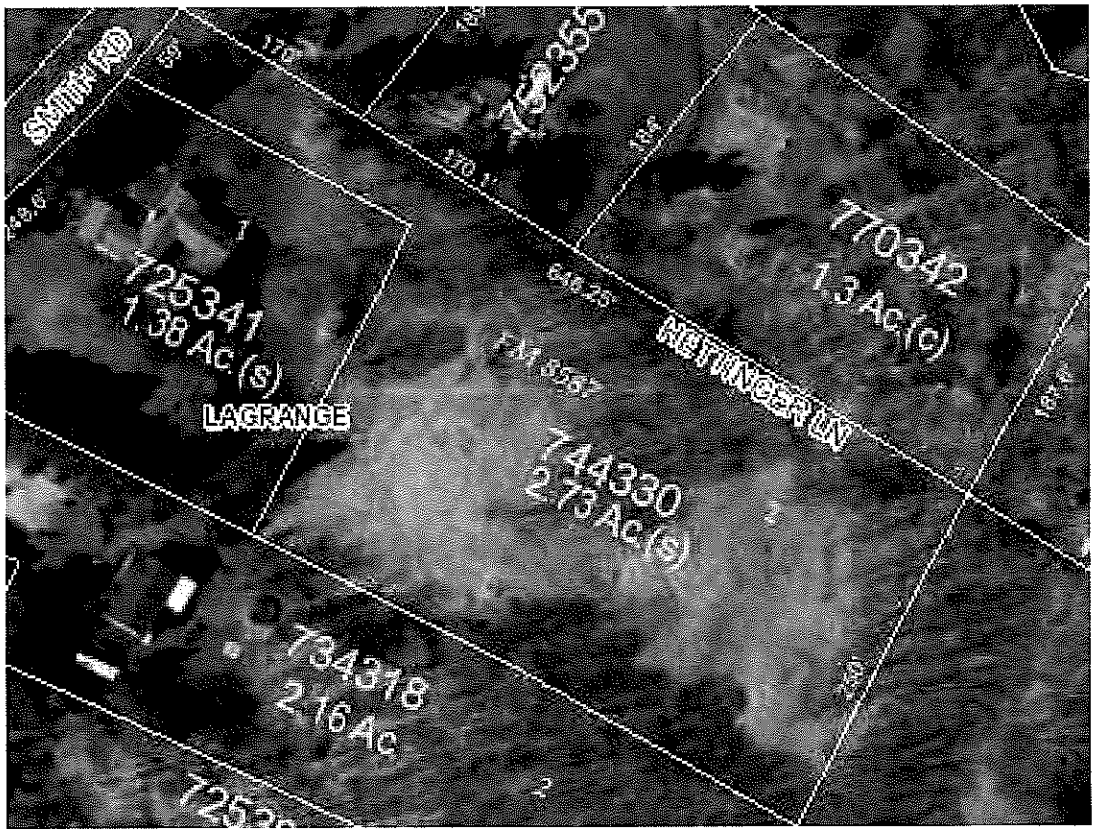
No representations or warranties to any party concerning the content, accuracy or completeness of this flood report, including any warranty of merchantability or fitness for a particular purpose is implied or provided. Visual scaling factors differ between map layers and are separate from flood zone information at marker location. No liability is accepted to any third party for any use or misuse of this flood map or its data.

Client: BARBARA CASSIDY		File No.: 115936
Property Address: CEDAR AVE		Case No.:
City: POUGHKEEPSIE	State: NY	Zip: 12601



Client: BARBARA CASSIDY		File No.: 115936
Property Address: CEDAR AVE		Case No.:
City: POUGHKEEPSIE	State: NY	Zip: 12601

Client: BARBARA CASSIDY		File No.: 115936
Property Address: CEDAR AVE		Case No.:
City: POUGHKEEPSIE	State: NY	Zip: 12601



Background to 2018257

Land Appraisal Report

File No. 115936

PURPOSE

The purpose of this appraisal report is to provide the client with a credible opinion of the defined value of the subject property, given the intended use of the appraisal.

Client Name/Intended User BARBARA CASSIDY E-mail JCASSIDY80@YAHOO.COM

Client Address N/A City N/A State N/A Zip N/A

Additional Intended User(s) NONE

Intended Use ESTIMATE MARKET VALUE FOR POSSIBLE SALE

SUBJECT

Property Address CEDAR AVE City POUGHKEEPSIE State NY Zip 12601

Owner of Public Record JOHN & BARBARA CASSIDY County DUTCHESS

Legal Description LIBRE 22002 PAGE 4181

Assessor's Parcel # 6160-02-722792-00 Tax Year 2016 R.E. Taxes $ 3,251.97

Neighborhood Name T/O POUGHKEEPSIE Map Reference SKYMAPS Census Tract 2210.01

Property Rights Appraised [X] Fee Simple [ ] Leasehold [ ] Other (describe)

SALES HISTORY

My research [ ] did [X] did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.

Prior Sale/Transfer: Date N/A Price N/A Source(s) REAL RECORDS

Analysis of prior sale or transfer history of the subject property (and comparable sales, if applicable) THERE ARE NO PRIOR SALES OF THE SUBJECT WITHIN THREE YEARS OR PRIOR SALES OF THE COMPARABLES WITHIN ONE YEAR.

Offerings, options and contracts as of the effective date of the appraisal NONE

NEIGHBORHOOD

Neighborhood Characteristics		One-Unit Housing Trends		One-Unit Housing		Present Land Use %	
Location	[ ] Urban [X] Suburban [ ] Rural	Property Values	[ ] Increasing [X] Stable [ ] Declining	PRICE	AGE	One-Unit	80 %
Built-Up	[X] Over 75% [ ] 25-75% [ ] Under 25%	Demand/Supply	[ ] Shortage [X] In Balance [ ] Over Supply	$(000)	(yrs)	2-4 Unit	%
Growth	[ ] Rapid [X] Stable [ ] Slow	Marketing Time	[ ] Under 3 mths [X] 3-6 mths [ ] Over 6 mths	275 Low	15	Multi-Family	%
Neighborhood Boundaries CEDAR POND LANE (NORTH), BOARDMAN ROAD (EAST), SPACKENKILL ROAD (SOUTH) AND JONATHAN LANE (WEST).				650 High	35	Commercial	%
				525 Pred.	20	Other UNDV	20 %

Neighborhood Description THE SUBJECT IS LOCATED IN A DESIRABLE RESIDENTIAL AREA IN THE TOWN OF POUGHKEEPSIE. THE SURROUNDING HOMES ARE COMPATIBLE AND WELL MAINTAINED. EMPLOYMENT CENTERS ARE WITHIN A 30 MINUTE COMMUTE. ALL SUPPORT FACILITIES ARE WITHIN A REASONABLE DISTANCE.

Market Conditions (including support for the above conclusions) CURRENTLY THE SUPPLY OF HOMES EQUALS THE DEMAND IN THE SUBJECT'S MARKET WITHIN THE SUBJECT'S PRICE RANGE IN THE PAST SIX MONTHS. OVERALL PROPERTY VALUES REMAIN STABLE. HOUSES THAT ARE PRICED COMPETITIVELY SELL WITHIN A THREE TO SIX MONTH MARKETING TIME.

SITE

Dimensions REFER TO THE ATTACHED MAP Area .97 ACRE Shape RECTANGULAR View AVERAGE

Specific Zoning Classification R-20 Zoning Description RESIDENTIAL (20,000 SQ. FT. MINIMUM LOT SIZE)

Zoning Compliance [X] Legal [ ] Legal Nonconforming (Grandfathered Use) [ ] No Zoning [ ] Illegal (describe)

Highest and best use of the subject property RESIDENTIAL DEVELOPMENT

Utilities	Public	Other (describe)		Public	Other (describe)	Off-site Improvements—Type	Public	Private
Electricity	[X]	[ ] AVAILABLE	Water	[X]	[ ] AVAILABLE	Street BLACKTOP	[X]	[ ]
Gas	[ ]	[ ] NONE	Sanitary Sewer	[X]	[ ] AVAILABLE	Alley NONE	[ ]	[ ]

FEMA Special Flood Hazard Area [ ] Yes [X] No FEMA Flood Zone X FEMA Map # 36027C0367E FEMA Map Date 05-02-2012

Site Comments THE SITE IS A CLEARED LEVEL LOT WHICH IS RECTANGULAR IN SHAPE WITH 139.4 FEET OF ROAD FRONTAGE. PUBLIC WATER AND SEWER ARE AVAILABLE.

MARKET DATA ANALYSIS

ITEM	SUBJECT	COMPARABLE NO. 1		COMPARABLE NO. 2		COMPARABLE NO. 3	
Address	CEDAR AVE POUGHKEEPSIE, NY 12603	179 CEDAR AVENUE POUGHKEEPSIE, NY 12603		COACHLIGHT DRIVE POUGHKEEPSIE, NY 12603		2 HETTINGER LANE POUGHKEEPSIE, NY 12603	
Proximity to subject		0.60 miles SW		0.93 miles SE		4.04 miles SE	
Sales Price	$ N/A		$ 90,000		$ 55,000		$ 70,000
Price $ /	0		90,000		55,000		70,000
Data Source	REAL RECORDS	MHMLS #323614		MHMLS #340711		MHMLS #344755	
Date of Sale and Time Adjustment	DESCRIPTION N/A	DESCRIPTION 06/09/2014	+(-) Adjust.	DESCRIPTION 06/03/2015	+(-) Adjust.	DESCRIPTION 02/19/2016	+(-) Adjust.
Location	GOOD	GOOD		GOOD		AVERAGE	17,500
Site/View	.97 AC/AVERAGE	2.13 AC/AVERAGE	-5,800	.49 AC/AVERAGE	2,400	2.73 AC/AVERAGE	-8,800
TOPOGRAPHY	LEVEL	LEVEL		LEVEL		LEVEL	
SHAPE	RECTANGULAR	FLAGLOT	5,800	RECT., SHALLOW	5,500	FLAGLOT	3,500
TERRAIN	MEADOW	HOME SITE CLEARED		WOODED	5,500	MEADOW	
IMPROVEMNTS.	NONE	NONE		NONE		NONE	
Sales or Financing Concessions	NONE NOTED	NONE NOTED		MOTIVATED ESTATE SALE	11,000	NONE NOTED	
Net Adj. (Total)		[X] + [ ] -	$ 0	[X] + [ ] -	$ 24,400	[X] + [ ] -	$ 12,200
Indicated Value of Subject		Net Adj. 0.0% Gross Adj. 12.9%	$ 90,000	Net Adj. 44.4% Gross Adj. 44.4%	$ 79,400	Net Adj. 17.4% Gross Adj. 42.6%	$ 82,200

Summary of Sales Comparrison Approach ALL THREE COMPARABLE SALES ARE RELIABLE INDICATORS OF VALUE, HOWEVER SALE #1 IS GIVEN THE MOST WEIGHT DUE TO IT HAVING THE LEAST AMOUNT OF ADJUSTMENT AND BEING ON THE SAME STREET. SALE #1 HAS WATER AND SEWER HOOK-UP AS PER THE TOWN WATER DEPARTMENT. THE SITE ADJUSTMENTS INDICATE THE CONTRIBUTORY VALUE OF LOT SIZE ($5,000/ACRE) AS COMPARED TO THE SUBJECT. SALE #3 IS INFERIOR IN LOCATION DUE TO THE OVERALL HIGHER PROPERTY VALUES IN THE SUBJECT'S NEIGHBORHOOD. SALE #2 WAS AN ESTATE SALE AND THE LOT WAS PURCHASED BY THE ADJOINING PROPERTY OWNER.

RECONCILIATION

This appraisal is made [X] "as is," [ ] subject to the following: THE SALES COMPARISON IS THE ONLY APPLICABLE APPROACH WHEN APPRAISING VACANT LAND.

Based on the scope of work, assumptions, limiting conditions and appraiser's certification, my (our) opinion of the defined value of the real property that is the subject of this report is $ 90,000 as of 02/27/2017, which is the effective date of this appraisal.

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GPARLAND_10 05252010

Scope of Work, Assumptions and Limiting Conditions

Scope of work is defined in the Uniform Standards of Professional Appraisal Practice as " the type and extent of research and analyses in an assignment." In short, scope of work is simply what the appraiser did and did not do during the course of the assignment. It includes, but is not limited to: the extent to which the property is identified and inspected, the type and extent of data researched, the type and extent of analyses applied to arrive at opinions or conclusions.

The scope of this appraisal and ensuing discussion in this report are specific to the needs of the client, other identified intended users and to the intended use of the report. This report was prepared for the sole and exclusive use of the client and other identified intended users for the identified intended use and its use by any other parties is prohibited. The appraiser is not responsible for unauthorized use of the report.

The appraiser's certification appearing in this appraisal report is subject to the following conditions and to such other specific conditions as are set forth by the appraiser in the report. All extraordinary assumptions and hypothetical conditions are stated in the report and might have affected the assignment results.

1. The appraiser assumes no responsibility for matters of a legal nature affecting the property appraised or title thereto, nor does the appraiser render any opinion as to the title, which is assumed to be good and marketable. The property is appraised as though under responsible ownership.

2. Any sketch in this report may show approximate dimensions and is included only to assist the reader in visualizing the property. The appraiser has made no survey of the property.

3. The appraiser is not required to give testimony or appear in court because of having made the appraisal with reference to the property in question, unless arrangements have been previously made thereto.

4. Neither all, nor any part of the content of this report, copy or other media thereof (including conclusions as to the property value, the identity of the appraiser, professional designations, or the firm with which the appraiser is connected), shall be used for any purposes by anyone but the client and other intended users as identified in this report, nor shall it be conveyed by anyone to the public through advertising, public relations, news, sales, or other media, without the written consent of the appraiser.

5. The appraiser will not disclose the contents of this appraisal report unless required by applicable law or as specified in the Uniform Standards of Professional Appraisal Practice.

6. Information, estimates, and opinions furnished to the appraiser, and contained in the report, were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy of such items furnished to the appraiser is assumed by the appraiser.

7. The appraiser assumes that there are no hidden or unapparent conditions of the property, subsoil, or structures, which would render it more or less valuable. The appraiser assumes no responsibility for such conditions, or for engineering or testing, which might be required to discover such factors. This appraisal is not an environmental assessment of the property and should not be considered as such.

8. This appraisal report should not be used to disclose the condition of the property as it relates to the presence/absence of defects. The client is invited and encouraged to employ qualified experts to inspect and address areas of concern. If negative conditions are discovered, the opinion of value may be affected.

9. Appraisals involving hypothetical conditions related to completion of new construction, repairs or alteration are based on the assumption that such completion, alteration or repairs will be competently performed.

Additional Comments Related To Scope Of Work, Assumptions and Limiting Conditions

APPRAISAL DEVELOPMENT AND SCOPE OF WORK

THIS IS AN APPRAISAL REPORT WHICH IS INTENDED TO COMPLY WITH THE REPORTING REQUIREMENTS SET FORTH UNDER STANDARDS RULE 2-2 (a) OF THE UNIFORM STANDARDS OF PROFESSIONAL PRACTICE FOR AN APPRAISAL REPORT. IT PRESENTS SUMMARY DISCUSSIONS OF THE DATA, REASONING AND ANALYSES THAT WERE USED IN THE APPRAISAL PROCESS TO DEVELOP THE APPRAISER'S OPINION OF VALUE. SUPPORTING DOCUMENTATION CONCERNING DATA, REASONING AND ANALYSES IS RETAINED IN THE APPRAISER'S FILE. THE DEPTH OF THE DISCUSSION CONTAINED IN THIS REPORT IS SPECIFIC TO THE NEEDS OF THE CLIENT AND TO THE INTENDED USE STATED BELOW. THE APPRAISER IS NOT RESPONSIBLE FOR UNAUTHORIZED USE OF THIS REPORT.

THE INTENDED USER OF THIS APPRAISAL REPORT IS THE CLIENT. THE INTENDED USE IS TO EVALUATE THE PROPERTY THAT IS THE SUBJECT OF THIS APPRAISAL FOR POSSIBLE SALE PURPOSES, SUBJECT TO THE STATED SCOPE OF WORK, PURPOSE OF THE APPRAISAL, REPORTING REQUIREMENTS OF THE APPRAISAL REPORT FORM, AND DEFINITION OF MARKET VALUE. NO ADDITIONAL INTENDED USERS ARE IDENTIFIED BY THE APPRAISER. THIS APPRAISAL REPORT IS NOT INTENDED FOR USE BY A FEDERALLY INSURED DEPOSITORY INSTITUTION IN A FEDERALLY RELATED TRANSACTION.

THIS APPRAISAL IS BASED ON INFORMATION GATHERED BY THE APPRAISER FROM PUBLIC RECORDS, THE APPRAISER'S FILES, THE MULTIPLE LISTING SERVICE, TOWN AND/OR COUNTY OFFICES, OWNERS, BROKERS AND OTHER SOURCES. THE DATA AND SOURCES USED ARE CONSIDERED RELIABLE. WHEN CONFLICTING INFORMATION WAS DISCOVERED, THE SOURCE DEEMED MOST RELIABLE HAS BEEN USED. DATA BELIEVED TO BE UNRELIABLE WAS NOT INCLUDED IN THE REPORT NOR USED AS A BASIS FOR THE VALUE CONCLUSION.

IT IS ASSUMED THE IMPROVEMENTS ON THE SUBJECT PROPERTY COMPLY WITH GENERAL ZONING REQUIREMENTS, UNLESS OTHERWISE NOTED. NO SEARCH HAS BEEN MADE TO DETERMINE IF ALL NECESSARY PERMITS OR VARIANCES WERE OBTAINED. THE APPRAISER HAS ASSUMED THAT ALL TITLE SEARCHES AND VARIANCES WERE OBTAINED AND THAT THERE ARE NO DEED RESTRICTIONS WHICH WOULD IMPACT THE APPRAISED VALUE REPORTED HEREIN.

DIGITAL PHOTOS: THE DIGITALIZED PHOTOGRAPHS IN THIS REPORT WERE NOT ALTERED IN ANY MANNER OTHER THAN THE CUSTOMARY BRIGHTNESS EQUALIZATION.

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(gPAR™) General Purpose Appraisal Report 05/2010
GPARLAND_10 05252010

Appraiser's Certification

The appraiser(s) certifies that, to the best of the appraiser's knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are the appraiser's personal, impartial, and unbiased professional analyses, opinions, and conclusions.
3. Unless otherwise stated, the appraiser has no present or prospective interest in the property that is the subject of this report and has no personal interest with respect to the parties involved.
4. The appraiser has no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
5. The appraiser's engagement in this assignment was not contingent upon developing or reporting predetermined results.
6. The appraiser's compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
7. The appraiser's analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
8. Unless otherwise noted, the appraiser has made a personal inspection of the property that is the subject of this report.
9. Unless noted below, no one provided significant real property appraisal assistance to the appraiser signing this certification. Significant real property appraisal assistance provided by:

Additional Certifications:

Definition of Value: [X] Market Value [ ] Other Value:

Source of Definition: The Appraisal of Real Estate, 13th Edition, 2008, Appraisal Institute.

"The most probable price, as of a specified date, in cash, or in terms equivalent to cash, or in other precisely revealed terms, for which the specified property rights should sell after reasonable exposure in a competitive market under all conditions requisite to a fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming that neither is under undue duress".

ADDRESS OF THE PROPERTY APPRAISED:
CEDAR AVE
POUGHKEEPSIE, NY 12601
EFFECTIVE DATE OF THE APPRAISAL: 02/27/2017
APPRAISED VALUE OF THE SUBJECT PROPERTY $ 90,000

APPRAISER	SUPERVISORY APPRAISER
Signature: Thomas Kuriger	Signature:
Name: THOMAS KURIGER	Name:
State Certification # 45000015786	State Certification #
or License #	or License #
or Other (describe): State #:	State:
State: NY	Expiration Date of Certification or License:
Expiration Date of Certification or License: 05/07/2017	Date of Signature:
Date of Signature and Report: 03/09/2017	Date of Property Viewing:
Date of Property Viewing: 02/27/2017	Degree of property viewing:
Degree of property viewing:	[ ] Did personally view [ ] Did not personally view
[X] Did personally view [ ] Did not personally view	

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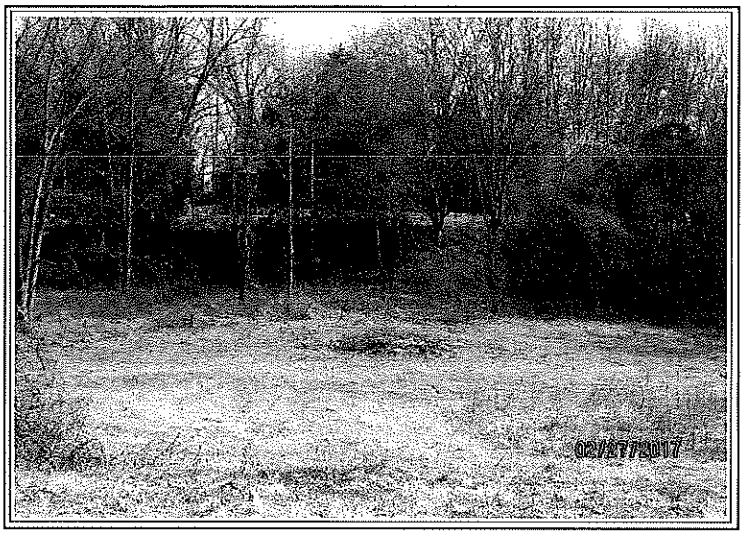
GPARLAND_10052010

SUBJECT PROPERTY PHOTO ADDENDUM

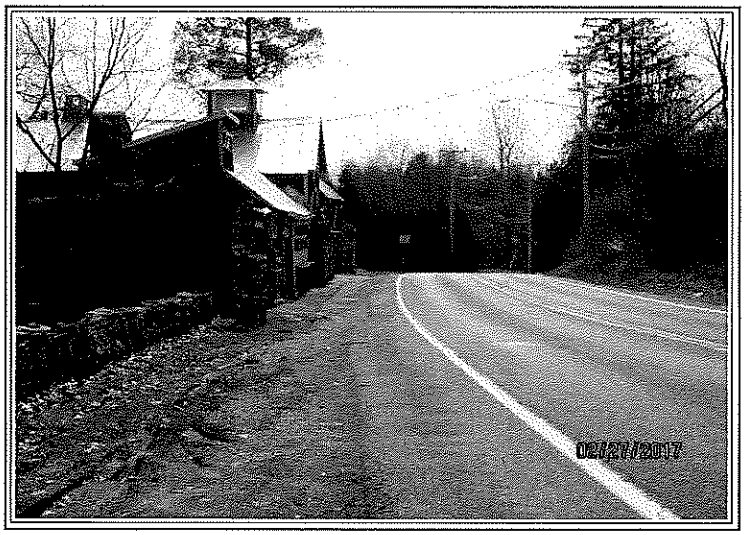
Client: BARBARA CASSIDY		File No.: 115936
Property Address: CEDAR AVE		Case No.:
City: POUGHKEEPSIE	State: NY	Zip: 12601



FRONT VIEW OF
SUBJECT PROPERTY

Appraised Date: February 27, 2017
Appraised Value: $ 90,000

REAR VIEW OF
SUBJECT PROPERTY



STREET SCENE

COMPARABLE PROPERTY PHOTO ADDENDUM

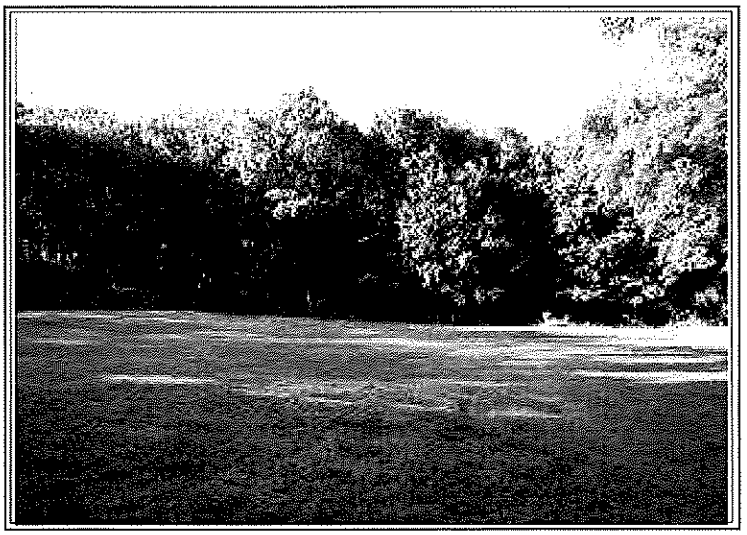
Client: BARBARA CASSIDY		File No.: 115936
Property Address: CEDAR AVE		Case No.:
City: POUGHKEEPSIE	State: NY	Zip: 12601

COMPARABLE SALE #1

179 CEDAR AVENUE
POUGHKEEPSIE, NY 12603
Sale Date: 06/09/2014
Sale Price: $ 90,000

COMPARABLE SALE #2

COACHLIGHT DRIVE
POUGHKEEPSIE, NY 12603
Sale Date: 06/03/2015
Sale Price: $ 55,000



COMPARABLE SALE #3

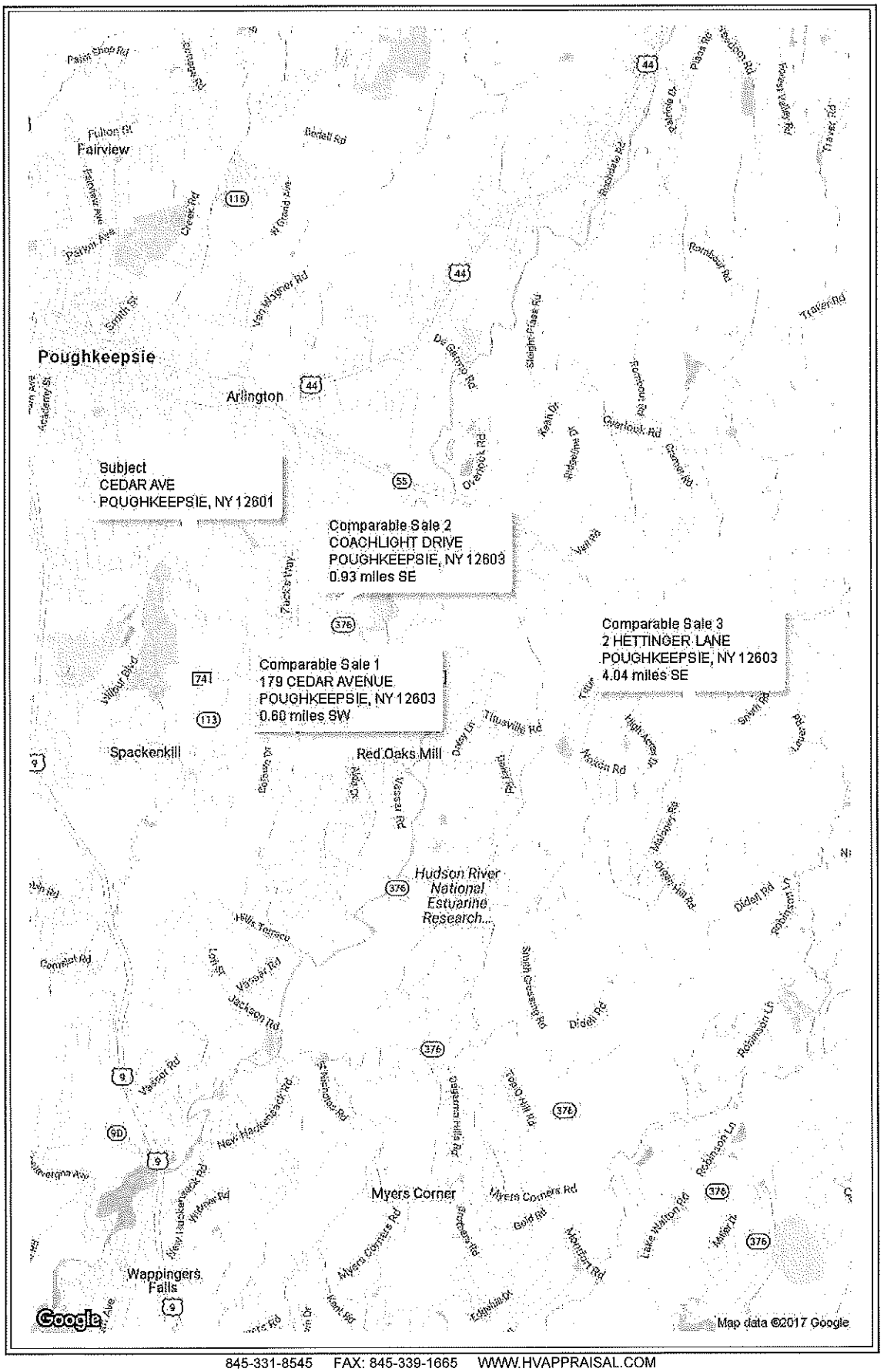
2 HETTINGER LANE
POUGHKEEPSIE, NY 12603
Sale Date: 02/19/2016
Sale Price: $ 70,000

PLAT MAP

Client: BARBARA CASSIDY		File No.: 115936
Property Address: CEDAR AVE		Case No.:
City: POUGHKEEPSIE	State: NY	Zip: 12601

LOCATION MAP

Client: BARBARA CASSIDY		File No.: 115936
Property Address: CEDAR AVE		Case No.:
City: POUGHKEEPSIE	State: NY	Zip: 12601



USPAP ADDENDUM

File No. 115936

Borrower: BARBARA CASSIDY
Property Address: CEDAR AVE
City: POUGHKEEPSIE County: DUTCHESS State: NY Zip Code: 12601
Lender: PRIVATE

Reasonable Exposure Time

My opinion of a reasonable exposure time for the subject property at the market value stated in this report is: 4-6 MONTHS

EXPOSURE TIME FOR PROPERTIES IN THE SUBJECT'S PRICE RANGE AND MARKET, IS ESTIMATED AT 4-6 MONTHS PRIOR TO THE EFFECTIVE DATE OF THE APPRAISAL, BASED ON MLS STATISTICS, UNDER THE HYPOTHETICAL CONSUMMATION OF A SALE AT MARKET VALUE ON THE EFFECTIVE DATE OF THE APPRAISAL.

Additional Certifications

[X] I have performed NO services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

[ ] I HAVE performed services, as an appraiser or in another capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment. Those services are described in the comments below.

Additional Comments

APPRAISER:

Signature: Thomas Kr
Name: THOMAS KURIGER
Date Signed: 03/09/2017
State Certification #: 45000015786
or State License #:
or Other (describe): State #:
State: NY
Expiration Date of Certification or License: 05/07/2017
Effective Date of Appraisal: 02/27/2017

SUPERVISORY APPRAISER (only if required):

Signature:
Name:
Date Signed:
State Certification #:
or State License #:
State:
Expiration Date of Certification or License:
Supervisory Appraiser Inspection of Subject Property:
[ ] Did Not [ ] Exterior-only from street [ ] Interior and Exterior

FLOOD MAP

Client: BARBARA CASSIDY	File No.: 115936	
Property Address: CEDAR AVE	Case No.:	
City: POUGHKEEPSIE	State: NY	Zip: 12601

FLOOD INFORMATION

Community: City of Poughkeepsie
Property is NOT in a FEMA Special Flood Hazard Area
Map Number: 36027C0367E
Panel: 0367E
Zone: X
Map Date: 05-02-2012
FIPS: 36027
Source: FEMA DFIRM

LEGEND

= FEMA Special Flood Hazard Area – High Risk

= Moderate and Minimal Risk Areas

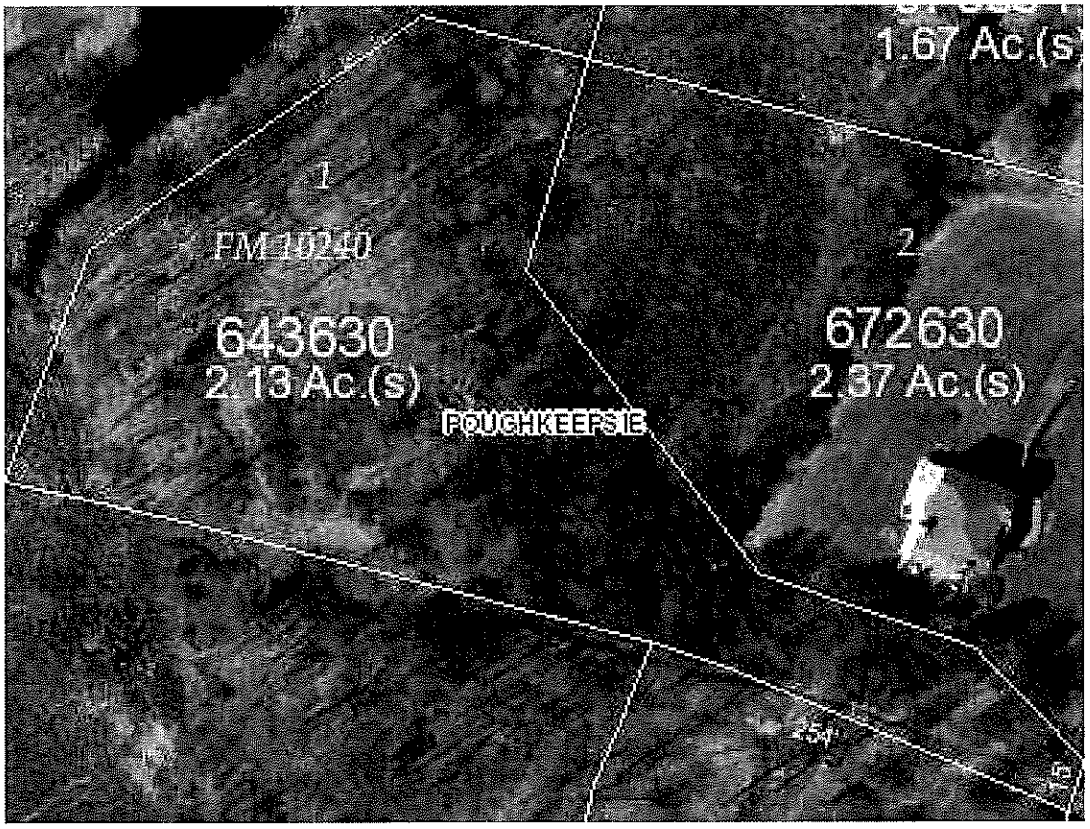
Road View:

= Forest = Water

Sky Flood™

No representations or warranties to any party concerning the content, accuracy or completeness of this flood report, including any warranty of merchantability or fitness for a particular purpose is implied or provided. Visual scaling factors differ between map layers and are separate from flood zone information at marker location. No liability is accepted to any third party for any use or misuse of this flood map or its data.

Client: BARBARA CASSIDY		File No.: 115936
Property Address: CEDAR AVE		Case No.:
City: POUGHKEEPSIE	State: NY	Zip: 12601



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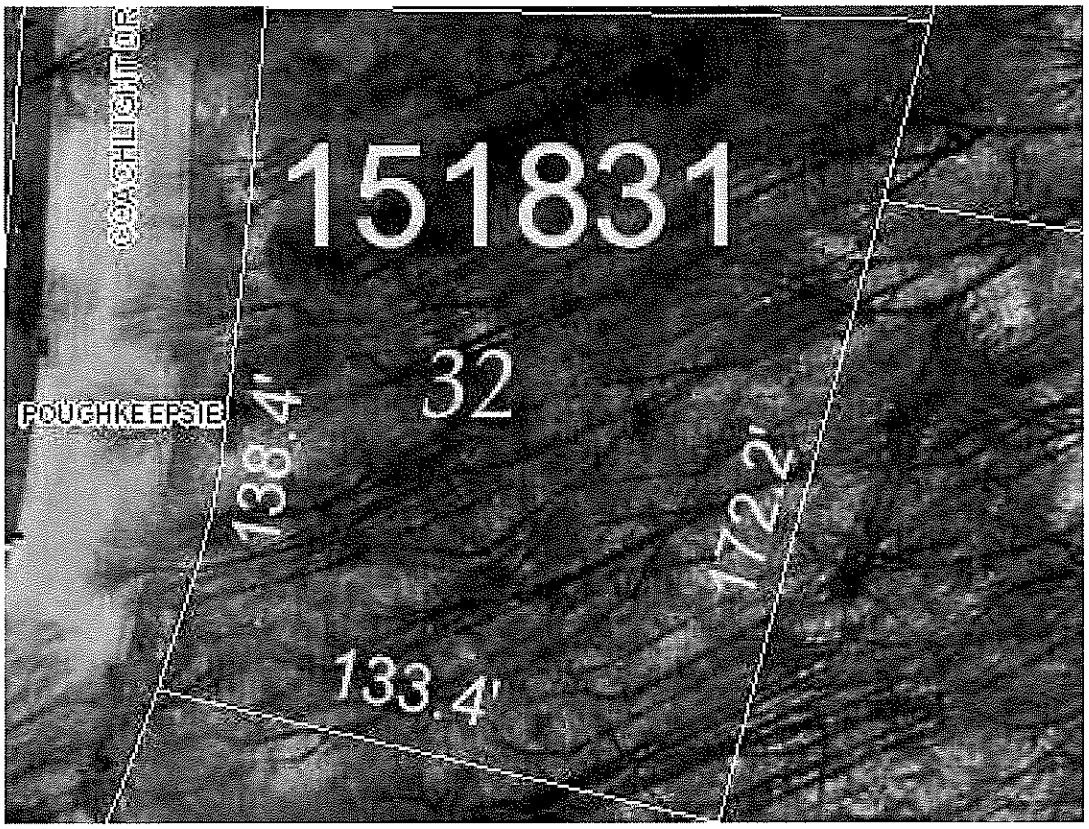

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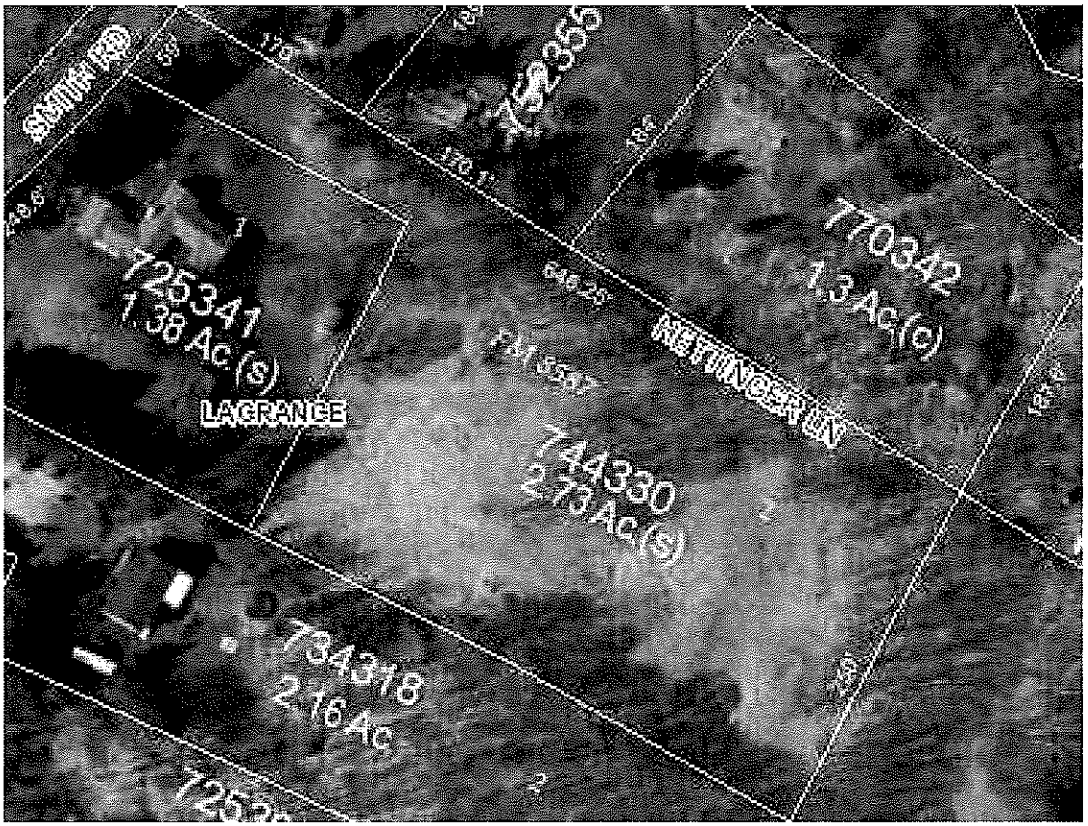


Environment Committee Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 3 - Town of LaGrange	Borchert (C)		
District 6 - Town of Poughkeepsie	Edwards		
District 11 - Towns of Rhinebeck and Clinton	Tyner		
District 17 - Town and Village of Fishkill	Miccio		
District 18 - City of Beacon and Town of Fishkill	Page	absent	
District 22 - Towns of Beekman and Union Vale	Garito		
District 24 - Towns of Dover and Union Vale	Surman (VC)		

Present: 10 **Resolution:** ✓ **Total :** 10 (Yes) 0 (No)

Absent: 2 **Motion:** ___

Vacant: 0 **Abstentions:** 0

2018257 AUTHORIZING EXECUTION OF GRANT AGREEMENT TO PARTIALLY FUND THE PURCHASE OF AN OPEN SPACE PARCEL LOCATED ADJACENT TO "THE HISTORIC KIMLIN CIDER MILL" IN THE TOWN OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK AND REALLOCATING FUNDS THEREFORE

October 4, 2018

Roll Call Sheets

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

Present: 23 **Resolution:** ✓ **Total :** 23 (Yes) 0 (No)

Absent: 2 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018257 AUTHORIZING EXECUTION OF GRANT AGREEMENT TO PARTIALLY FUND THE PURCHASE OF AN OPEN SPACE PARCEL LOCATED ADJACENT TO "THE HISTORIC KIMLIN CIDER MILL" IN THE TOWN OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK AND REALLOCATING FUNDS THEREFORE

October 9, 2018

Family & Human Services

RESOLUTION NO. 2018258

RE: APPOINTMENT TO THE CITIZENS ADVISORY COMMITTEE ON DOMESTIC VIOLENCE

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

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

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

WHEREAS, the Chair of the Legislature has appointed the following member to the Citizenship Advisory Committee on Domestic Violence:

APPOINTMENT

Desiree Alston, MSW
Universal Response for Domestic Violence Project Coordinator
236 Main Street
Poughkeepsie, NY 12601
(replacing Kaitlin Rodriques)

, now, therefore, be it

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

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 10/13/18

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th day of October 2018, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of October 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

Desiree Alston, MSW

PO Box 365, Fort Montgomery, NY 10922
desiree331978@gmail.com
(845)-549-8224

EDUCATION

Hunter College School of Social Work New York, NY
Masters Degree in Clinical Practice with Individuals and Families January 2012
Thesis: *Growing up fast: Preparing foster care youth for aging out of care*

Mount Saint Mary College Newburgh, NY
Bachelor of Arts in Psychology May 2002

SOCIAL WORK EXPERIENCE

Social Worker May 2011- November 2013
Jewish Child Care Association (JCCA)-Gateways Program Pleasantville, NY

- Provide individual, trauma focused therapy for commercially sexually exploited females, aged 12-16 placed in residential treatment
- Facilitate group, and family therapy for assigned caseload.
- Conduct pre-placement interviews for assessment of youth's motivation to change and ability to function at a residential treatment center level of care.
- Complete psychosocial assessments, and referrals for services in placement and in the community.
- Document treatment/case management activities into CONNECTIONS in a timely manner.
- Develop and maintain working relationships within NYC Police Departments, Administration for Children Services, New York State Office of Children and Families Services, NYC Department of Probation, Legal Aid, and various service provider agencies.
- Provide treatment based on the 3Rs- a three phase model of one year of treatment at Gateways: Recognize Trauma; Rebuild self-esteem; Reconnect to healthy and supportive community resources.
- Run Psychoeducational Groups based on Sanctuary Model.
- Conduct home visits to monitor progress of visits and to assist with transition of youth from residential care back into the community.
- Meet with residents placed in alternate placement (psychiatric hospitals; juvenile detention).
- Attend family and criminal court hearings and provide written recommendations and reports.
- File Missing Persons Reports (MPRs) and follow AWOL protocol for residents who have absconded from the program.
- Maintain detailed case records in accordance with agency and governmental standards.
- Engaged in community outreach for education purposes and to recruit program donors.
- Participate in weekly team briefings with members of interdisciplinary team for treatment planning, crisis intervention and to monitor progress of youth in program.

Social Work Intern September 2010-May 2011
Jewish Child Care Association (JCCA)-Pleasantville Diagnostic Center Pleasantville, NY

- Conduct short term trauma focused treatment with children and adolescents referred for diagnostic evaluation.
- Conduct family therapy sessions.
- Prepare comprehensive psychosocial reports as part of diagnostic assessment and make referrals for services as needed.
- Facilitate Sanctuary Psycho-educational groups based on SELF model.
- Participate in routine interdisciplinary team briefings.
- Maintain case records and enter progress notes in CONNECTIONS.
- Maintain collateral contacts with planning agencies and service providers.

Family Team Conference Facilitator September 2009-September 2010
Jewish Child Care Association (JCCA)-Pleasantville Cottage School/Edenwald Center Pleasantville, NY

- Facilitate family team conferences for children and adolescents placed in foster care.
- Utilize consensus decision making process to ensure sound decision making involving children, families, service providers and community resources.
- Ensure all safety and risk concerns are identified and addressed in conferences.
- Make recommendations to case planners and other service providers, including referrals and potential resources.
- Complete administrative responsibilities, including timely documentation and entry of family team conference summaries in CONNECTIONS.
- Facilitate at minimum two to three conferences per day.
- Responsible for ensuring compliance with agency policies and procedures.

Senior Case Manager March 2005-September 2009
Pleasantville Cottage School RTC Pleasantville, NY

- Maintain client contact to support and facilitate permanency by participating in family conferences.
- Participate in family and/or sibling visits as requested; meet with families in homes and on campus.
- Provide crisis intervention when needed.
- Assist in developing visiting plans with families.
- Collaborate in monthly review of planning goals.
- Collaborate with team members to generate individualized case management, treatment and discharge plans.
- Complete FASPs, court reports and TPR summaries in a timely manner.
- Prepare individual Independent Living (IL) monthly contacts and documentation.
- Maintain case record, progress notes and other accountability records as required by agency policy and governmental regulations.
- Represent treatment team and permanency planning efforts in Family Court Hearings.
- Complete referrals and follow up with community resources.
- Complete home assessments for visiting resources.
- Participate in initial and annual CSE meetings and contribute to IEP discussions regarding educational goals for residents in placement.

Residence Director (RD) August 2002-May 2005
Mount Saint Mary College Newburgh, NY

- Supervise RA/AC staff.
- Meet residents for counseling services.
- Keep records; follow up with documented incidents.
- Hold judicial conferences for cases forwarded by Director of Residence Life.
- Walk through assigned buildings on a weekly basis to check in with residents and to check for damage/maintenance issues.
- Participate in on call duty rotation with other Resident Directors.
- Conduct rounds periodically with staff to increase staff accountability and to maintain relationship with residents.
- Assist with RA/AC selection.
- Distribute program money to staff and keep receipts.

Program Director/Case manager (School-based mentoring program) March 2003-August 2004
Big Brothers Big Sisters of Dutchess County Poughkeepsie, NY

- Interview potential volunteers; evaluate children referred to the program.
- Check references and conduct background checks.
- Conduct orientations and interviews with parents, children and volunteers.
- Conduct home visits.
- Work in conjunction with teachers and school personnel to identify children who could benefit from adult friendship and support.

- Facilitate matches between Bigs and Littles.
- Provide match support through match supervision.
- Coordinate match times according to volunteer and child availability.
- Maintain monthly contact notes and make contact calls to follow up on matches.

Case Manager Intern (Shelter for Victims of Domestic Violence) April 2001-September 2001
Henry Street Settlement New York, NY

- Advocate for and counsel victims and families of domestic violence.
- Facilitate placement in shelter.
- Assist with identifying permanent housing, employment/vocational assistance, childcare; etc.
- Follow up with incident reports and ensure the safety of women in the shelter.
- Meet weekly with clients on caseload for counseling.
- Maintain regular contact notes.
- Conduct apartment inspections for families on assigned caseload.

Volunteer Rape Crisis Advocate 1999-2002
Orange County Mental Health Association Goshen, NY

- Provide crisis response to rape victims in emergency rooms or police departments.
- Counsel/advocate for victims of rape.
- Prepare incident reports.
- Work in conjunction with police and medical personnel during evidence collection.
- Provide support to victims during police interviews.
- Inform victims of programs and assistance available to them as victims of crime.

Volunteer Mentor/Tutor 2001-2002
Newburgh City Youth Bureau Newburgh, NY

- Mentor to at risk youth.
- Provide tutoring during after school program.
- Supervised recreational trips and planned activities.

Developmental Aid 1998-2001
Hudson Valley Developmental Disabilities Services Office Orange County, NY

- Supervise consumers, provide support or adequate intervention if necessary.
- Maintain case notes and case record.
- Administer medications to consumers.
- Transport consumers to day programs, medical appointments, and activities.
- Prepare meals.
- Assist in activities of daily living (ADLs).
- Plan recreational activities.
- Med Certified, CPR/First AID certified, SCIP.

References available upon request.

Family and Human Services Committee Roll Call

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

Present: 10 **Resolution:** ✓ **Total :** 10 Yes 0 No

Absent: 2 **Motion:** ___

Vacant: 0 **Abstentions:** 0

2018258 APPOINTMENT TO THE CITIZENS ADVISORY COMMITTEE ON DOMESTIC VIOLENCE

October 4, 2018

Roll Call Sheets

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

Present: 23 **Resolution:** ✓ **Total :** 23 (Yes) 0 (No)

Absent: 2 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018258 APPOINTMENT TO THE CITIZENS ADVISORY COMMITTEE ON DOMESTIC VIOLENCE

October 9, 2018

RESOLUTION NO. 2018259

RE: AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT INVOLVING CONSTRUCTION RELATED ACTIVITIES FOR THE HARLEM VALLEY RAIL TRAIL PHASE IV, AND APPROPRIATING FUNDS THEREFORE (PIN 8758.74)

Legislators METZGER, PULVER, SAGLIANO, BOLNER, HOUSTON, TRUITT, and THOMES offer the following and move its adoption:

WHEREAS, a project for the Harlem Valley Rail Trail, Phase IV in the Town of Northeast, Dutchess County, identified as PIN 8758.74, (hereinafter referred to as the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds, and

WHEREAS, Dutchess County (hereinafter referred to as "the County") desires to advance the above Project by making a commitment of 100% of the non-federal share of the costs of construction and construction inspection, now, therefore, be it

RESOLVED, that this Legislature approves of the above subject Project, and it is further

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

RESOLVED, that the sum of $11,306,000 is hereby appropriated and made available from H0524 and made available to cover the cost of participation in the above phase of the Project, and it is further,

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

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

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

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

RESOLVED, that this Resolution shall take effect immediately.

CA-176-18
AMS/kvh/R-0987-A
9/18/18
Fiscal Impact: See attached statement.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 11/21/2018

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of November 2018, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of November 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

MARCUS J. MOLINARO
COUNTY EXECUTIVE

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

ROBERT H. BALKIND, P.E.
COMMISSIONER

DAVID C. WHALEN
DEPUTY COMMISSIONER

TO: W.F.X. O'Neil, Deputy County Executive

FROM: Robert H. Balkind, P.E., Commissioner

DATE: September 14, 2018

SUBJECT: Resolution Request – Authorizing the County Executive to sign Supplemental Agreement No. 3.

The Department of Public Works is requesting legislative approval to allow the County Executive to sign the attached Supplemental Agreement No. 3, which will allow the County to accept and spend $9,365,000 of federal funding reimbursement for construction of the Harlem Valley Rail Trail. This funding has been approved through the Department of Transportation for this project and must be used accordingly.

The local funding required for this project is included in a separate resolution request which creates and funds capital project H0524 – 2018 Harlem Valley Rail Trail.

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 $ 9,365,000

H0524.7110.45970.00 -- Transp Capital Project Highway

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

Identify Line Items(s):

See resolution to create and fund capital project H0524 - 2018 Harlem Valley Rail Trail Construction

Related Expenses: Amount $ _____

Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): _____

Over Five Years: _____

Additional Comments/Explanation:

This resolution authorizes the County Executive to sign the attached Supplemental Agreement No. 3, which will allow the County to accept and spend $9,365,000 of federal funding reimbursement. This funding has been approved through the Department of Transportation for this project and must be used accordingly.

Prepared by: Rachel Kashimer, Budget Office

Prepared On: 9/17/2018

NEW YORK STATE OF OPPORTUNITY. | Department of Transportation

ANDREW M. CUOMO
Governor

PAUL A. KARAS
Acting Commissioner

LANCE MacMILLAN, P.E.
Acting Regional Director

August 30, 2018

SEP 4 '18 PM 2:51

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

RE: PIN 8758.74 HARLEM VALLEY RAIL TRAIL PHASE IV
DUTCHESS & COLUMBIA COUNTY
SUPPLEMENTAL AGREEMENT #3 – D024647

Dear Mr. Balkind:

Enclosed are eight (8) Supplemental Agreements to include the construction and construction inspection funds for the above-referenced project. Seven (7) executed copies of the agreement, EACH with original signatures, notarizations and certified, seal-stamped resolutions, should be returned to this office. A sample resolution is attached for your use.

To ensure that the funding programmed for this project on the State Transportation Improvement Program (STIP) does not lapse, the County should return this agreement as soon as possible.

As a reminder per Chapter 15, Administering Construction Contracts; Section 15.4.8 Civil Rights Reporting:

> **The Contractor and all subcontractors and suppliers will utilize New York State Department of Transportation Equal Employment Opportunity reporting software, which is currently "Equitable Business Opportunities" (EBO). The Sponsor will monitor prime's payments to subcontractor and ensure that subcontractors are paid promptly per specifications. In addition, the sponsor is to monitor EEO goals on a monthly basis and take corrective action if goals are not being met; reference NYSDOT Standard Specifications Section 102-11, Equal Employment Opportunity Requirements.**

Your assistance in having the agreement approved by the Dutchess County Legislature and signed by the County Executive and County Attorney is appreciated. Of course, if you have any questions, please call me at (845) 431-5977 or by e-mail at doreen.holsopple@dot.ny.gov

Sincerely,

Doreen Holsopple
Administrative and Financial Advisor
Region 8 Local Projects Unit

Enclosures

CC: R. Pinto, Dutchess County DPW Contract Specialist (No enclosures)

Supplemental Agreement Cover for Local Agreements (11/12)
MUNICIPALITY/SPONSOR: Dutchess County
PIN: 8758.74
BIN: N/A
Comptroller's Contract No: D024647
Supplemental Agreement No. 3
Date Prepared & By: 08/30/2018mg

SUPPLEMENTAL AGREEMENT NO 3 to D024647

This Supplemental Agreement is by and between:

the New York State Department of Transportation ("NYSDOT"), having its principal office at 50 Wolf Road, Albany, New York, 12232, on behalf of New York State ("State");

And

Dutchess County (the Municipality/Sponsor)
Acting by and through the **County Executive**
With its office at **22 Market Street, Poughkeepsie, Dutchess County, New York**

This amends the existing Agreement between the parties in the following respects only:

X Amends a previously adopted Schedule A by:

- ☐ amending a project description
- ☐ amending the contract end date
- X amending the scheduled funding by:
  - X adding additional funding:
    - X adding Construction phase which covers eligible costs incurred on/after _____
    - ☐ adding 1,2,3 phase which covers eligible costs incurred on/after xxxxxx
  - ☐ increasing funding for a project phases(s)
  - ☐ adding a pin extension
  - ☐ change from Non-Marchiselli to Marchiselli
  - ☐ deleting/reducing a project phase(s)
  - ☐ other (xxxxx)

☐ Amends a previously adopted Schedule "B"

☐ Amends a previously adopted agreement by adding Appendix 2-S – Iran Divestment Act

☐ Amends the Text of the Agreement as follows:

Supplemental Agreement Cover for Local Agreements (11/12)
MUNICIPALITY/SPONSOR: Dutchess County
PIN: 8758.74
BIN: N/A
Comptroller's Contract No: D024647
Supplemental Agreement No. 3
Date Prepared & By: 08/30/2018mg

IN WITNESS WHEREOF, the parties have caused this agreement to be executed by its duly authorized officials as of the date first above written.

Approved for the Municipality/Sponsor

By: _____

Print Name: _____

Title: _____

Municipality/Sponsor Attorney:

By: _____

Print Name: _____

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

On this _____ day of _____, 2018 before me personally came _____ to me known, who, being by me duly sworn did depose and say that he/she resides at _____; that he/she is the _____ of the Municipal/Sponsor Corporation described in and which executed the above instrument; that it was executed by order of the _____ of said Municipal/Sponsor Corporation pursuant to a resolution or other authorization which was duly adopted on _____ and which a certified copy is attached and made a part hereof, and that he/she signed his/her name thereto by like order.

_____
Notary Public

By: _____
For Commissioner of Transportation

Agency Certification: In addition to the Acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this Contract.

APPROVED AS TO FORM:
STATE OF NEW YORK ATTORNEY GENERAL

By: _____
Assistant Attorney General

COMPTROLLER'S APPROVAL:

By: _____
For the New York State Comptroller
Pursuant to State Finance Law§ 112

SCHEDULE A – Description of Project Phase, Funding and Deposit Requirements
NYSDOT/ State-Local Agreement - Schedule A for PIN 8758.74

OSC Municipal Contract #: D024647

Contract Start Date: 9/13/2006 (mm/dd/yyyy) **Contract End Date:** 9/30/2020 (mm/dd/yyyy)
☐ *Check, if date changed from the last Schedule A*

Purpose: ☐ Original Standard Agreement ☒ Supplemental Schedule A No. 3

Agreement Type: ☒ Locally Administered — Municipality/Sponsor (Contract Payee): Dutchess County
Other Municipality/Sponsor (if applicable):

☐ State Administered — *List participating Municipality(ies) and the % of cost share for each and indicate by checkbox which Municipality this Schedule A applies.*
☐ Municipality: % of Cost share
☐ Municipality: % of Cost share
☐ Municipality: % of Cost share

Authorized Project Phase(s) to which this Schedule applies: ☒ PE/Design ☒ ROW Incidentals ☒ ROW Acquisition ☒ Construction/CI/CS

Work Type: BIKE/PED./FACILITIES **County** (If different from Municipality): Dutchess County

Marchiselli Eligible ☐ Yes ☒ No (Check, if Project Description has changed from last Schedule A): ☐
Project Description: Harlem Valley Rail Trail, Phase IV, Dutchess & Columbia County

Marchiselli Allocations Approved FOR ALL PHASES *(Total will calculate automatically)*

Check box to indicate change from last Schedule A	State Fiscal Year(s)	Project Phase: PE/Design	ROW (R) & RA)	Construction/CI/CS	TOTAL
☐	Cumulative total for all prior SFYs	$	$	$0.00	$ 0.00
☐	Current SFY	$0.00	$	$0.00	$ 0.00
	All Prior & Current Totals to Date	$ 0.00	$ 0.00	$ 0.00	$ 0.00

A. Summary of allocated MARCHISELLI Program Costs FOR ALL PHASES *For each PIN Fiscal Share below, show current costs on the rows marked "Current". Show any old costs from the previous Schedule A on the row indicated as "Old". All totals will calculate automatically.*

PIN Fiscal Share	"Current" or "Old" entry indicator	Federal Funding	Total Costs	FEDERAL Participating Share	STATE MARCHISELLI Match	LOCAL Matching Share	LOCAL DEPOSIT AMOUNT (Required only if State Administered
	Current		$ 0.00	$	$	$	$0.00
	Old		$ 0.00	$0.00	$0.00 *	$0.00	$0.00
	Current		$ 0.00	$	$	$	$0.00
	Old		$ 0.00	$0.00	$0.00	$0.00	$0.00
	Current		$ 0.00	$0.00	$0.00	$0.00	$0.00
	Old		$ 0.00	$0.00	$0.00	$0.00	$0.00
	Current		$ 0.00	$0.00	$0.00	$0.00	$0.00
	Old		$ 0.00	$0.00	$0.00	$0.00	$0.00
	Current		$ 0.00	$0.00	$0.00	$0.00	$0.00
	Old		$ 0.00	$0.00	$0.00	$0.00	$0.00
	Current		$ 0.00	$0.00	$0.00	$0.00	$0.00
	Old		$ 0.00	$	$0.00	$0.00	$0.00
TOTAL CURRENT COSTS			$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00

NYSDOT/State-Local Agreement – Schedule A

B. Summary of Other (including Non-allocated MARCHISELLI) Participating Costs FOR ALL PHASES *For each PIN/Fiscal Share, show current costs on the rows indicated as 'Current'. Show the old costs from the previous Schedule A on the row indicated as 'Old'. All totals will calculate automatically.*

Other PIN Fiscal Shares	'Current' or 'Old' entry indicator	Funding Source	TOTAL	Other FEDERAL	Other STATE	Other LOCAL
8758.74.121	Current	CMAQ	$200,000.00	$160,000.00	$0.00	$40,000.00
	Old	CMAQ	$	$160,000.00	$0.00	$40,000.00
8758.74.122	Current	STP	$130,000.00	$104,000.00	$0.00	$26,000.00
	Old	STP	$	$104,000.00	$0.00	$26,000.00
8758.74.221	Current	CMAQ	$20,000.00	$16,000.00	$0.00	$4,000.00
	Old	CMAQ	$	$16,000.00	$0.00	$4,000.00
8758.74.222	Current	STP	$178,802.00	$143,042.00	$0.00	$35,760.00
	Old	STP	$	$143,042.00	$0.00	$35,760.00
8758.74.321	Current	HPP	$4,595,000.00	$3,676,000.00	$0.00	$919,000.00
	Old		$	$0.00	$0.00	$0.00
8758.74.322	Current	STP	$6,711,000.00	$5,369,000.00	$0.00	$1,342,000.00
	Old		$	$0.00	$0.00	$0.00
	Current		$ 0.00	$0.00	$0.00	$0.00
	Old		$	$0.00	$0.00	$0.00
	Current		$ 0.00	$0.00	$0.00	$0.00
	Old		$	$0.00	$0.00	$0.00
TOTAL CURRENT COSTS			$11,834,802.00	$9,468,042.00	$ 0.00	$2,366,760.00

C. Local Deposit(s) from Section A	$ 0.00
Additional Local Deposit(s)	$
Total Local Deposit(s)	$ 0.00

D. Total Project Costs *All totals will calculate automatically.*

Total FEDERAL Cost	Total STATE MARCHISELLI Cost	Total OTHER STATE Cost	Total LOCAL Cost	Total ALL SOURCES Cost
$9,468,042.00	$ 0.00	$ 0.00	$2,366,760.00	$11,834,802.00

E. Point of Contact for Questions Regarding this Schedule A (Must be completed)	Name: Doreen Holsopple Phone No: 845-431-5977

See Agreement (or Supplemental Agreement Cover) for required contract signatures.

Footnotes: (See LPB's website for link to sample footnotes).

- Description continued: Construction of a bikeway connecting the existing Harlem Valley Trail in the Village of Millerton, Town of Ancram with the existing segment constructed in Columbia County. Final link consist of 6.96 miles from US Rt 44 in Millerton to the Columbia County line; .25 miles from Columbia County line to Under Mountain Road, in the Town of Northeast, Dutchess County.

- This Schedule A includes the construction and construction inspection phase and funds.

- PIN 8758.74; 08/30/2018mg

Resolution No. 2018259, AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT INVOLVING CONSTRUCTION RELATED ACTIVITIES FOR THE HARLEM VALLEY RAIL TRAIL PHASE IV, AND APPROPRIATING FUNDS THEREFORE (PIN 8758.74), was adopted at the October 4, 2018, Public Works and Capital Projects Committee Meeting, pulled by the Department of Public Works on October 9, 2018, and considered at the November 13, 2018, Board Meeting.

Roll call vote on the foregoing resolution at that time resulted as follows:

AYES:	22	Pulver, Sagliano, Bolner, Munn, Borchert, Keith, Edwards, Truitt, Brendli, Johnson, Jeter-Jackson, Tyner, Metzger, Amparo, Incoronato, Zernike, Miccio, Page, Garito, Thomes, Surman, Houston
NAYS:	0	
ABSENT:	3	Black, Llaverias, Horton

Resolution adopted.

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 8 - City and Town of Poughkeepsie	Brendli		
District 12 - Town of East Fishkill	Metzger (C)		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato (VC)		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 10 **Resolution:** ✓ **Total :** 10 Yes 0 No

Absent: 1 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018259 AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT INVOLVING CONSTRUCTION RELATED ACTIVITIES FOR THE HARLEM VALLEY RAIL TRAIL PHASE IV, AND APPROPRIATING FUNDS THEREFORE (PIN 8758.74)

October 4, 2018

Roll Call Sheets

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

Present: 22 **Resolution:** ✓ **Total :** 22 0

Absent: 3 **Motion:** ____ **Yes** **No**

Vacant: 0 **Abstentions:** 0

2018259 AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT INVOLVING CONSTRUCTION RELATED ACTIVITIES FOR THE HARLEM VALLEY RAIL TRAIL PHASE IV, AND APPROPRIATING FUNDS THEREFORE (PIN 8758.74)

November 13, 2018

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2018260

RE: AUTHORIZATION TO ACQUIRE A FEE ACQUISITION FROM CRAIG NATHANSON AND ELLIANE NATHANSON IN CONNECTION WITH THE IMPROVEMENTS TO BEEKMAN ROAD (CR 9) IN THE TOWNS OF EAST FISHKILL AND BEEKMAN (PIN 8755.38)

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

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

WHEREAS, this Legislature in Resolution No. 2014271 approved and adopted the Full Environmental Assessment Form and Notice of Determination which stated that the improvement to Beekman Road was a Type I Action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR (SEQR) and will result in no significant adverse impact on the environment, and

WHEREAS, DPW has made a determination that in order to complete the improvement project referenced above, it is necessary to acquire a fee acquisition on a portion of property shown on Map 52, Parcel 53 (approximately 270.0 +/- square feet) located at 1 Whalen Drive in the Town of Beekman, described as Parcel Identification Number 132800-6658-00-395398-0000, presently owned by Craig Nathanson and Elliane Nathanson, and

WHEREAS, a proposed Agreement to Purchase Real Property between the County and the property owners is annexed hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the subject property be purchased for the sum of $270 plus authorization to spend up to $1,000 in related expenses, if any, and that the terms and conditions of the Agreement be carried forth, now therefore, be it

RESOLVED, that the County Executive or his designee is authorized to execute the Agreement to Purchase Real Property in substantially the same form as annexed hereto along with any other necessary documents in connection with this acquisition, and be it further

RESOLVED, that upon the receipt from the property owners of an executed Deed to the aforementioned land, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, the County shall pay to the property owners the sum of $270 and up to $1,000 in related expenses, if any, for such conveyance, and be it further

RESOLVED, that the terms and conditions of the aforementioned Agreement to Purchase Real Property be carried out by the Dutchess County Department of Public Works.

CA-168-18
AMS/kvh/R-0934-RR
09/10/18
Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 10/13/18

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th day of October 2018, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of October 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 1,400

Total Current Year Revenue and Source $ 1,330

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

Identify Line Items(s):
H0384.5110.3008 Roads ISTEA

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): $70
Over Five Years: _____

Additional Comments/Explanation:
This Fiscal Impact Statement Pertains to:
RESOLUTION REQUEST TO ACQUIRE A PERMANENT EASEMENT
FROM CRAIG NATHANSON AND ELLIANE NATHANSON, IN CONNECTION WITH PIN 8755.38: BEEKMAN ROAD (CR 9) IMPROVEMENTS, TOWNS OF EAST FISHKILL AND BEEKMAN, DUTCHESS COUNTY

Request authorization to acquire a permanent easement to a 25.27+/- square meter, (270.00+/- square foot) parcel as shown on (Map 52, Parcel 53) for the purchase price of $400.00.

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

Prepared by: Matthew W. Davis 2929

ADVANCE PAYMENT AGREEMENT TO PURCHASE REAL PROPERTY

Project: **Beekman Road (CR 9) Highway Improvements**
PIN or CIN: **8755.38** Maps: **51 & 52** Parcels: **52 & 53**

This Advance Payment Agreement by and between **CRAIG NATHANSON** and **ELLIANE NATHANSON**, hereinafter referred to as the "Seller", residing at 1 Whalen Road, Hopewell Junction, New York 12533; and the **COUNTY OF DUTCHESS**, with offices at 22 Market Street, Poughkeepsie, New York 12601, hereinafter referred to as the "Buyer".

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

☐ *all right title and interest* to 0± square feet of real property. Purchase price is 0.

☒ a *permanent easement* to **270**± square feet of real property. Purchase price is **$400**.

☒ a *temporary easement* to **6,567.79**± square feet of real property. Purchase price is **$3,200**.

Located at **1 Whalen Drive, Town of Beekman**, Dutchess County, New York and further described as parcels **52 & 53** on Exhibit A, attached hereto.

Being a portion of those same lands described in a deed dated **October 29, 2004**, and recorded on **November 8, 2004**, in **Document # 02-2004-11987** in the Office of the County Clerk for Dutchess County, (Tax Map No. 6658-00-395398).

2. IMPROVEMENTS INCLUDED IN THE ACQUISITION. The following improvements, if any, now in or on the property are included in this Advance Payment Agreement: **none.**

3. PURCHASE PRICE. The Seller and the Buyer cannot agree upon the value of the real property interest(s) to be conveyed. The Buyer is willing to pay an amount equal to the highest approved appraisal of the just compensation for the property. This amount is **THREE THOUSAND, SIX HUNDRED and 00/100 DOLLARS ($3,600.00)**. This amount includes the real property interest(s) described in Paragraph 1 and the improvements described in Paragraph 2. The Seller agrees, as a prerequisite to such advance payment, to execute and to deliver or cause the execution and delivery to the Buyer of all documents which the Buyer, deems necessary to authorize payment and to convey to the Buyer clear title to the property described in paragraph 1 subject to the claim of the Seller. The parties agree that the Seller's right of the advance payment shall not be conditioned on the waiver of any other right.

4. CLOSING. Payment of **$3,600** will be made by the Buyer to the Seller on or about _____,20_____. This Agreement may be subject to the approval of the Dutchess County Legislature.

5. CLAIM. In accordance with Article 5 of the New York State Eminent Domain Procedure Law, the Seller hereby reserves the right to file a claim in the Dutchess County Supreme Court. It is agreed that, if the Supreme Court finds the value of the real property interest acquired is equal to or exceeds the advance payment amount, the amount of such advance payment shall be deducted from the amount so found by the court or, in the alternative, the award of said court shall be in the amount of the excess, if any, over and above the advance payment amount. In the event the amount so found by the court is less than the amount of said advance payment, the Buyer, upon application made to the court on at least eight days notice to the Seller, may request the difference between the award as found by the court and the amount of said advance payment. This Paragraph 5 of this Advance

Payment Agreement shall not merge into the deed and shall survive the conveyance of the aforementioned real property interest.

6. TERM OF TEMPORARY EASEMENT. The term of the Temporary Easement(s) shall be for three (3) years. The commencement date may be up to nine (9) months after the date of execution of the Temporary Easement. The Temporary Easement may be extended for two (2) additional one-year terms at the option of the Buyer . Thirty (30) days prior to the expiration of the term or extended term of the Temporary Easement, the Buyer shall notify the Seller in writing of its intention to exercise its option of extending the term of the Temporary Easement for an additional one year. The Buyer shall include a check for the sum of $_____ with said written notification to the Seller.

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

8. If the Seller fails to file the claim in the time period stated, this Advance Payment Agreement shall automatically become a Purchase Agreement in full and complete settlement of all claims without further ratification, approval or consent by Seller and Seller shall be deemed to have released Seller's claim against the Buyer.

9. MARKETABILITY OF TITLE. Buyer shall pay for the costs associated with curative action, as deemed necessary by the Buyer, to insure good and valid marketable title in fee simple and/or permanent easement to the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller agrees to cooperate with the Buyer in its curative action activities. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph three (3) and paid to the appropriate party by the Buyer. In the alternative, the Seller may elect to satisfy the liens and encumbrances from another source of funds.

10. RECORDING COSTS, & CLOSING ADJUSTMENTS. Buyer will pay all recording fees, if any. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between Seller and Buyer as of the date of conveyance: current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.

11. RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY. The aforesaid terms, agreements and understandings shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.

12. ENTIRE AGREEMENT. This Advance Payment Agreement when signed by both the Buyer and the Seller will be the record of the complete Advance Payment Agreement between the Buyer and Seller concerning the acquisition of the property. No verbal agreements or promises will be binding.

13. NOTICES. All notices under this Advance Payment Agreement shall be deemed delivered upon receipt. Any notices relating to this Advance Payment Agreement may be given by the attorneys for the parties.

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

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

APPROVED AS TO FORM:

_____
Department of Law

Seller: _____
Craig Nathanson

Seller: _____
Elliane Nathanson

COUNTY OF DUTCHESS

APPROVED AS TO CONTENT:

_____
Department of Public Works

Buyer: _____

Print Name: _____

Title: _____

'EXHIBIT A'

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

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

PIN 8755.38

MAP NO. 52
PARCEL NO. 53
SHEET 1 OF 2

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

CRAIG NATHANSON &
ELLIANE NATHANSON
(REPUTED OWNERS)

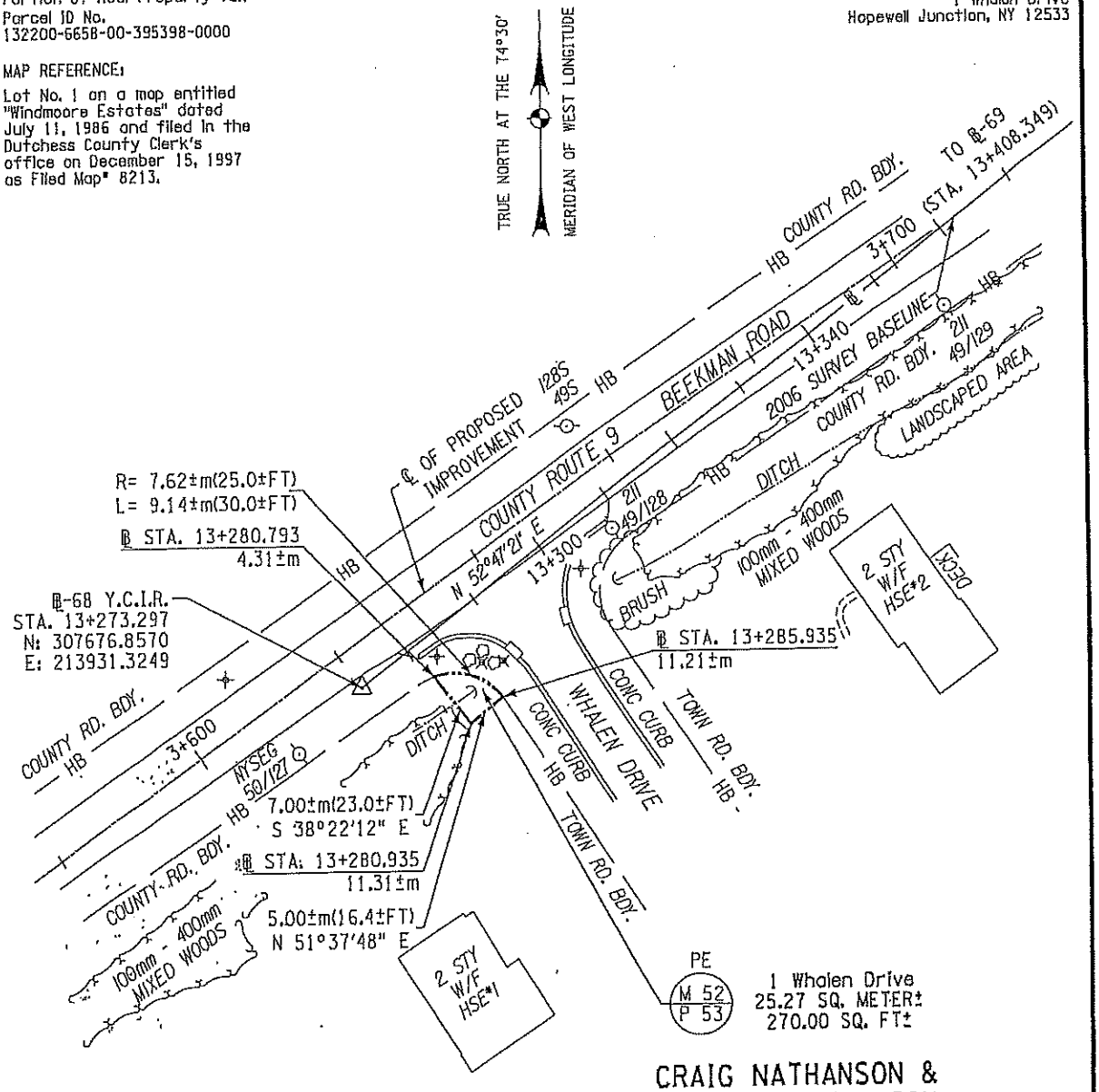
DOCUMENT# 02-2004-11987

Town of Beekman
County of Dutchess
State of New York

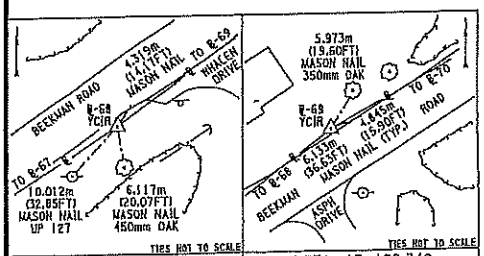
ACQUISITION DESCRIPTION:
Type: PERMANENT EASEMENT
Portion of Real Property Tax
Parcel ID No.
132200-6658-00-395398-0000

MAP REFERENCE:
Lot No. 1 on a map entitled "Windmoore Estates" dated July 11, 1986 and filed in the Dutchess County Clerk's office on December 15, 1997 as Filed Map# 8213.

REPUTED OWNERS:
CRAIG NATHANSON &
ELLIANE NATHANSON
1 Whalen Drive
Hopewell Junction, NY 12533



CRAIG NATHANSON &
ELLIANE NATHANSON
(REPUTED OWNERS)



℄STA. 13+273.297 ℄-68 Y.C.I.R.	℄STA. 13+408.349 ℄-69 Y.C.I.R.
NYSPCS EAST ZONE NAD 83/96 N: 307676.8570m E: 213931.3249m	NYSPCS EAST ZONE NAD 83/96 N: 307758.5292m E: 214038.8823m

MAP NUMBER _____
REVISED DATE _____
DATE PREPARED _____

10 0 10 20 30 m

SCALE 1:500

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

FILE NAME = G:\wj3-B82\ROW\Acq Maps\M52P53.dgn

PREPARED BY J. BAIRD CHECKED BY R. DIEHL FINAL CHECK BY J. MALINOWSKI

'EXHIBIT A'

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

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

PIN 8755.38

MAP NO. 52
PARCEL NO. 53
SHEET 2 OF 2

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

A PERMANENT EASEMENT TO BE EXERCISED IN, ON AND OVER THE PROPERTY ABOVE DELINEATED FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING AND MAINTAINING THEREON A DRAINAGE DITCH AND DRAINAGE PIPELINE TOGETHER WITH APPURTENANCES FOR THE COUNTY ROUTE 9 (BEEKMAN ROAD) IMPROVEMENTS, IN AND TO ALL THAT PIECE OR PARCEL OF PROPERTY DESIGNATED AS PARCEL NO. 53, SITUATE IN THE TOWN OF BEEKMAN, COUNTY OF DUTCHESS, STATE OF NEW YORK, AS SHOWN ON THE ACCOMPANYING MAP AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF WHALEN DRIVE AT THE INTERSECTION OF SAID BOUNDARY WITH THE SOUTHERLY BOUNDARY OF COUNTY ROUTE 9 (BEEKMAN ROAD), SAID POINT BEING 4.31±m DISTANT SOUTHEASTERLY MEASURED AT RIGHT ANGLES FROM STATION 13+280.793± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF A PORTION OF COUNTY ROUTE 9 (BEEKMAN ROAD); THENCE THROUGH THE PROPERTY OF CRAIG NATHANSON AND ELLIANE NATHANSON (REPUTED OWNERS) THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) SOUTH 38°-22'-12" EAST 7.00±m(23.0±FT.) TO A POINT 11.31±m DISTANT SOUTHEASTERLY MEASURED AT RIGHT ANGLES FROM STATION 13+280.935± OF SAID BASELINE; AND (2) NORTH 51°-37'-48" EAST 5.00±m(16.4±FT.) TO A POINT ON THE FIRST MENTIONED WESTERLY BOUNDARY OF WHALEN DRIVE, THE LAST MENTIONED POINT BEING 11.21±m DISTANT SOUTHEASTERLY MEASURED AT RIGHT ANGLES FROM STATION 13+285.935± OF SAID BASELINE; THENCE ALONG THE LAST MENTIONED WESTERLY BOUNDARY OF WHALEN DRIVE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 7.62±m(25.0±FT.), A DISTANCE OF 9.14±m (30.0±FT.) TO THE POINT OF BEGINNING, SAID PARCEL BEING 25.27± SQUARE METERS (270.00± SQUARE FEET) MORE OR LESS.

RESERVING, HOWEVER, TO THE OWNER OF ANY RIGHT, TITLE, OR INTEREST IN AND TO THE PROPERTY ABOVE DELINEATED, AND SUCH OWNER'S SUCCESSORS OR ASSIGNS, THE RIGHT OF ACCESS AND THE RIGHT OF USING SAID PROPERTY AND SUCH USE SHALL NOT BE FURTHER LIMITED OR RESTRICTED UNDER THIS EASEMENT BEYOND THAT WHICH IS NECESSARY TO EFFECTUATE ITS PURPOSES FOR, AND ESTABLISHED BY, THE CONSTRUCTION OR RECONSTRUCTION AND AS SO CONSTRUCTED OR RECONSTRUCTED, THE MAINTENANCE, OF THE HEREIN IDENTIFIED PROJECT.

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

BEGINNING AT STATION 13+273.297; THENCE NORTH 52°-47'-21" EAST TO STATION 13+408.349.

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

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

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

Date SEPTEMBER 15th 2017

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

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

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

Date Oct 2 2017

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

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

MAP NUMBER
REVISED DATE
DATE PREPARED

FILE NAME = G:\wd-982\NOV\Dcg Maps\WSBP53a.dgn

PREPARED BY J. BAIRD CHECKED BY R. DIEHL FINAL CHECK BY J. MALINOWSKI

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 8 - City and Town of Poughkeepsie	Brendli		
District 12 - Town of East Fishkill	Metzger (C)		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato (VC)		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 11 **Resolution:** ✓ **Total :** 10 (Yes) 0 (No)

Absent: 1 **Motion:** ___ **Abstentions:** 0

Vacant: 0

2018260 AUTHORIZATION TO ACQUIRE A FEE ACQUISITION FROM CRAIG NATHANSON AND ELLIANE NATHANSON IN CONNECTION WITH THE IMPROVEMENTS TO BEEKMAN ROAD (CR 9) IN THE TOWNS OF EAST FISHKILL AND BEEKMAN (PIN 8755.38)

October 4, 2018

Roll Call Sheets

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

Present: 23 **Resolution:** ✓ **Total :** 23 (Yes) 0 (No)

Absent: 2 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018260 AUTHORIZATION TO ACQUIRE A FEE ACQUISITION FROM CRAIG NATHANSON AND ELLIANE NATHANSON IN CONNECTION WITH THE IMPROVEMENTS TO BEEKMAN ROAD (CR 9) IN THE TOWNS OF EAST FISHKILL AND BEEKMAN (PIN 8755.38)

October 9, 2018

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2018261

RE: AUTHORIZATION TO ACQUIRE A FEE ACQUISITION FROM AMANDA D. ALEXANDER IN CONNECTION WITH THE IMPROVEMENTS TO BEEKMAN ROAD (CR 9) IN THE TOWNS OF EAST FISHKILL AND BEEKMAN (PIN 8755.38)

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

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

WHEREAS, this Legislature in Resolution No. 2014271 approved and adopted the Full Environmental Assessment Form and Notice of Determination which stated that the improvement to Beekman Road was a Type I Action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR (SEQR) and will result in no significant adverse impact on the environment, and

WHEREAS, DPW has made a determination that in order to complete the improvement project referenced above, it is necessary to acquire a fee acquisition on a portion of property shown on Map 22, Parcel 23 (approximately 4,243.12 +/- square feet) located at 626 Beekman Road in the Town of East Fishkill, described as Parcel Identification Number 132800-6658-03-057327-0000, presently owned by Amanda D. Alexander, and

WHEREAS, a proposed Agreement to Purchase Real Property between the County and the property owner is annexed hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the subject property be purchased for the sum of $8,200 plus authorization to spend up to $1,000 in related expenses, if any, and that the terms and conditions of the Agreement be carried forth, now therefore, be it

RESOLVED, that the County Executive or his designee is authorized to execute the Agreement to Purchase Real Property in substantially the same form as annexed hereto along with any other necessary documents in connection with this acquisition, and be it further

RESOLVED, that upon the receipt from the property owner of an executed Deed to the aforementioned land, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, the County shall pay to the property owner the sum of $8,200 and up to $1,000 in related expenses, if any, for such conveyance, and be it further

RESOLVED, that the terms and conditions of the aforementioned Agreement to Purchase Real Property be carried out by the Dutchess County Department of Public Works.

CA-167-18
AMS/kvh/R-0934-BBB
09/10/18
Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 10/13/18

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th day of October 2018, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of October 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 9,200

Total Current Year Revenue and Source $ 8,740

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

Identify Line Items(s):
H0384.5110.3009 Roads ISTEA

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): $460
Over Five Years: _____

Additional Comments/Explanation:
This Fiscal Impact Statement Pertains to:
RESOLUTION REQUEST TO ACQUIRE A FEE ACQUISITION
FROM AMANDA D. ALEXANDER, IN CONNECTION WITH PIN 8755.38: BEEKMAN ROAD (CR 9) IMPROVEMENTS, TOWNS OF EAST FISHKILL AND BEEKMAN, DUTCHESS COUNTY

Request authorization to acquire in fee a 394.20+/- square meter, (4,243.12+/- square foot) parcel as shown on (Map 22, Parcel 23) for the purchase price of $8,200.00.

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

Prepared by: Matthew W. Davis 2929

ADVANCE PAYMENT AGREEMENT TO PURCHASE REAL PROPERTY

Project: **Beekman Road (CR 9) Highway Improvements**
PIN or CIN: **8755.38** Maps: **22 & 23** Parcels: **23 & 24**

This Advance Payment Agreement by and between **AMANDA D. ALEXANDER**, hereinafter referred to as the "Seller", residing at 627 Beekman Road, Hopewell Junction, New York 12533; and the **COUNTY OF DUTCHESS**, with offices at 22 Market Street, Poughkeepsie, New York 12601, hereinafter referred to as the "Buyer".

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

   ☒ *all right title and interest* to **4,243.12**± square feet of real property. Purchase price is **$8,200.**

   ☐ a *permanent easement* to **0.00**± square feet of real property. Purchase price is **0.**

   ☒ a *temporary easement* to **3,345.30**± square feet of real property. Purchase price is **$1,200.**

   Located at **627 Beekman Road, Town of East Fishkill,** Dutchess County, New York and further described as parcels **23 & 24** on Exhibit A, attached hereto.

   Being a portion of those same lands described in a deed dated **November 3, 2017**, and recorded on **November 28, 2017**, in **Document # 02 20178935** in the Office of the County Clerk for Dutchess County, (Tax Map No. **6558-04-057327**).

2. IMPROVEMENTS INCLUDED IN THE ACQUISITION. The following improvements, if any, now in or on the property are included in this Advance Payment Agreement: **bushes, trees, lawn and asphalt.**

3. PURCHASE PRICE. The Seller and the Buyer cannot agree upon the value of the real property interest(s) to be conveyed. The Buyer is willing to pay an amount equal to the highest approved appraisal of the just compensation for the property. This amount is **NINE THOUSAND, FOUR HUNDRED AND 00/100 DOLLARS ($9,400.00).** This amount includes the real property interest(s) described in Paragraph 1 and the improvements described in Paragraph 2. The Seller agrees, as a prerequisite to such advance payment, to execute and to deliver or cause the execution and delivery to the Buyer of all documents which the Buyer, deems necessary to authorize payment and to convey to the Buyer clear title to the property described in paragraph 1 subject to the claim of the Seller. The parties agree that the Seller's right of the advance payment shall not be conditioned on the waiver of any other right.

4. CLOSING. Payment of **NINE THOUSAND, FOUR HUNDRED AND 00/100 DOLLARS ($9,400.00)** will be made by the Buyer to the Seller on or about _____,20_____. This Agreement may be subject to the approval of the Dutchess County Legislature.

5. CLAIM. In accordance with Article 5 of the New York State Eminent Domain Procedure Law, the Seller hereby reserves the right to file a claim in the Dutchess County Supreme Court. It is agreed that, if the Supreme Court finds the value of the real property interest acquired is equal to or exceeds the advance payment amount, the amount of such advance payment shall be deducted from the amount so found by the court or, in the alternative, the award of said court shall be in the amount of the excess, if any, over and

above the advance payment amount. In the event the amount so found by the court is less than the amount of said advance payment, the Buyer, upon application made to the court on at least eight days notice to the Seller, may request the difference between the award as found by the court and the amount of said advance payment. This Paragraph 5 of this Advance Payment Agreement shall not merge into the deed and shall survive the conveyance of the aforementioned real property interest.

6. TERM OF TEMPORARY EASEMENT. The term of the Temporary Easement(s) shall be for three (3) years. The commencement date may be up to nine (9) months after the date of execution of the Temporary Easement. The Temporary Easement may be extended for two (2) additional one-year terms at the option of the Buyer . Thirty (30) days prior to the expiration of the term or extended term of the Temporary Easement, the Buyer shall notify the Seller in writing of its intention to exercise its option of extending the term of the Temporary Easement for an additional one year. The Buyer shall include a check for the sum of $400.00 with said written notification to the Seller.

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

8. If the Seller fails to file the claim in the time period stated, this Advance Payment Agreement shall automatically become a Purchase Agreement in full and complete settlement of all claims without further ratification, approval or consent by Seller and Seller shall be deemed to have released Seller's claim against the Buyer.

9. MARKETABILITY OF TITLE. Buyer shall pay for the costs associated with curative action, as deemed necessary by the Buyer, to insure good and valid' marketable title in fee simple and/or permanent easement to the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller agrees to cooperate with the Buyer in its curative action activities. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph three (3) and paid to the appropriate party by the Buyer. In the alternative, the Seller may elect to satisfy the liens and encumbrances from another source of funds.

10. RECORDING COSTS, & CLOSING ADJUSTMENTS. Buyer will pay all recording fees, if any. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between Seller and Buyer as of the date of conveyance: current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.

11. RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY. The aforesaid terms, agreements and understandings shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.

12. ENTIRE AGREEMENT. This Advance Payment Agreement when signed by both the Buyer and the Seller will be the record of the complete Advance Payment Agreement between the Buyer and Seller concerning the acquisition of the property. No verbal agreements or promises will be binding.

13. NOTICES. All notices under this Advance Payment Agreement shall be deemed delivered upon receipt. Any notices relating to this Advance Payment Agreement may be given by the attorneys for the parties.

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

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

APPROVED AS TO FORM:

_____
Department of Law

Seller: _____
Amanda D. Alexander

COUNTY OF DUTCHESS

APPROVED AS TO CONTENT:

_____
Department of Public Works

Buyer: _____

Print Name: _____

Title: _____

Rev5

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

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

PIN 8755.38

MAP NO. 22
PARCEL NO. 23
SHEET 1 OF 2

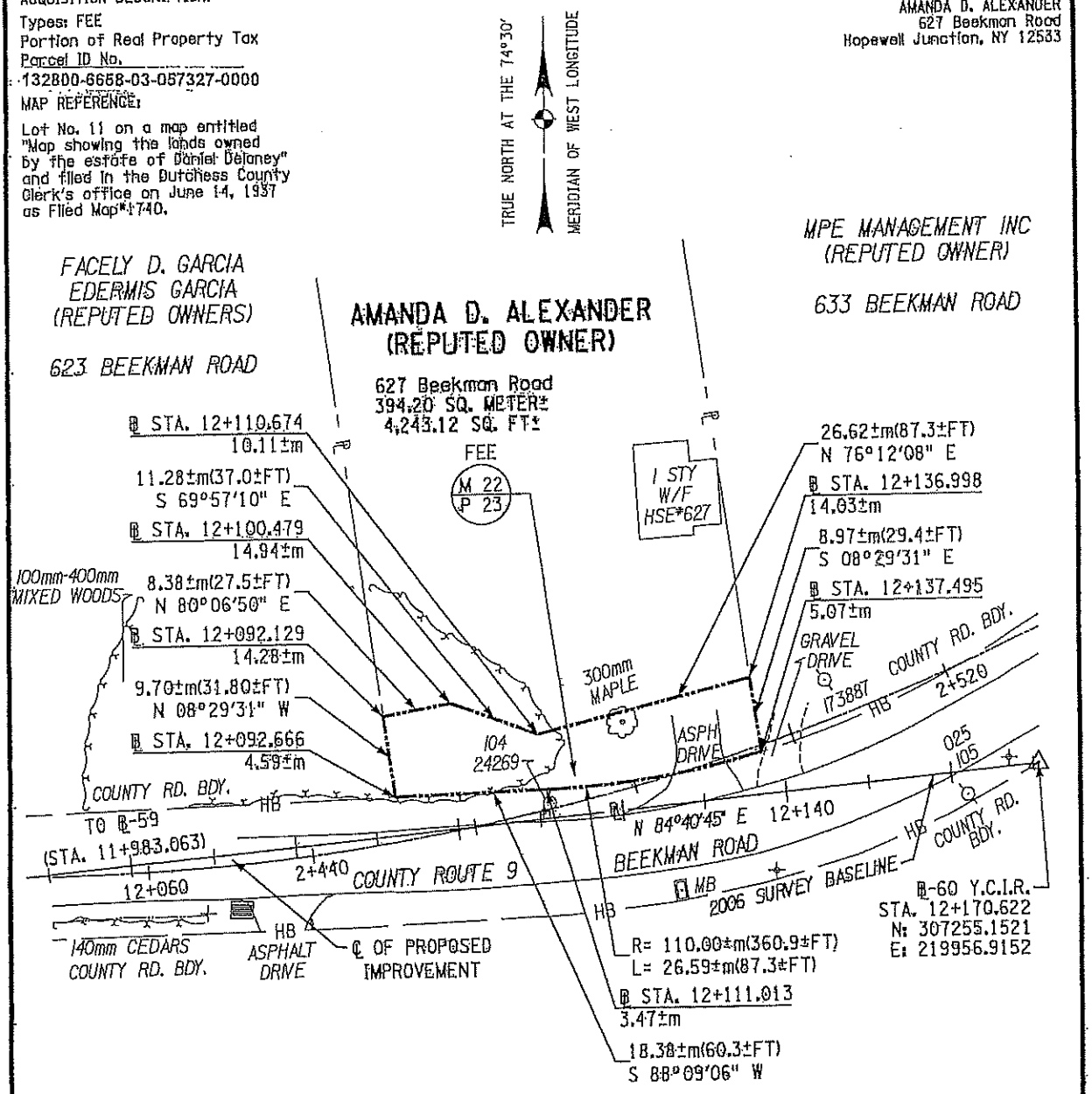
Originals of this map (sheets 1 & 2) are on file at the offices of the Dutchess County Department of Public Works.

AMANDA D. ALEXANDER
(REPUTED OWNER)
DOCUMENT# 02-2017-8935

Town of East Fishkill
County of Dutchess
State of New York

REPUTED OWNER:
AMANDA D. ALEXANDER
627 Beekman Road
Hopewell Junction, NY 12533

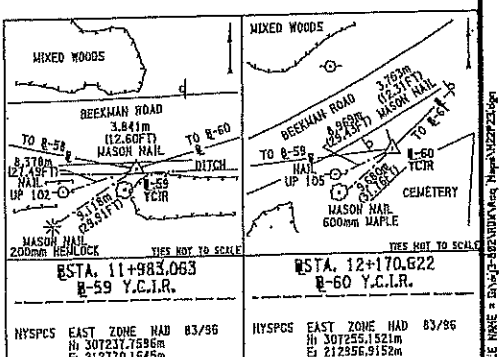
ACQUISITION DESCRIPTION:
Types: FEE
Portion of Real Property Tax
Parcel ID No.
132800-6658-03-057327-0000
MAP REFERENCE:
Lot No. 11 on a map entitled "Map showing the lands owned by the estate of Daniel Delaney" and filed in the Dutchess County Clerk's office on June 14, 1937 as Filed Map#1740.



MAP NUMBER _____
REVISED DATE _____
DATE PREPARED _____

10 0 10 20 30 m

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



PREPARED BY J. BAIRD CHECKED BY R. DIEHL FINAL CHECK BY J. MALINOWSKI

FILE NAME = Drive:\B-62\ROUTE\Map\MAP22.dgn

'EXHIBIT A'

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

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

PIN 8755.38

MAP NO. 22
PARCEL NO. 23
SHEET 2 OF 2

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

All that piece or parcel of property hereinafter designated as Parcel No. 23, situate in the Town of East Fishkill, County of Dutchess, State of New York, as shown on the accompanying map and described as follows:

BEGINNING AT A POINT ON THE NORTHERLY BOUNDARY OF COUNTY ROUTE 9 (BEEKMAN ROAD), AT THE INTERSECTION OF SAID BOUNDARY WITH THE DIVISION LINE BETWEEN THE PROPERTY OF FACELY D. GARCIA AND EDERMIS GARCIA (REPUTED OWNERS) ON THE WEST AND THE PROPERTY OF AMANDA D. ALEXANDER (REPUTED OWNER) ON THE EAST, SAID POINT BEING 4.69±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 12+092.666± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF A PORTION OF COUNTY ROUTE 9 (BEEKMAN ROAD); THENCE NORTH 08°-29'-31" WEST ALONG SAID DIVISION LINE 9.70±m(31.8±FT.) TO A POINT 14.28±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 12+092.129± OF SAID BASELINE; THENCE THROUGH THE PROPERTY OF AMANDA D. ALEXANDER (REPUTED OWNER) THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) NORTH 80°-06'-50" EAST 8.38±m(27.5±FT.) TO A POINT 14.94±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 12+100.479 OF SAID BASELINE; (2) SOUTH 69°-57'-10" EAST 11.28±m(37.0±FT.) TO A POINT 10.11±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 12+110.674 OF SAID BASELINE; AND (3) NORTH 76°-12'-08" EAST 26.62±m(87.3±FT.) TO A POINT ON THE DIVISION LINE BETWEEN THE PROPERTY OF MPE MANAGEMENT INC (REPUTED OWNER) ON THE EAST AND THE PROPERTY OF AMANDA D. ALEXANDER (REPUTED OWNER) ON THE WEST, THE LAST MENTIONED POINT BEING 14.03±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 12+136.998 OF SAID BASELINE; THENCE SOUTH 08°-29'-31" WEST ALONG THE LAST MENTIONED DIVISION LINE 8.97±m(29.4±FT.) TO ITS INTERSECTION WITH THE FIRST MENTIONED NORTHERLY BOUNDARY OF COUNTY ROUTE 9 (BEEKMAN ROAD), THE LAST MENTIONED POINT BEING 5.07±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 12+137.495 OF SAID BASELINE; THENCE ALONG THE LAST MENTIONED NORTHERLY BOUNDARY OF COUNTY ROUTE 9 (BEEKMAN ROAD) THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 110.00±m(360.9±FT.), A DISTANCE OF 26.59±m (87.3±FT.) TO A POINT 3.47±m DISTANT NORTHERLY MEASURED AT RIGHT ANGLES FROM STATION 12+111.013± OF SAID BASELINE; AND (2) SOUTH 88°-09'-06" WEST 18.38±m(60.3±FT.) TO THE POINT OF BEGINNING, SAID PARCEL BEING 394.20± SQUARE METERS (4,243.12± SQUARE FEET) MORE OR LESS.

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

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

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

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

Date May 25 2018

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

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

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

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

Date MAY 22nd 2018

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

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

MAP NUMBER _____
REVISED DATE _____
DATE PREPARED _____

FILE NAME = G:\m\J-882\RDN\Acq Maps\MZ2P23.dgn

PREPARED BY J.BAIRD CHECKED BY R. DIEHL FINAL CHECK BY J. MALINOWSKI

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 8 - City and Town of Poughkeepsie	Brendli		
District 12 - Town of East Fishkill	Metzger (C)		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato (VC)		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 11 **Resolution:** ✓ **Total :** 11 (Yes) 0 (No)

Absent: 1 **Motion:** ____ **Abstentions:** 0

Vacant: 0

2018261 AUTHORIZATION TO ACQUIRE A FEE ACQUISITION FROM AMANDA D. ALEXANDER IN CONNECTION WITH THE IMPROVEMENTS TO BEEKMAN ROAD (CR 9) IN THE TOWNS OF EAST FISHKILL AND BEEKMAN (PIN 8755.38)

October 4, 2018

Roll Call Sheets

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

Present: 23 **Resolution:** ✓ **Total :** 23 (Yes) 0 (No)

Absent: 2 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018261 AUTHORIZATION TO ACQUIRE A FEE ACQUISITION FROM AMANDA D. ALEXANDER IN CONNECTION WITH THE IMPROVEMENTS TO BEEKMAN ROAD (CR 9) IN THE TOWNS OF EAST FISHKILL AND BEEKMAN (PIN 8755.38)

October 9, 2018

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2018262

RE: AUTHORIZATION TO ACQUIRE A FEE ACQUISITION FROM YVETTE ORENCH NEGRON IN CONNECTION WITH THE IMPROVEMENTS TO BEEKMAN ROAD (CR 9) IN THE TOWNS OF EAST FISHKILL AND BEEKMAN (PIN 8755.38)

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

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

WHEREAS, this Legislature in Resolution No. 2014271 approved and adopted the Full Environmental Assessment Form and Notice of Determination which stated that the improvement to Beekman Road was a Type I Action pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the NYCRR (SEQR) and will result in no significant adverse impact on the environment, and

WHEREAS, DPW has made a determination that in order to complete the improvement project referenced above, it is necessary to acquire a fee acquisition on a portion of property shown on Map 47, Parcel 48 (approximately 6,788.77+/- square feet) located at 746 Beekman Road in the Town of Beekman, described as Parcel Identification Number 132800-6658-00-323355-0000, presently owned by Yvette Orench Negron, and

WHEREAS, a proposed Agreement to Purchase Real Property between the County and the property owner is annexed hereto, and

WHEREAS, the Commissioner of Public Works has recommended that the subject property be purchased for the sum of $9,300 plus authorization to spend up to $1,000 in related expenses, if any, and that the terms and conditions of the Agreement be carried forth, now therefore, be it

RESOLVED, that the County Executive or his designee is authorized to execute the Agreement to Purchase Real Property in substantially the same form as annexed hereto along with any other necessary documents in connection with this acquisition, and be it further

RESOLVED, that upon the receipt from the property owner of an executed Deed to the aforementioned land, and such other documents as may be necessary to convey free and clear title to the County of Dutchess, the County shall pay to the property owner the sum of $9,300 and up to $1,000 in related expenses, if any, for such conveyance, and be it further

RESOLVED, that the terms and conditions of the aforementioned Agreement to Purchase Real Property be carried out by the Dutchess County Department of Public Works.

CA-160-18
AMS/kvh/R-0934-OO
09/10/18
Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 10/13/18

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th day of October 2018, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of October 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 10,300

Total Current Year Revenue and Source $ 9,785

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

Identify Line Items(s):
H0384.5110.3009 Roads ISTEA

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): $515
Over Five Years: _____

Additional Comments/Explanation:
This Fiscal Impact Statement Pertains to:
RESOLUTION REQUEST TO ACQUIRE A FEE ACQUISITION
FROM YVETTE ORENCH NEGRON, IN CONNECTION WITH PIN 8755.38: BEEKMAN ROAD (CR 9)
IMPROVEMENTS, TOWNS OF EAST FISHKILL AND BEEKMAN, DUTCHESS COUNTY

request authorization to acquire in fee a 630.70+/- square meter, (6,788.77+/- square foot) parcel as shown on (Map 47, Parcel 48) for the purchase price of $9,300.00.

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

Prepared by: Matthew W. Davis 2929

ADVANCE PAYMENT AGREEMENT TO PURCHASE REAL PROPERTY

Project: **Beekman Road (CR 9) Highway Improvements**
PIN or CIN: **8755.38** Map: **47** Parcel: **48**

This Advance Payment Agreement by and between **YVETTE ORENCH NEGRON,** hereinafter referred to as the "Seller", residing at 746 Beekman Road, Hopewell Junction, New York 12533; and the **COUNTY OF DUTCHESS,** with offices at 22 Market Street, Poughkeepsie, New York 12601, hereinafter referred to as the "Buyer".

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

☒ *all right title and interest* to **6,788.77**± square feet of real property. Purchase price is **$9,300.**

☐ a *permanent easement* to 0± square feet of real property. Purchase price is 0.

☐ a *temporary easement* to 0± square feet of real property. Purchase price is 0.

Located at **746 Beekman Road, Town of Beekman,** Dutchess County, New York and further described as parcel 48 on Exhibit A, attached hereto.

Being a portion of those same lands described in that certain Bargain and Sale Deed dated July 6, 2006 and recorded August 24, 2006 as Document # 02 2006 6892, which is the vesting deed and rests on a Bargain and Sale Deed dated October 1, 1973 and recorded October 1, 1973 in Liber 1369 at Page 223, both having been recorded in the Office of the County Clerk for Dutchess County, (Tax Map No. 6658-00-323355).

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

3. PURCHASE PRICE. The Seller and the Buyer cannot agree upon the value of the real property interest(s) to be conveyed. The Buyer is willing to pay an amount equal to the highest approved appraisal of the just compensation for the property. This amount is **NINE THOUSAND, THREE HUNDRED AND 00/100 DOLLARS ($9,300.00).** This amount includes the real property interest(s) described in Paragraph 1 and the improvements described in Paragraph 2. The Seller agrees, as a prerequisite to such advance payment, to execute and to deliver or cause the execution and delivery to the Buyer of all documents which the Buyer, deems necessary to authorize payment and to convey to the Buyer clear title to the property described in paragraph 1 subject to the claim of the Seller. The parties agree that the Seller's right of the advance payment shall not be conditioned on the waiver of any other right.

4. CLOSING. Payment of **$9,300** will be made by the Buyer to the Seller on or about _____, 20___. This Agreement may be subject to the approval of the Dutchess County Legislature.

5. CLAIM. In accordance with Article 5 of the New York State Eminent Domain Procedure Law, the Seller hereby reserves the right to file a claim in the Dutchess County Supreme Court. It is agreed that, if the Supreme Court finds the value of the real property interest acquired is equal to or exceeds the advance payment amount, the amount of such advance payment shall be deducted from the amount so found by the court or, in the alternative, the award of said court shall be in the amount of the excess, if any, over and above the advance payment amount. In the event the amount so found by the court is less than the amount of said advance payment, the Buyer, upon application made to the court on at least eight days notice to the Seller, may request the difference between the award as found by the court and the amount of said advance payment. This Paragraph 5 of this Advance Payment Agreement shall not merge into the deed and shall survive the conveyance of the aforementioned real property interest.

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

If the Seller fails to file the claim in the time period stated, this Advance Payment Agreement shall automatically become a Purchase Agreement in full and complete settlement of all claims without further ratification, approval or consent by Seller and Seller shall be deemed to have released Seller's claim against the Buyer.

8. MARKETABILITY OF TITLE. Buyer shall pay for the costs associated with curative action, as deemed necessary by the Buyer, to insure good and valid' marketable title in fee simple and/or permanent easement to the property. Such curative action is defined as the effort required to clear title, including but not limited to attending meetings, document preparation, obtaining releases and recording documents. The Seller agrees to cooperate with the Buyer in its curative action activities. The Seller shall be responsible for the cost to satisfy liens and encumbrances identified by the Buyer. Said cost shall be deducted from the amount stated in paragraph three (3), and paid to the appropriate party by the Buyer. In the alternative, the Seller may elect to satisfy the liens and encumbrances from another source of funds.

9. RECORDING COSTS, & CLOSING ADJUSTMENTS. Buyer will pay all recording fees, if any. The following, as applicable and as deemed appropriate by the Buyer, will be prorated and adjusted between Seller and Buyer as of the date of conveyance: current taxes computed on a fiscal year basis, excluding delinquent items, interest and penalties; rent payments; current common charges or assessments.

10. RESPONSIBILITY OF PERSONS UNDER THIS AGREEMENT; ASSIGNABILITY. The aforesaid terms, agreements and understandings shall bind and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.

11. ENTIRE AGREEMENT, This Advance Payment Agreement when signed by both the Buyer and the Seller will be the record of the complete Advance Payment Agreement between the Buyer and Seller concerning the acquisition of the property. No verbal agreements or promises will be binding.

12. NOTICES. All notices under this Advance Payment Agreement shall be deemed delivered upon receipt. Any notices relating to this Advance Payment Agreement may be given by the attorneys for the parties.

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

IN WITNESS WHEREOF, on this _____ day of _____, 2018, the parties have entered into this Advance Payment Agreement.

APPROVED AS TO FORM:

_____
Department of Law

Seller: Yvette Orench-Negron
Yvette Orench Negron

APPROVED AS TO CONTENT:

_____
Department of Public Works

COUNTY OF DUTCHESS:

Buyer: _____

Print Name: _____

Title: _____

'EXHIBIT A'
COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

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

PIN 8755.38

MAP NO. 47
PARCEL NO. 48
SHEET 1 OF 2

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

ACQUISITION DESCRIPTION:
Type: FEE
Portion of Real Property Tax Parcel ID No.
132200-6658-00-323355-0000

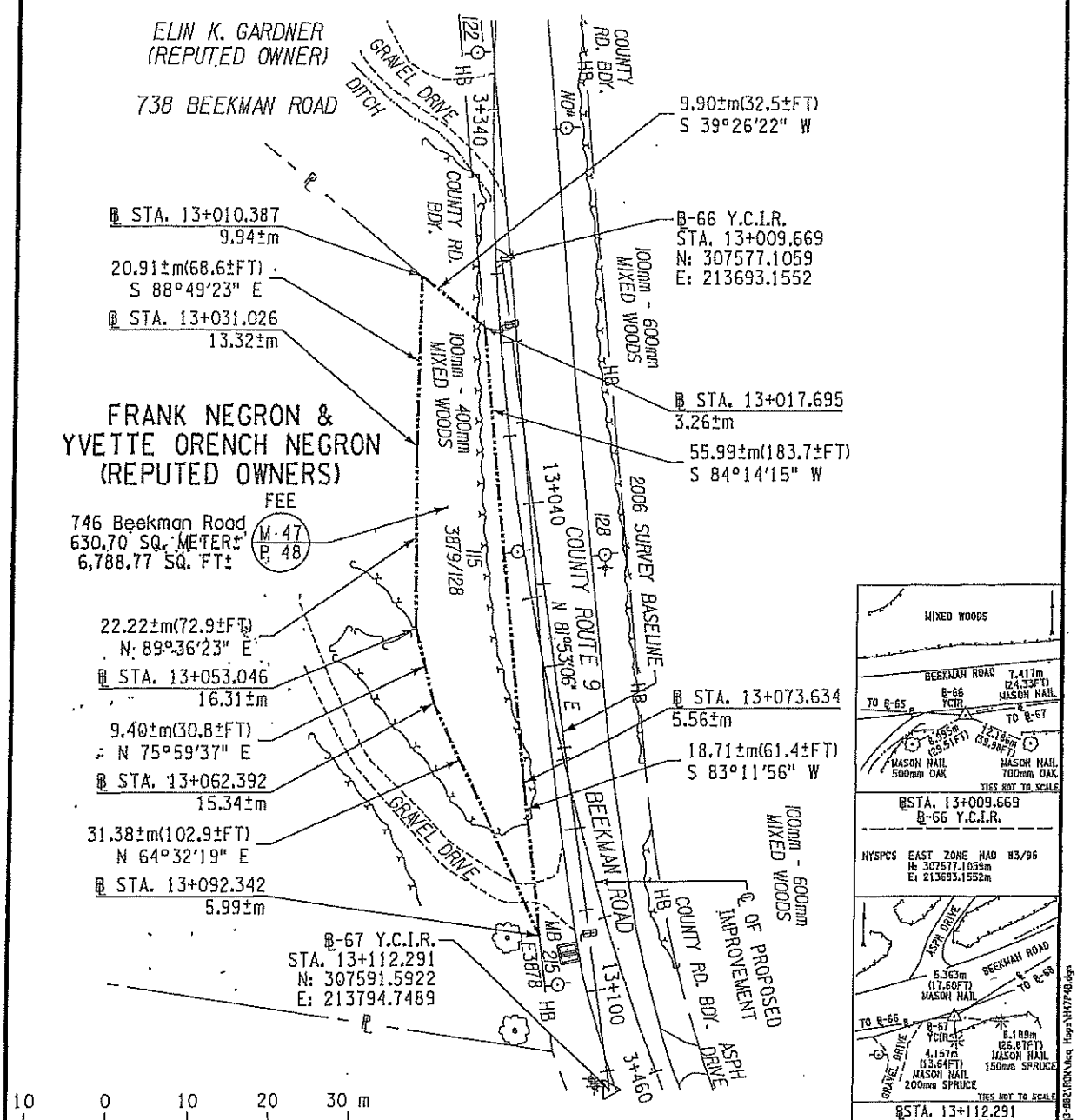
MAP REFERENCE:
Lot No. 11 on a map entitled "Subdivision plot of lands of DiCostanzo" and filed in the Dutchess County Clerk's Office on July 3, 1973 as filed map#4170.

FRANK NEGRON &
YVETTE ORENCH NEGRON
(REPUTED OWNERS)
DOCUMENT# 02-2006-6892

TRUE NORTH AT THE 74°30'
MERIDIAN OF WEST LONGITUDE

Town of Beekman
County of Dutchess
State of New York

REPUTED OWNERS:
FRANK NEGRON
& YVETTE ORENCH NEGRON
746 Beekman Road
Hopewell Junction, NY 12533



10 0 10 20 30 m
SCALE 1:500
ONE METER EQUALS 3.28083333333 FEET.
ONE SQUARE METER EQUALS 10.7639673611 SQUARE FEET.

MAP NUMBER _____
REVISED DATE _____
DATE PREPARED _____

PREPARED BY J. BAIRD CHECKED BY R. DIEHL FINAL CHECK BY J. WALNOWSKI

'EXHIBIT A'

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

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

PIN 8755.38

MAP NO. 47
PARCEL NO. 48
SHEET 2 OF 2

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

All that piece or parcel of property hereinafter designated as Parcel No. 48, situate in the Town of Beekman, County of Dutchess, State of New York, as shown on the accompanying map and described as follows:

BEGINNING AT A POINT ON THE SOUTHERLY BOUNDARY OF COUNTY ROUTE 9 (BEEKMAN ROAD), AT THE INTERSECTION OF SAID BOUNDARY WITH THE DIVISION LINE BETWEEN THE PROPERTY OF ELIN K. GARDENER (REPUTED OWNER) ON THE WEST AND THE PROPERTY OF FRANK NEGRON AND YVETTE ORENCH NEGRON (REPUTED OWNERS) ON THE EAST, SAID POINT BEING 3.26±m DISTANT SOUTHERLY MEASURED AT RIGHT ANGLES FROM STATION 13+017.695± OF THE HEREINAFTER DESCRIBED SURVEY BASELINE FOR THE RECONSTRUCTION OF A PORTION OF COUNTY ROUTE 9 (BEEKMAN ROAD); THENCE SOUTH 39°-26'-22" WEST ALONG SAID DIVISION LINE 9.90±m(32.5±FT.) TO A POINT 9.94±m DISTANT SOUTHERLY MEASURED AT RIGHT ANGLES FROM STATION 13+010.387± OF SAID BASELINE; THENCE THROUGH THE PROPERTY OF FRANK NEGRON AND YVETTE ORENCH NEGRON (REPUTED OWNERS) THE FOLLOWING FOUR (4) COURSES AND DISTANCES: (1) SOUTH 88°-49'-23" EAST 20.91±m(68.6±FT.) TO A POINT 13.32±m DISTANT SOUTHERLY MEASURED AT RIGHT ANGLES FROM STATION 13+031.026± OF SAID BASELINE; (2) NORTH 89°-36'-23" EAST 22.22±m(72.9±FT.) TO A POINT 16.31±m DISTANT SOUTHERLY MEASURED AT RIGHT ANGLES FROM STATION 13+053.046± OF SAID BASELINE; (3) NORTH 75°-59'-37" EAST 9.40±m(30.8±FT.) TO A POINT 15.34±m DISTANT SOUTHERLY MEASURED AT RIGHT ANGLES FROM STATION 13+062.392± OF SAID BASELINE; AND (4) NORTH 64°-32'-19" EAST 31.38±m(102.9±FT.) TO A POINT ON THE FIRST MENTIONED SOUTHERLY BOUNDARY OF COUNTY ROUTE 9 (BEEKMAN ROAD), THE LAST MENTIONED POINT BEING 5.99±m DISTANT SOUTHERLY MEASURED AT RIGHT ANGLES FROM STATION 13+092.342± OF SAID BASELINE; THENCE ALONG THE LAST MENTIONED SOUTHERLY BOUNDARY OF COUNTY ROUTE 9 (BEEKMAN ROAD) THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) SOUTH 83°-11'-56" WEST 18.71±m(61.4±FT.) TO A POINT 5.56±m DISTANT SOUTHERLY MEASURED AT RIGHT ANGLES FROM STATION 13+073.634± OF SAID BASELINE; AND (2) SOUTH 84°-14'-15" WEST 55.99±m(183.7±FT.) TO THE POINT OF BEGINNING, SAID PARCEL BEING 630.70± SQUARE METERS (6,788.77± SQUARE FEET) MORE OR LESS.

BEGINNING AT STATION 13+009.669; THENCE NORTH 81°-53'-06" EAST TO STATION 13+112.291.

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

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

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

Date SEPTEMBER 15th 2017

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

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

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

Date Oct 2 2017

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

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

MAP NUMBER
REVISED DATE
DATE PREPARED

FILE NAME = U:\wp3-882\8004\Acq Maps\8447P48a.dgn

PREPARED BY J. BAIRD CHECKED BY R. DIEHL FINAL CHECK BY J. MALINOWSKI

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 8 - City and Town of Poughkeepsie	Brendli		
District 12 - Town of East Fishkill	Metzger (C)		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato (VC)		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 11 **Resolution:** ✓ **Total :** 11 Yes 0 No

Absent: 1 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018262 AUTHORIZATION TO ACQUIRE A FEE ACQUISITION FROM YVETTE ORENCH NEGRON IN CONNECTION WITH THE IMPROVEMENTS TO BEEKMAN ROAD (CR 9) IN THE TOWNS OF EAST FISHKILL AND BEEKMAN (PIN 8755.38)

October 4, 2018

Roll Call Sheets

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

Present: 23 **Resolution:** ✓ **Total :** 23 (Yes) 0 (No)

Absent: 2 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018262 AUTHORIZATION TO ACQUIRE A FEE ACQUISITION FROM YVETTE ORENCH NEGRON IN CONNECTION WITH THE IMPROVEMENTS TO BEEKMAN ROAD (CR 9) IN THE TOWNS OF EAST FISHKILL AND BEEKMAN (PIN 8755.38)

October 9, 2018

Public Works & Capital Projects

RESOLUTION NO. 2018263

RE: AUTHORIZING EXECUTION OF AN INTERMUNICIPAL AGREEMENT BETWEEN CITY OF POUGHKEEPSIE SCHOOL AND THE COUNTY OF DUTCHESS, DIVISION OF PUBLIC TRANSIT

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

WHEREAS, municipal corporations are authorized, pursuant to Article 9, § 1 of the State Constitution and Article 5-G of the General Municipal Law to enter into intermunicipal agreements, and

WHEREAS, the City of Poughkeepsie School District, the Board of Education of the Poughkeepsie City School District and the County find that it is in their mutual best interests to enter into an agreement to provide transportation to middle and high school students in the district between the school and their homes along the existing fixed line bus routes, with no charge to the students, and

WHEREAS, it is the understanding of the parties that the County's Division of Public Transit shall provide cost free school transportation to interested students within the City School District for the 2018-2019 school year, and

WHEREAS the City of Poughkeepsie School District and the Board of Education of the City Poughkeepsie School District have included funding within the 2018-19 school budget to provide fair compensation to the County for this free service to interested middle and high school students, now, therefore be it

RESOLVED, the Dutchess County Executive or his designee is hereby authorized to execute the agreement in substantially the same form as attached hereto and made a part hereof.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 10/13/18

CA-172-18
AMS/kvh G-1523-R
09/13/18
Fiscal Impact: Attached

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th day of October 2018, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of October 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ _____

Total Current Year Revenue $ 54,000
and Source

Poughkeepsie City School District budgeted funds

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

Identify Line Items(s):
Poughkeepsie City School District budgeted funds

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:
To authorize the County Executive to sign the attached inter-municipal agreement pertaining to the Poughkeepsie City School District to provide bus fare funding for the PSCD Middle and High School students.

Within the PCSD's 2018-19 approved budget, $54,000 was included to fund the transportation of interested middle and high school students in the District to ride the County's public transit buses between their schools and their homes, along existing fixed line bus routes, with no fare charge to students. This will provide a cost free school transportation option for middle and high school students through the 2018-19 school year.

Prepared by: David C. Whalen DCW Prepared On: 9/10/18

INTERMUNICIPAL AGREEMENT

This agreement, bearing the date set forth on the signature page, by and between the COUNTY OF DUTCHESS, a municipal corporation with offices at 22 Market Street, Poughkeepsie, New York, 12601 (hereinafter referred to as the "COUNTY") and the Board of Education of the Poughkeepsie City School District and the Poughkeepsie City School District (hereinafter collectively "the District") having its principal place of business at 11 College Avenue, Poughkeepsie, New York, 12601.

WITNESSETH:

WHEREAS, Article IX (Local Governments) of the New York State Constitution, and Article 5-G Section 119-o of the New York State General Municipal Law authorize municipal corporations of the State of New York to enter into inter-municipal agreements for the performance of cooperative activities, and

WHEREAS, the County's Division of Public Transit provides countywide public bus transit services, and

WHEREAS, the District is empowered in accordance with Section 2503 of the New York Education law to provide transportation to and from school to resident pupils in like circumstances by, inter alia, providing students access to public transit services;

NOW THEREFORE, in exchange for the consideration and promises set forth herein below, the parties agree as follows:

1. SERVICES TO BE PROVIDED:

In consideration of the fees set forth in Paragraph 3 below, the County shall permit all middle school and high school students in the District to ride the County's public buses between their schools and their homes, along existing bus routes that are available to the public at-large. District students shall be permitted to board County buses on dates and times designated by the District upon presentation of a District-issued student identification card which identifies one of the schools set forth in Exhibit "A" as the student's school of attendance.

2. TERM OF AGREEMENT:

This Agreement shall be effective _____through June 30, 2019, unless otherwise terminated as set forth herein.

3. **PAYMENT:**

The District shall pay to the County a sum of Fifty-Four Thousand Dollars and No cents ($54,000.00) in three (3) equal payments as follows: $18,000.00 payable on or before October ___, 2018, with two additional payments to be made on or before January 1, 2019 and May 1, 2019.

4. **NON-DISCRIMINATION:**

The County will not refuse to provide the bus service to any person because of age, race, color, creed, sex, national origin, disability or marital status.

5. **NOTICE:**

Written notices shall be sent to the parties as follows:

Poughkeepsie City School District
Interim Superintendent, Dr. Kathleen Farrell
11 College Avenue
Poughkeepsie, NY 12601

Dutchess County Commissioner of Public Works
626 Dutchess Turnpike
Poughkeepsie, NY 12603

Dutchess County Public Transit Administrator
14 Commerce Street
Poughkeepise, NY 12603

6. **TERMINATION:**

Either party may terminate this Agreement by providing thirty (30) day written notice to the other party.

7. **EXTENSION:** This Agreement may be extended for additional periods of one year each, not exceeding in total five (5) years, upon such terms and conditions as may be agreed between the parties.

8. **ENTIRE AGREEMENT:**

The terms of this Agreement, including its attachments and exhibits, represent the final intent of the parties. Any modifications, rescission or waiver of the terms of the Agreement must be in writing and executed and acknowledged by the parties with the same formalities accorded this basic Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement this

_____ day of _____, 20__.

APPROVED AS TO FORM:

_____
County Attorney's Office

APPROVED AS TO CONTENT:

_____
Department of Public Works

APPROVED AS TO CONTENT:

_____
Department of Public Transit

ACCEPTED: COUNTY OF DUTCHESS

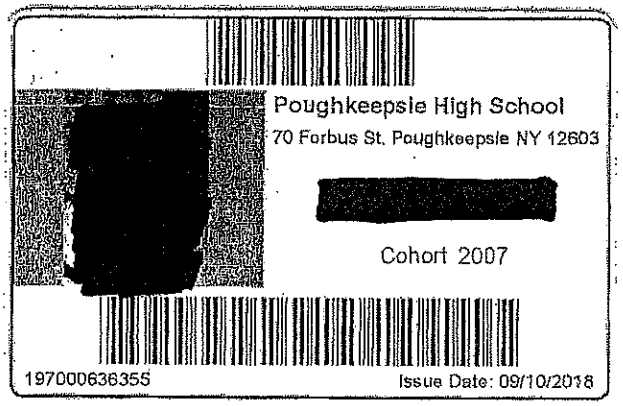
_____
Marcus J. Molinaro, County Executive

ACCEPTED:
Poughkeepsie City School District

BY: _____

Print Name: _____

Title: _____


Poughkeepsie High School
70 Forbus St. Poughkeepsie NY 12603
Cohort 2007
197000636355
Issue Date: 09/10/2018

Poughkeepsie

Middle School

POUGHKEEPSIE CITY SCHOOL DISTRICT

[redacted]

[redacted]

Majority Leader Roman, duly seconded by Assistant Majority Leader Sagliano, moved the foregoing resolution. Discussion on Resolution No. 2018263 proceeded as follows:

Legislator Johnson requested to abstain because he is a member of the City of Poughkeepsie School Board.

Chair Pulver granted permission to abstain.

Roll call vote on the foregoing resolution resulted as follows:

AYES:	22	Pulver, Roman, Sagliano, Black, Munn, Amparo, Surman, Llaverias, Borchert, Edwards, Truitt, Brendli, Jeter-Jackson, Tyner, Metzger, Bolner, Incoronato, Zernike, Page, Garito, Thomes, Houston
NAYS:	0	
ABSTAIN:	1	Johnson
ABSENT:	2	Horton, Miccio

Resolution adopted.

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 8 - City and Town of Poughkeepsie	Brendli		
District 12 - Town of East Fishkill	Metzger (C)		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato (VC)		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 11 **Resolution:** ✓ **Total :** 11 (Yes) 0 (No)

Absent: 1 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018263 AUTHORIZING EXECUTION OF AN INTERMUNICIPAL AGREEMENT BETWEEN CITY OF POUGHKEEPSIE SCHOOL AND THE COUNTY OF DUTCHESS, DIVISION OF PUBLIC TRANSIT

October 4, 2018

Roll Call Sheets

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

Present: 23 **Resolution:** ✓ **Total :** 22 (Yes) 0 (No)

Absent: 2 **Motion:** ____

Vacant: 0 **Abstentions:** 1

2018263 AUTHORIZING EXECUTION OF AN INTERMUNICIPAL AGREEMENT BETWEEN CITY OF POUGHKEEPSIE SCHOOL AND THE COUNTY OF DUTCHESS, DIVISION OF PUBLIC TRANSIT

October 9, 2018

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2018264

RE: AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE LEASE AGREEMENT BETWEEN THE COUNTY OF DUTCHESS AND TESLA ENERGY OPERATIONS, INC.

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

WHEREAS, the County of Dutchess has negotiated a twenty-year lease with Tesla Energy Operations, Inc. (Tesla) for Tesla to install a mounted photovoltaic array system (solar array system) on a portion of land on the site of the Hudson Valley Regional airport, located in an open field along the eastern side of Route 376, and

WHEREAS, the Legislature adopted a negative declaration of environmental significance in connection with the installation of a solar array system at the airport on August 8, 2015, and

WHEREAS, Dutchess County and Solar City Corporation previously signed a lease agreement for this project in 2015, and

WHEREAS, Solar City Corporation has been acquired by Tesla which now requires an Amended and Restated lease with the County to evince its relationship with the County; and

WHEREAS, under the terms of the proposed Amended and Restated lease, Tesla will install the solar array system at its own cost on the site which it will rent from the County in exchange for the County purchasing the electricity produced by the system each year for the twenty year term of the lease, and

WHEREAS, Central Hudson Gas and Electric Corporation has agreed to credit Dutchess County's utility bills in exchange for and based on the County placing the electricity purchased from Tesla on the energy grid, pursuant to Public Services Law §66-j and a "New York State Standardized Contract for Interconnection of New Distributed Generation Unit," with Central Hudson; and

WHEREAS, Dutchess County is expected to achieve significant savings on its utility bills if it enters into this lease; and

WHEREAS, County Law No. 6 of 2015 requires the Legislature's approval of any lease of Hudson Valley Regional Airport property for a period in excess of fifteen years, and

WHEREAS, this Legislature conducted a public hearing on the 9th day of October, 2018, in the Legislative Chambers, County Office Building, 22 Market Street, Poughkeepsie, New York on the proposed lease, now therefore, be it

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:

The land lease agreement provides the County with $8,200 in annual revenue. Additionally, based on the related Power Purchase Agreement there is a positive fiscal impact of purchasing energy produced by the solar array from Tesla, and the corresponding credit the County will receive from Central Hudson. Based on the per kilowatt hour payment to Tesla of $0.0855 compared to the expected price of electric from Central Hudson, the total savings over the 20 year period of the agreement is expected to be $1,432,079 or $769,362 (present value).

Prepared by: Rachel Kashimer, Budget Office Prepared On: 08/15/2018

County of Dutchess
RNM Ground Mount - PPA Savings Cash Flow Table

TESLA

County of Dutchess
RNM Ground Mount
22 Market Street, Poughkeepsie NY, 12601
System Size: 2173.5 kW DC

Results Summary

Year 1 Net Savings:	$	48,942
Total Net Savings:	$	1,432,079
NPV of Total Net Savings:	$	769,362

Model Assumptions

Grid Avoided Cost ($/kWh)	$0.105
Discount Rate*	6.00%
Annual Reduction in Production	0.50%
PPA Escalation Rate	0.00%
PPA Term	20
Utility Escalation Rate	1.00%

YEAR	SOLAR PRODUCTION (kWh)	GRID AVOIDED COST ($/kWh)	ANNUAL UTILITY SAVINGS FROM SOLAR KWH	SOLARCITY PPA RATE ($/kWh)	ANNUAL PPA EXPENSE	TOTAL SAVINGS	CUMULATIVE CASH FLOW	PRESENT VALUE OF CASH FLOW	PRESENT VALUE CUMULATIVE CASH FLOW
0									
1	2,509,833	$ 0.105	$ 263,532	$ 0.0855	$ (214,591)	$ 48,942	$ 48,942	$ 46,171	$ 46,171
2	2,497,284	$ 0.106	$ 264,837	$ 0.0855	$ (213,518)	$ 51,319	$ 100,261	$ 45,674	$ 91,845
3	2,484,797	$ 0.107	$ 266,148	$ 0.0855	$ (212,450)	$ 53,698	$ 153,959	$ 45,086	$ 136,931
4	2,472,373	$ 0.108	$ 267,465	$ 0.0855	$ (211,388)	$ 56,077	$ 210,036	$ 44,419	$ 181,350
5	2,460,012	$ 0.109	$ 268,789	$ 0.0855	$ (210,331)	$ 58,458	$ 268,494	$ 43,683	$ 225,033
6	2,447,712	$ 0.110	$ 270,120	$ 0.0855	$ (209,279)	$ 60,840	$ 329,335	$ 42,890	$ 267,923
7	2,435,473	$ 0.111	$ 271,457	$ 0.0855	$ (208,233)	$ 63,224	$ 392,559	$ 42,048	$ 309,971
8	2,423,296	$ 0.113	$ 272,801	$ 0.0855	$ (207,192)	$ 65,609	$ 458,168	$ 41,164	$ 351,134
9	2,411,179	$ 0.114	$ 274,151	$ 0.0855	$ (206,156)	$ 67,995	$ 526,163	$ 40,246	$ 391,381
10	2,399,123	$ 0.115	$ 275,508	$ 0.0855	$ (205,125)	$ 70,383	$ 596,546	$ 39,301	$ 430,682
11	2,387,128	$ 0.116	$ 276,872	$ 0.0855	$ (204,099)	$ 72,772	$ 669,318	$ 38,336	$ 469,018
12	2,375,192	$ 0.117	$ 278,242	$ 0.0855	$ (203,079)	$ 75,163	$ 744,481	$ 37,354	$ 506,372
13	2,363,316	$ 0.118	$ 279,620	$ 0.0855	$ (202,064)	$ 77,556	$ 822,037	$ 36,361	$ 542,733
14	2,351,499	$ 0.119	$ 281,004	$ 0.0855	$ (201,053)	$ 79,950	$ 901,988	$ 35,362	$ 578,095
15	2,339,742	$ 0.121	$ 282,395	$ 0.0855	$ (200,048)	$ 82,347	$ 984,335	$ 34,360	$ 612,455
16	2,328,043	$ 0.122	$ 283,793	$ 0.0855	$ (199,048)	$ 84,745	$ 1,069,079	$ 33,359	$ 645,815
17	2,316,403	$ 0.123	$ 285,197	$ 0.0855	$ (198,052)	$ 87,145	$ 1,156,224	$ 32,362	$ 678,177
18	2,304,821	$ 0.124	$ 286,609	$ 0.0855	$ (197,062)	$ 89,547	$ 1,245,771	$ 31,372	$ 709,550
19	2,293,297	$ 0.126	$ 288,028	$ 0.0855	$ (196,077)	$ 91,951	$ 1,337,722	$ 30,391	$ 739,941
20	2,281,830	$ 0.127	$ 289,453	$ 0.0855	$ (195,096)	$ 94,357	$ 1,432,079	$ 29,421	$ 769,362
			5,526,020			$ 1,432,079	$ 1,432,079		$ 769,362

This analysis is illustrative only and has been prepared in good faith by Tesla Energy to provide conceptual project modeling. These numbers are not for contract, nor are they binding.
* Model Assumptions are inputs that should be mutually agreed upon by the customer and Tesla Energy. The customer may request any changes to more closely model their specific situation.
Tesla Energy has used good faith efforts to represent the savings from this project before state and federal income tax.
Please consult your tax advisor regarding your specific tax situation.

Analysis valid until 12/04/2016

Revised Background
2018264

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Amended and Restated Lease and Solar Power Purchase Agreement (Commercial NY)

This Amended and Restated Lease and Solar Power Purchase Agreement (this "**Agreement**") is entered into by the County of Dutchess ("Purchaser") and Tesla Energy Operations, Inc. formerly known as SolarCity Corporation ("Seller") (each a "**Party**" and collectively the "**Parties**") as of the date signed by Seller below (the "**Effective Date**"). This Agreement amends and restates the Solar Power Purchase Agreement (Commercial NY), dated as of January 15, 2015, between the Parties.

Purchaser:		**Seller:**	
Name and Address	**County of Dutchess** 22 Market Street Poughkeepsie, NY 12601 Attention: Robert H. Balkind, P.E., Commissioner of Public Works	Name and Address	**Tesla Energy Operations, Inc.** 3055 Clearview Way San Mateo, CA 94402 Attention: Energy Contracts
Phone	(845) 486-2925	Phone	(650) 638-1028
Fax		Fax	(650) 560-6460
E-mail	rbalkind@dutchessny.gov	E-mail	EnergyContracts@tesla.com
Facility Ownership	Purchaser owns the Facility		**Contractor's License Numbers** **NY:** No State License Required
Project Name	Dutchess County Airport		

This Agreement sets forth the terms and conditions of the purchase and sale of solar generated electric energy from the solar panel system described in **Exhibit 2** (the "**System**") and installed at the Purchaser's facility described in **Exhibit 2** (the "**Facility**").

Seller, or a Qualified Party, as defined by applicable law, at Seller's direction, shall conduct the State Environmental Quality Review (the "**SEQR**") Act process. Prior to the effectiveness of the Agreement, as set forth below, nothing in this Agreement shall be construed as committing the Purchaser to approve the undertaking or approval of the System until such time as all of the requirements of SEQR have been satisfied. Rather, until such time as the Purchaser and/or the Lead Agency appointed under SEQR following coordinated review complies with the requirements of SEQR, this Agreement is limited to authorizing contemporaneous environmental, engineering, economic, feasibility and other studies and preliminary planning necessary to formulate the proposal for action and to demonstrate site selection as required in connection with the New York State Energy Research and Development Authority. No final action may be taken before the Purchaser has complied with the requirements of SEQR.

This Agreement will become effective automatically upon the completion by Seller, or a Qualified Party, as defined by applicable law, of the SEQR process.

The exhibits listed below are incorporated by reference and made part of this Agreement.

Exhibit 1 Pricing Attachment
Exhibit 2 System Description, Delivery Point and Premises
Exhibit 3 Interconnection Agreement between Purchaser and Central Hudson Gas & Electric
Exhibit 4 General Terms and Conditions (*Revised January 17, 2013*)
Exhibit 5 Additional Objectives, Terms and Conditions

Purchaser: County of Dutchess	**Tesla Energy Operations, Inc. f/k/a SolarCity Corporation**
Signature: _____	Signature: _____
Printed Name: _____	Printed Name: _____
Title: _____	Title: _____
Date: _____	Date: _____

Exhibit 1
Pricing Attachment

1. **Term:** Twenty (20) years, beginning on the Commercial Operation Date.

2. **Additional Terms:** Up to two (2) Additional Terms of five (5) years each.

3. **Environmental Incentives and Environment Attributes Accrue to *Seller*.**

4. **Contract Price:**

Contract Year	$/kWh
1	0.0855
2	0.0855
3	0.0855
4	0.0855
5	0.0855
6	0.0855
7	0.0855
8	0.0855
9	0.0855
10	0.0855
11	0.0855
12	0.0855
13	0.0855
14	0.0855
15	0.0855
16	0.0855
17	0.0855
18	0.0855
19	0.0855
20	0.0855

Tesla hereby waives the handling charge for manual invoicing.

5. **Condition Satisfaction Date:** 180 days after the Effective Date.

6. **Anticipated Commercial Operation Date:** 270 days after the Effective Date

7. **Outside Commercial Operation Date:** December 31, 2019

8. **Rebate:** All prices in this Agreement are calculated based on an upfront rebate of $0.134/kWh

Exhibit 2

System Description, Delivery Point and Premises

1. **System Location:** Purchaser-owned property labeled 1682 Route 376 Wappinger, NY 12603 , to the east of New York State Route 376 only (the "**Premises**"). Once construction of the System is complete, the Parties shall confirm the final size and location of the Premises and Facility on the Property by amending this Agreement. The perimeter boundaries of the Facility shall be identified by the fence line surrounding the System that is constructed by Seller.

2. **System Size (DC kW):** 2,173.5

3. **Expected First Year Energy Production (kWh):** 2,509,833 kWh

4. **Expected Structure:** Ground Mount

5. **Expected Module(s):**

Manufacturer/Model	Quantity
Hanwha Q. Plus L-G4.2 345	6,300

6. **Expected Inverter(s):**

Manufacturer/Model	Quantity
Huawei SUN2000-33ktl-US	44

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7. **Includes:**

Installation of a solar energy system (includes: design, engineering, permitting, installation, monitoring, rebate application and paperwork processing for solar energy system) and interconnection into the utility electric system, studies. This

Agreement includes upgrades or repair to customer or utility electrical infrastructure required to accomplish the interconnection into the System up to an aggregate of $200,000 as set forth in the budget. Seller will perform weed abatement in the array area as required to maintain insolation to the system;Seller will not perform weed abatement for aesthetic purposes, including trimming to the same level as existed at the time of installation except and to the extent required to maintain insolation, as determined by Seller. The installation and maintenance of a fence, as selected and determined by Seller ,are included as part of the maintenance. Includes the payment of prevailing wages (including by any subcontractors Seller hires to perform under this Agreement) as defined in and to the extent required under the New York State Labor Law to all laborers, workers, and mechanics employed to install and construct the System.

If (i) the aggregate amount for upgrades or repairs to customer or utility electrical infrastructure is expected to exceed $200,000 or (ii) the amounts expected to be spent on fencing, tree removal or tree trimming will exceed the amounts set forth in the budget, then the Parties will attempt in good faith to negotiate the pricing to include such additional amounts. If resolution cannot be reached, then Seller may terminate this Agreement prior to commencement of installation without liability or triggering a default under this Agreement.

8. **Excludes:**

Unforeseen groundwork (including, but not limited to, excavation/circumvention of underground obstacles), upgrades or repair to customer or utility electrical infrastructure beyond what is set forth in Section 7 above, payment bonds, performance bonds.

If any of the items in this Section 8 arises, then the Parties will attempt in good faith to negotiate the pricing to address such increased costs. If resolution cannot be reached, then Seller may terminate this Agreement prior to commencement of installation without liability or triggering a default under this Agreement.

9. **Delivery Point and License Area:** SolarCity shall attach a schematic that contains the:

(i) Facility;

(ii) System/array; and

(iii) Delivery Point

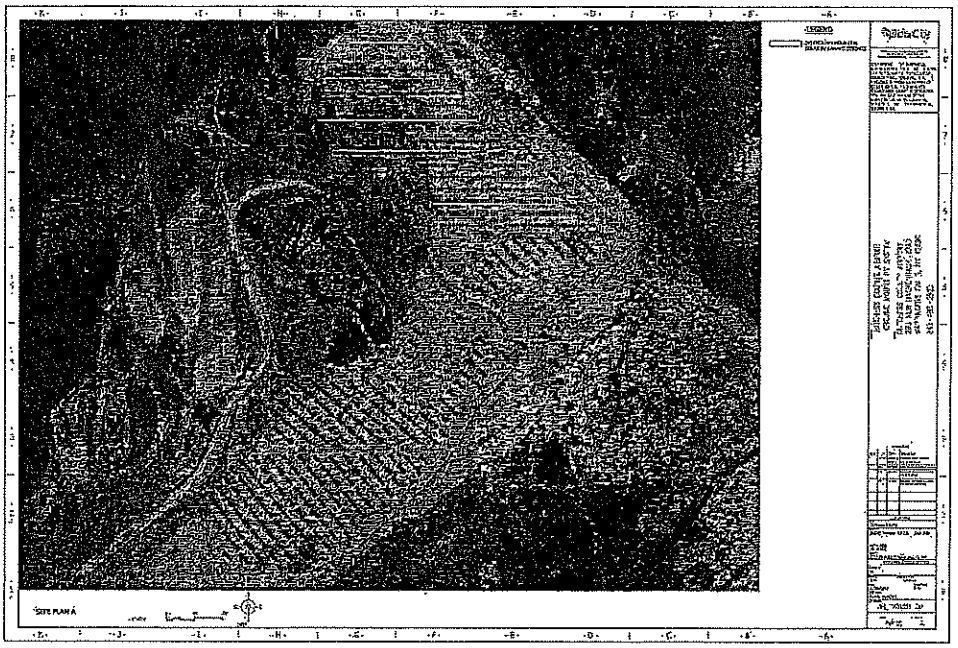

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Exhibit 3

Interconnection Agreement

A copy of the New York State Standardized Contract for Interconnection of New Distributed Generation Units with Capacity of 2 MW or Less Connected in Parallel with Utility Distribution Systems by and between Purchaser and Central Hudson Gas & Electric (the "Interconnection Agreement") follows this introductory page. The Interconnection Agreement is attached for reference purposes only and is not made a part of or incorporated into this Agreement.

Exhibit 4

Solar Power Purchase Agreement General Terms and Conditions

Revised January 17, 2013

1. **Definitions and Interpretation**: Unless otherwise defined or required by the context in which any term appears: (a) the singular includes the plural and vice versa; (b) the words "herein," "hereof" and "hereunder" refer to this Agreement as a whole and not to any particular section or subsection of this Agreement; (c) references to any agreement, document or instrument mean such agreement, document or instrument as amended, modified, supplemented or replaced from time to time; and (d) the words "include," "includes" and "including" mean include, includes and including "without limitation." The captions or headings in this Agreement are strictly for convenience and shall not be considered in interpreting this Agreement.

2. **Purchase and Sale of Electricity.** Purchaser shall purchase from Seller, and Seller shall sell to Purchaser, all of the electric energy generated by the System during the Initial Term and any Additional Term (as defined in **Exhibit 1**, and collectively the "**Term**"). Electric energy generated by the System will be delivered to Purchaser at the delivery point identified on **Exhibit 2** (the "**Delivery Point**"). Purchaser shall take title to the electric energy generated by the System at the Delivery Point, and risk of loss will pass from Seller to Purchaser at the Delivery Point. Purchaser may purchase electric energy from other sources to the extent the Purchaser's electric requirements exceed the credit received from the output of the System to offset the Purchaser's power usage at its facilities.

3. **Term and Termination**.

   a. **Initial Term.** The initial term ("**Initial Term**") of this Agreement shall commence on the Commercial Operation Date (as defined below) and continue for the length of time specified in **Exhibit 1,** unless earlier terminated as provided for in this Agreement. The "**Commercial Operation Date**" is the date Seller gives Purchaser written notice that the System is mechanically complete and capable of providing electric energy to the Delivery Point. Upon Purchaser's request, Seller will give Purchaser copies of certificates of completion or similar documentation

from Seller's contractor and the interconnection or similar agreement with the Utility. This Agreement shall become effective automatically upon completion of the SEQR process and Purchaser's failure to enable Seller to provide the electric energy by preventing it from installing the System or otherwise not performing shall not excuse Purchaser's obligations to make payments that otherwise would have been due under this Agreement.

b. **Additional Terms.** If Purchaser has not exercised its option to purchase the System by the end of the Initial Term, either Party may give the other Party written notice of its desire to extend this Agreement on the terms and conditions set forth herein for the number and length of additional periods specified in **Exhibit 1** (each an "**Additional Term**"). Such notice shall be given, if at all, not more than one hundred twenty (120) and not less than sixty (60) days before the last day of the Initial Term or the then current Additional Term, as applicable. The Party receiving the notice requesting an Additional Term shall respond positively or negatively to that request in writing within thirty (30) days after receipt of the request. Failure to respond within such thirty (30) day period shall be deemed a rejection of the offer for an Additional Term. If both Parties agree to an Additional Term, the Additional Term shall begin immediately upon the conclusion of the Initial Term or the then current term on the same terms and conditions as set forth in this Agreement. If the Party receiving the request for an Additional Term rejects or is deemed to reject the first Party's offer, this Agreement shall terminate at the end of the Initial Term (if the same has not been extended) or the then current Additional Term.

4. **Billing and Payment.**

a. **Monthly Charges.** Purchaser shall pay Seller monthly for the electric energy generated by the System and delivered to the Delivery Point at the $/kWh rate shown in **Exhibit 1** (the "**Contract Price**"). The monthly payment for such energy will be equal to the applicable $/kWh rate multiplied by the number of kWh of energy generated during the applicable month, as measured by the System meter.

b. **Monthly Invoices.** Seller shall manually invoice Purchaser monthly. Such monthly invoices shall state (i) the amount of electric energy produced by the System and delivered to the Delivery Point, (ii) the rates

applicable to, and charges incurred by, Purchaser under this Agreement and (iii) the total amount due from Purchaser.

c. **Taxes.** Currently, Purchaser is exempt from any and all taxes assessed on the generation, sale, delivery or consumption of electric energy produced by the System or the interconnection of the System to the utility's electric distribution system. Purchaser shall provide all documentation related to such status to the extent required to prove such exemption. In the event Purchaser is no longer exempt, Purchaser shall either pay or reimburse Seller for any and all taxes assessed on the generation, sale, delivery or consumption of electric energy produced by the System or the interconnection of the System to the Utility's electric distribution system, including property taxes on the System; provided, however, Purchaser will not be required to pay or reimburse Seller for any taxes during periods when Seller fails to deliver electric energy to Purchaser due to the action or omission of Seller. For purposes of this Section 4(d), "**Taxes**" means any federal, state and local ad valorem, property, occupation, generation, privilege, sales, use, consumption, excise, transaction, and other taxes, regulatory fees, surcharges or other similar charges, but shall not include any income taxes or similar taxes imposed on Seller's revenues due to the sale of energy under this Agreement, which shall be Seller's responsibility.

d. **Payment Terms.** All amounts due under this Agreement shall be due and payable net thirty (30) days from receipt of invoice. For any undisputed portion of the invoice amount not paid within the thirty (30) day period, late payments and interest due shall be computed in accordance with the Prompt Payment Provisions of Section 179 of the New York State Finance Law.

5. **Environmental Attributes and Environmental Incentives.**

Unless otherwise specified on **Exhibit 1**, Seller is the owner of all Environmental Attributes and Environmental Incentives and is entitled to the benefit of all Tax Credits, and Purchaser's purchase of electricity under this Agreement does not include Environmental Attributes, Environmental Incentives or the right to Tax Credits or any other attributes of ownership and operation of the System, all of which shall be retained by Seller. Purchaser shall cooperate with Seller in obtaining, securing and transferring all

Environmental Attributes and Environmental Incentives and the benefit of all Tax Credits, including by using the electric energy generated by the System in a manner necessary to qualify for such available Environmental Attributes, Environmental Incentives and Tax Credits. Purchaser shall not be obligated to incur any out–of–pocket costs or expenses in connection with such actions unless reimbursed by Seller. If any Environmental Incentives are paid directly to Purchaser, Purchaser shall immediately pay such amounts over to Seller. To avoid any conflicts with fair trade rules regarding claims of solar or renewable energy use, Purchaser, if engaged in commerce and/or trade, shall submit to Seller for approval any press releases regarding Purchaser's use of solar or renewable energy and shall not submit for publication any such releases without the written approval of Seller. Approval shall not be unreasonably withheld, and Seller's review and approval shall be made in a timely manner to permit Purchaser's timely publication.

"Environmental Attributes" means any and all credits, benefits, emissions reductions, offsets, and allowances, howsoever entitled, attributable to the System, the production of electrical energy from the System and its displacement of conventional energy generation, including (1) any avoided emissions of pollutants to the air, soil or water such as sulfur oxides (SOx), nitrogen oxides (NOx), carbon monoxide (CO) and other pollutants; (2) any avoided emissions of carbon dioxide (CO2), methane (CH4), nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride and other greenhouse gases (GHGs) that have been determined by the United Nations Intergovernmental Panel on Climate Change, or otherwise by law, to contribute to the actual or potential threat of altering the Earth's climate by trapping heat in the atmosphere; and (3) the reporting rights related to these avoided emissions, such as Green Tag Reporting Rights and Renewable Energy Credits. Green Tag Reporting Rights are the right of a party to report the ownership of accumulated Green Tags in compliance with federal or state law, if applicable, and to a federal or state agency or any other party, and include Green Tag Reporting Rights accruing under Section 1605(b) of The Energy Policy Act of 1992 and any present or future federal, state, or local law, regulation or bill, and international or foreign emissions trading program. Environmental Attributes do not include Environmental Incentives and Tax Credits. Seller shall file all tax returns in a manner consistent with this Section 5. Without limiting the generality of the foregoing, Environmental Attributes include carbon trading credits, renewable energy credits or certificates, emissions reduction credits,

investment credits, emissions allowances, green tags, tradeable renewable credits and Green-e® products.

"Environmental Incentives" means any and all credits, rebates, subsidies, payments or other incentives that relate to self–generation of electricity, the use of technology incorporated into the System, environmental benefits of using the System, or other similar programs available from the Utility, any other regulated entity, the manufacturer of any part of the System or any Governmental Authority.

"Governmental Authority" means any national, state or local government (whether domestic or foreign), any political subdivision thereof or any other governmental, quasi-governmental, judicial, public or statutory instrumentality, authority, body, agency, bureau or entity (including the Federal Energy Regulatory Commission or the New York State Public Service Commission), or any court of competent jurisdiction.

"Tax Credits" means any and all (i) investment tax credits, (ii) production tax credits and (iii) similar tax credits or grants under federal, state or local law relating to the construction, ownership or production of energy from the System.

6. **Conditions to Obligations.**

a. **Conditions to Seller's Obligations.**

Seller's obligations under this Agreement are conditioned on the completion of the following conditions to Seller's reasonable satisfaction on or before the Condition Satisfaction Date:

i. Seller's completion of a physical inspection of the Facility and the property upon which the Facility is located (the **"Premises"**) including, if applicable, geotechnical work, and real estate due diligence to confirm the suitability of the Facility and the Premises for the System;

ii. Approval of (A) this Agreement and (B) the Construction Agreement (if any) for the System by Seller's Financing Parties. **"Construction Agreement"** as used in this subsection means an agreement between Tesla and a subcontractor to install the System;

iii. Seller's confirmation that Seller will obtain all applicable Environmental Incentives and Tax Credits;

iv. Receipt of all necessary zoning, land use and building permits;

v. Execution of all necessary agreements with the Utility for interconnection of the System to the Utility's electric distribution system; and

vi. Prior to Seller commencing construction and installation of the System, Purchaser shall give Seller proof of insurance for all insurance required to be maintained by Purchaser under this Agreement.

b. **Conditions to Purchaser's Obligations.**

Purchaser's obligations under this Agreement are conditioned on the completion of the following conditions:

i. Occurrence of the Commercial Operation Date for the System on or before the Outside Commercial Operation Date (See Exhibit 1);

ii. Seller's completion of the SEQR process;

iii. Execution by the Utility of all necessary agreements with the Utility for interconnection of the System to the Utility's electric distribution system; and

iv. Seller's completion of the glare analysis and receipt of written approval from the Federal Aviation Administration and the New York State Department of Transportation.

c. **Failure of Conditions.**

If any of the conditions listed in subsections a or b above are not satisfied by the applicable dates specified in those subsections, the Parties will attempt in good faith to negotiate new dates for the satisfaction of the failed conditions. If the parties are unable to negotiate new dates then the Party that has not failed to meet an obligation may terminate this Agreement upon ten (10) days written notice to the other Party without liability for costs or damages or triggering a default under this Agreement.

7. **Seller's Rights and Obligations**.

a. **Permits and Approvals**. Seller, with Purchaser's reasonable cooperation, shall use commercially reasonable efforts to obtain, at its sole cost and expense:

i. any zoning, land use and building permits required to construct, install and operate the System; and

ii. any agreements and approvals from the Utility necessary in order to interconnect the System to the Utility's electric distribution system.

Purchaser shall cooperate with Seller's reasonable requests to assist Seller in obtaining such agreements, permits and approvals.

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b. **Standard System Repair and Maintenance.** Seller shall construct and install the System at the Facility in accordance with (i) normal professional standards of performance within the solar photovoltaic power generation industry in the relevant market; and (ii) Prudent Electrical Practices. "**Prudent Electrical Practices**" means those practices, as changed from time to time, that are engaged in or approved by a significant portion of the solar energy electrical generation industry operating in the United States to operate electric equipment lawfully and with reasonable safety, dependability, efficiency and economy. During the Term, Seller will operate and perform all routine and emergency repairs to, and maintenance of, the System at its sole cost and expense, except for any repairs or maintenance resulting from Purchaser's negligence, willful misconduct or breach of this Agreement or the Site Lease (if applicable). Seller shall not be responsible for any work done by others on any part of the System unless Seller authorizes that work in advance in writing. Seller shall not be responsible for any loss, damage, cost or expense arising out of or resulting from improper environmental controls or improper operation or maintenance of the System by anyone other than Seller or Seller's contractors. If the System requires repairs for which Purchaser is responsible, Purchaser shall pay Seller for diagnosing and correcting the problem at Seller or Seller's contractors' then current standard rates. Seller shall provide Purchaser with reasonable notice prior to accessing the Facility to make standard repairs.

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c. **Non-Standard System Repair and Maintenance.** If Seller incurs incremental costs to maintain the System due to conditions at the Facility or due to the inaccuracy of any information provided by Purchaser and relied upon by Seller, the pricing, schedule and other terms of this Agreement will be equitably adjusted to compensate for any work in excess of normally expected work required to be performed by Seller. In such event, the Parties will negotiate such equitable adjustment in good faith.

d. **Breakdown Notice.** Seller shall notify Purchaser within twenty-four (24) hours following Seller's discovery of (i) any material malfunction in the operation of the System or (ii) an interruption in the supply of electrical energy from the System. Purchaser and Seller shall each designate personnel and establish procedures such that each Party may provide notice of such conditions requiring Seller's repair or alteration at all times, twenty-four (24) hours per day, including weekends and holidays. Purchaser shall notify Seller immediately upon the discovery of an emergency condition affecting the System.

e. **Suspension.** Notwithstanding anything to the contrary herein, Seller shall be entitled to suspend delivery of electricity from the System to the Delivery Point for the purpose of maintaining and repairing the System and such suspension of service shall not constitute a breach of this Agreement; provided, that Seller shall use commercially reasonable efforts to minimize any interruption in service to the Purchaser.

f. **Use of Contractors and Subcontractors.** Seller shall be permitted to use contractors and subcontractors to perform its obligations under this Agreement. However, Seller shall continue to be responsible for the quality of the work performed by its contractors and subcontractors. If a list of pre-approved contractors and subcontractors is desired, such list shall be scheduled on an appendix to this Exhibit. All contractors and subcontractors, other than those that may be scheduled on an appendix to this Exhibit, shall be subject to Purchaser's prior written consent, not to be unreasonably withheld.

g. **Liens and Payment of Contractors and Suppliers.** Seller shall pay when due all valid charges from all contractors, subcontractors and suppliers supplying goods or services to Seller under this Agreement and

shall keep the Facility free and clear of any liens related to such charges, except for those liens which Seller is permitted by law to place on the Facility following non-payment by Purchaser of amounts due under this Agreement. Seller shall indemnify Purchaser for all claims, losses, damages, liabilities and expenses resulting from any liens filed against the Facility or the Premises in connection with such charges; provided, however, that Seller shall have the right to contest any such lien, so long as it provides a statutory bond or other reasonable assurances of payment that either remove such lien from title to the Facility and the Premises or that assure that any adverse judgment with respect to such lien will be paid without affecting title to the Facility and the Premises.

8. **Purchaser's Rights and Obligations.**

a. **Lease.** Purchaser grants to Seller a lease to, on, over, under and across the Premises (the "**Lease**") for access by Seller and Seller's agents, employees and contractors for the purposes of (a) installing, constructing, operating, owning, maintaining, accessing, removing and replacing the System; (b) performing all of Seller's obligations and enforcing all of Seller's rights set forth in this Agreement; and (c) installing, using and maintaining electric lines and equipment, including inverters and meters, necessary to interconnect the System to Purchaser's electric system at the Facility and/or to the Utility's electric distribution system or that otherwise may from time to time be useful or necessary in connection with the construction, installation, operation, maintenance or repair of the System. Seller shall notify Purchaser prior to entering the Facility and the Premises except in situations where there is imminent risk of damage to persons or property. The term of the Lease shall continue until the date that is one hundred and twenty (120) days following the date of expiration or termination of this Agreement (the "**Lease Term**"). During the Lease Term, Purchaser shall ensure that Seller's rights under the Lease and Seller's access to the Premises are preserved and protected and shall not interfere with or permit any third parties to interfere with such rights or access. The grant of the Lease shall survive termination of this agreement by either Party. Purchaser agrees that Seller, upon request to Purchaser, may record a memorandum of lease in the land records respecting the Lease in form and substance reasonably acceptable to the Parties. Per Federal Aviation Administration requirements, Seller agrees to pay

Purchaser ground rent of Eight Thousand Two Hundred Dollars ($8,200) per year (the "**Rent**") starting on the Commercial Operation Date and continuing until the end of the Term. Seller shall pay the Rent to Purchaser in advance starting on the Commercial Operation Date for a partial year and, thereafter, on January 1 of each year. The Rent shall be prorated for partial years.

b. **OSHA Compliance.** Both parties shall ensure that all Occupational Safety and Health Act (OSHA) requirements and other similar applicable safety laws or codes are adhered to in their performance under this Agreement.

c. **Maintenance of Facility.** Except as specified in Section 7 of Exhibit 2, Purchaser shall, at its sole cost and expense, maintain the Facility in good condition and repair. Purchaser will not permit cessation of electric service to the Facility from the local utility. If applicable, Purchaser shall properly maintain in full working order all of Purchaser's electric supply or generation equipment that Purchaser may shut down while utilizing the System. Purchaser shall promptly notify Seller of any matters of which it is aware pertaining to any damage to or loss of use of the System or that could reasonably be expected to adversely affect the System. For avoidance of doubt, Purchaser is not responsible for maintenance or repair of interconnection equipment.

d. **No Alteration of Facility.** Purchaser shall not make any alterations or repairs to the Facility which may adversely affect the operation and maintenance of the System without Seller's prior written consent. If Purchaser wishes to make such alterations or repairs, Purchaser shall give prior written notice to Seller, setting forth the work to be undertaken (except for emergency repairs, for which notice may be given by telephone), and give Seller the opportunity to advise Purchaser in making such alterations or repairs in a manner that avoids damage to the System, but, notwithstanding any such advice, Purchaser shall be responsible for all damage to the System caused by Purchaser or its contractors. To the extent that temporary disconnection or removal of the System is necessary to perform such alterations or repairs, such work and any replacement of the System after completion of Purchaser's alterations and repairs, shall be done by Seller or its contractors at Purchaser's cost. All of Purchaser's

alterations and repairs will be done in a good and workmanlike manner and in compliance with all applicable laws, codes and permits.

e. **Outages.** Purchaser shall be permitted to be off line for a total of forty-eight (48) day light hours (each, a "**Scheduled Outage**") per calendar year during the Term, during which days Purchaser shall not be obligated to accept or pay for electricity from the System; provided, however, that Purchaser must notify Seller in writing of each such Scheduled Outage at least forty-eight (48) hours in advance of the commencement of a Scheduled Outage. In the event that Scheduled Outages exceed a total of forty-eight (48) day light hours per calendar year or there are unscheduled outages, in each case for a reason other than a Force Majeure event, Seller shall reasonably estimate the amount of electricity that would have been delivered to Purchaser during such excess Scheduled Outages or unscheduled outages and shall invoice Purchaser for such amount and any associated lost or recaptured Environmental Incentives and lost sales (and penalties payments associated with the same) of associated Environmental Attributes in accordance with Section 4. For avoidance of doubt, the forty-eight (48) hour period shall include all Scheduled Outage hours allowed under any of the terms of this Agreement, including those undertaken pursuant to Section 8(d).

f. **Liens.** Purchaser shall not directly or indirectly cause, create, incur, assume or allow to exist any mortgage, pledge, lien, charge, security interest, encumbrance or other claim of any nature on or with respect to the System or any interest therein. Purchaser shall immediately notify Seller in writing of the existence of any such mortgage, pledge, lien, charge, security interest, encumbrance or other claim, shall promptly cause the same to be discharged and released of record without cost to Seller, and shall indemnify Seller against all costs and expenses (including reasonable attorneys' fees) incurred in discharging and releasing any such mortgage, pledge, lien, charge, security interest, encumbrance or other claim.

g. **Security.** Purchaser shall be responsible for using commercially reasonable efforts to maintain the physical security of the Facility and the System against known risks and risks that should have been known by Purchaser. Purchaser will not conduct activities on, in or about the

Premises or the Facility that have a reasonable likelihood of causing damage, impairment or otherwise adversely affecting the System.

h. **Insolation.** Purchaser understands that unobstructed access to sunlight ("**Insolation**") is essential to Seller's performance of its obligations and a material term of this Agreement. Purchaser shall not in any way cause and, where possible, shall not in any way permit any interference with the System's Insolation. If Purchaser becomes aware of any activity or condition that could diminish the Insolation of the System, Purchaser shall notify Seller immediately and shall cooperate with Seller in preserving the System's existing Insolation levels. The Parties agree that reducing Insolation would irreparably injure Seller, that such injury may not be adequately compensated by an award of money damages, and that Seller is entitled to seek specific enforcement of this Section 8(h) against Purchaser.

i. **[Reserved].**

j. **Breakdown Notice.** Purchaser shall promptly notify Seller following the discovery by Purchaser of anything adversely affecting the System, including a material malfunction, interruption in the supply of electrical energy or discovery of an emergency condition, of which Purchaser should reasonably be aware.

9. **Change in Law.**

"**Change in Law**" means (i) the enactment, adoption, promulgation, modification or repeal after the Effective Date of any applicable law or regulation; (ii) the imposition of any material conditions on the issuance or renewal of any applicable permit after the Effective Date of this Agreement (notwithstanding the general requirements contained in any applicable Permit at the time of application or issue to comply with future laws, ordinances, codes, rules, regulations or similar legislation), or (iii) a change in any utility rate schedule or tariff approved by any Governmental Authority which in the case of any of (i), (ii) or (iii), establishes requirements affecting owning, supplying, constructing, installing, operating or maintaining the System, or other performance of the Seller's obligations hereunder and which has a material adverse effect on the cost to Seller of performing such obligations; provided, that a change in federal, state, county or any other tax law after the Effective

Date of this Agreement shall not be a Change in Law pursuant to this Agreement.

If any Change in Law occurs that has a material adverse effect on the cost to Seller of performing its obligations under this Agreement, then the Parties shall, within thirty (30) days following receipt by Purchaser from Seller of notice of such Change in Law, meet and attempt in good faith to negotiate amendments to this Agreement as are reasonably necessary to preserve the economic value of this Agreement to both Parties. If the Parties are unable to agree upon such amendments within such thirty (30) day period, then Seller shall have the right to terminate this Agreement without further liability to either Party except with respect to payment of amounts accrued prior to termination.

10. **Relocation of System**.

If (i) Purchaser ceases to conduct business operations at and/or vacates the Facility or (ii) Seller is prevented from operating the System at the Facility or (iii) the System is otherwise prevented from delivering electricity (through no fault of Seller), in each case prior to the expiration of the Term, Purchaser shall have the option to provide Seller with a mutually agreeable substitute premises located within the same Utility district as the terminated System or in a location with similar Utility rates and Insolation. Purchaser shall provide written notice at least sixty (60) days but not more than one hundred eighty (180) days prior to the date that it wants to make this substitution. In connection with such substitution, Purchaser shall execute an amended agreement that shall have all of the same terms as this Agreement except for the (i) Effective Date; (ii) Lease, which will be amended to grant rights in the real property where the System relocated to; and (iii) Term, which will be the remainder of the Term of this Agreement and such amended agreement shall be deemed to be a continuation of this Agreement without termination. Purchaser shall also provide any new Purchaser, owner, lessor or mortgagee consents or releases required by Seller or Seller's Financing Parties in connection with the substitute facility. Purchaser shall pay all costs associated with relocation of the System, including all costs and expenses incurred by or on behalf of Seller in connection with removal of the System from the Facility and installation and testing of the System at the substitute facility and all applicable interconnection fees and expenses at the substitute facility, as well as costs of new title search and other out-of-pocket expenses connected to preserving and refiling the security

interests of Seller's Financing Parties in the System. Seller shall reasonably estimate the amount of electricity that would have been delivered to Purchaser during the period of time the System is not in operation due to the relocation and shall invoice Purchaser for such amount and any associated lost or recaptured Environmental Incentives and lost sales (and penalties payments associated with the same) of associated Environmental Attributes in accordance with Section 4. Seller shall remove the System from the vacated Facility prior to the termination of Purchaser's ownership, lease or other rights to use such Facility. Seller will not be required to restore the Facility to its prior condition but shall promptly pay Purchaser for any damage caused by Seller during removal of the System, but not for normal wear and tear. If the substitute facility has inferior Insolation as compared to the original Facility, Seller shall have the right to make an adjustment to **Exhibit 1** such that Purchaser's payments to Seller are the same as if the System were located at the original Facility. If Purchaser is unable to provide such substitute facility and to relocate the System as provided, any early termination will be treated as a default by Purchaser.

11. **Removal of System at Expiration**.

Upon the expiration or earlier termination of this Agreement (provided Purchaser does not exercise its purchase option), Seller shall, at its expense, remove all of its tangible property comprising the System from the Facility on a mutually convenient date, but in no event later than ninety (90) days after the expiration of the Term. Excluding ordinary wear and tear, the Facility shall be returned to its original condition including the removal of System mounting pads or other support structures. Seller shall leave the Facility in neat and clean order. If Seller fails to remove or commence substantial efforts to remove the System by such agreed upon date, Purchaser shall have the right, at its option, to remove the System to a public warehouse and restore the Facility to its original condition (other than ordinary wear and tear) at Seller's cost. Purchaser shall provide sufficient space for the temporary storage and staging of tools, materials and equipment and for the parking of construction crew vehicles and temporary construction trailers and facilities reasonably necessary during System removal.

12. **Measurement**.

Electricity delivered to the Facility shall be measured by the SolarGuard monitoring system installed and maintained by Seller as part of the System.

13. **Default, Remedies and Damages**.

a. **Default.** Any Party that fails to perform its responsibilities as listed below or experiences any of the circumstances listed below shall be deemed a "**Defaulting Party**" and each event of default shall be a "**Default Event**":

(1) failure of a Party to pay any amount due and payable under this Agreement, other than an amount that is subject to a good faith dispute, within ten (10) days following receipt of written notice from the other Party (the "**Non-Defaulting Party**") of such failure to pay ("**Payment Default**");

(2) failure of a Party to substantially perform any other material obligation under this Agreement within thirty (30) days following receipt of written notice from the Non-Defaulting Party demanding such cure; provided, that such thirty (30) day cure period shall be extended (but not beyond ninety (90) days) if and to the extent reasonably necessary to cure the Default Event, if (i) the Defaulting Party initiates such cure with the thirty (30) day period and continues such cure to completion and (ii) there is no material adverse affect on the Non-Defaulting Party resulting from the failure to cure the Default Event;

(3) if any representation or warranty of a Party proves at any time to have been incorrect in any material respect when made and is material to the transactions contemplated hereby, if the effect of such incorrectness is not cured within thirty (30) days following receipt of written notice from the Non-Defaulting Party demanding such cure;

(4) Purchaser loses its rights to occupy and enjoy the Premises;

(5) a Party, or its guarantor, becomes insolvent or is a party to a bankruptcy, reorganization, insolvency, liquidation, receivership, dissolution, winding-up or relief of debtors, or any general assignment for the benefit of creditors or other

similar arrangement or any event occurs or proceedings are taken in any jurisdiction with respect to the Party which has a similar effect (or, if any such actions are initiated by a third party, such action(s) is(are) not dismissed within ninety (90) days); or

(6) Purchaser prevents Seller from installing the System or otherwise failing to perform in a way that prevents the delivery of electric energy from the System. Such Default Event shall not excuse Purchaser's obligations to make payments that otherwise would have been due under this Agreement.

b. **Remedies**.

(1) Remedies for Payment Default. If a Payment Default occurs, the Non-Defaulting Party may suspend performance of its obligations under this Agreement. Further, the Non-Defaulting Party may pursue any remedy under this Agreement, at law or in equity, including an action for damages and termination of this Agreement, upon five (5) days prior written notice to the Defaulting Party following the Payment Default.

(2) Remedies for Other Defaults. On the occurrence of a Default Event other than a Payment Default, the Non-Defaulting Party may pursue any remedy under this Agreement, at law or in equity, including an action for damages and termination of this Agreement or suspension of performance of its obligations under this Agreement, upon five (5) days prior written notice to the Defaulting Party following the occurrence of the Default Event. Nothing herein shall limit either Party's right to collect damages upon the occurrence of a breach or a default by the other Party that does not become a Default Event. If Purchaser terminates this contract without cause prior to System Installation a $5,000 design cancellation fee shall also apply in addition to any other remedy available to Seller.

(3) Damages Upon Termination by Default. Upon a termination of this Agreement by the Non-Defaulting Party as a result of a

Default Event by the Defaulting Party, the Defaulting Party shall pay a Termination Payment to the Non-Defaulting Party determined as follows (the "**Termination Payment**"):

A. Purchaser. If Purchaser is the Defaulting Party and Seller terminates this Agreement, the Termination Payment to Seller shall be equal to the sum of (i) reasonable compensation, on a net after tax basis assuming a tax rate of 35%, for the loss or recapture of (A) the investment tax credit equal to thirty percent (30%) of the System value; and (B) MACRS accelerated depreciation equal to eighty five percent (85%) of the System value, (C) loss of any Environmental Attributes or Environmental Incentives that accrue or are otherwise assigned to Seller pursuant to the terms of this Agreement (Seller shall furnish Purchaser with a detailed calculation of such compensation if such a claim is made), (D) other financing and associated costs not included in (A), (B) and (C), (ii) the net present value of the projected payments (using a discount rate of 9%) over the Term post-termination, had the Term remained effective for the full Initial Term, (iii) removal costs as provided in Section 13(b)(3)(C) and (iv) any and all other amounts previously accrued under this Agreement and then owed by Purchaser to Seller. The Parties agree that actual damages to Seller in the event this Agreement terminates prior to the expiration of the Term as the result of a Default Event by Purchaser would be difficult to ascertain, and the applicable Termination Payment is a reasonable approximation of the damages suffered by Seller as a result of early termination of this Agreement. The Termination Payment shall not be less than zero.

B. Seller. If Seller is the Defaulting Party and Purchaser terminates this Agreement, the Termination Payment to Purchaser shall be equal to the sum of (i) the present

value (using a discount rate of 9%) of the excess, if any, of the reasonably expected cost of electric energy from the Utility over the Contract Price for the reasonably expected production of the System for the remainder of the Initial Term or the then current Additional Term, as applicable; (ii) all costs reasonably incurred by Purchaser in re-converting its electric supply to service from the Utility; (iii) any removal costs incurred by Purchaser, and (iv) any and all other amounts previously accrued under this Agreement and then owed by Seller to Purchaser. The Termination Payment shall not be less than zero.

c. Obligations Following Termination. If a Non-Defaulting Party terminates this Agreement pursuant to this Section 13~~13~~(bb), then following such termination, Seller shall, at the sole cost and expense of the Defaulting Party, remove the equipment including the removal of System mounting pads or other support structures constituting the System. The Non-Defaulting Party shall take all commercially reasonable efforts to mitigate its damages as the result of a Default Event.

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14. **Representations and Warranties**.

a. **General Representations and Warranties.** Each Party represents and warrants to the other the following:

(1) Such Party is duly organized, validly existing and in good standing under the laws of the jurisdiction of its formation; the execution, delivery and performance by such Party of this Agreement have been duly authorized by all necessary corporate, partnership or limited liability company action, as applicable, and do not and shall not violate any law; and this Agreement is valid obligation of such Party, enforceable against such Party in accordance with its terms (except as may be limited by applicable bankruptcy, insolvency, reorganization, moratorium and other similar laws now or hereafter in effect relating to creditors' rights generally).

(2) Such Party has obtained all licenses, authorizations, consents and approvals required by any Governmental Authority or other third party and necessary for such Party to own its assets, carry on its business and to execute and deliver this Agreement; and such Party is in compliance with all laws that relate to this Agreement in all material respects.

b. **Purchaser's Representations and Warranties.** Purchaser represents and warrants to Seller the following:

(1) Lease. Purchaser has title to or a leasehold or other property interest in the Premises. Purchaser has the full right, power and authority to grant the Lease contained in Section 8(a). Such grant of the Lease does not violate any law, ordinance, rule or other governmental restriction applicable to Purchaser or the Facility and is not inconsistent with and will not result in a breach or default under any agreement by which Purchaser is bound or that affects the Facility. If Purchaser does not own the Premises or Facility, Purchaser has obtained all required consents from the owner of the Premises and/or Facility to grant the Lease and enter into and perform its obligations under this Agreement.

(2) Other Agreements. Neither the execution and delivery of this Agreement by Purchaser nor the performance by Purchaser of any of its obligations under this Agreement conflicts with or will result in a breach or default under any agreement or obligation to which Purchaser is a party or by which Purchaser or the Facility is bound.

(3) Accuracy of Information. All information provided by Purchaser to Seller, as it pertains to the Facility's physical configuration, Purchaser's planned use of the Facility, and Purchaser's estimated electricity requirements, is accurate in all material respects.

(4) Purchaser Status. Purchaser is not a public utility or a public utility holding company and is not subject to regulation as a public utility or a public utility holding company.

(5) No Pool Use. No electricity generated by the System will be used to heat a swimming pool.

c. **Seller's Warranties.**

(1) Under normal use and service conditions, the System will be free from defects in workmanship or defects in, or a breakdown of, materials or components during the Term.

(2) During the Term, Seller will repair or replace any defective part, material or component or correct any defective workmanship, at no cost or expense to Purchaser (including all labor costs), when Purchaser submits a valid claim to Seller under this Agreement. If Seller damages the Facility or property Seller will repair the damage Seller causes or pay Purchaser for the damage Seller causes. Seller may use new or reconditioned parts when making repairs or replacements. Seller may also, at no additional cost to Purchaser, upgrade or add to any part of the System.

(3) Seller's total liability arising out of or relating to this Section 13(c) shall in no event:

A. *For System Failure or Replacement*: exceed the total of the Purchaser's payments under this Agreement during the previous twelve (12) month period; and

B. *For damages to the Facility or property*: exceed three million dollars ($3,000,000).

d. **NO OTHER WARRANTY.** OTHER THAN AS EXPRESSLY SET FORTH IN SECTIONS 14(A) and 14(C), NO WARRANTY, WHETHER STATUTORY, WRITTEN, ORAL, EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, OR WARRANTIES ARISING FROM COURSE OF DEALING OR USAGE OF TRADE SHALL APPLY UNDER THIS AGREEMENT. THE REMEDIES SET FORTH IN THIS AGREEMENT SHALL BE PURCHASER'S SOLE AND EXCLUSIVE REMEDIES FOR ANY CLAIM OR LIABILITY ARISING OUT OF OR

IN CONNECTION WITH THIS AGREEMENT, WHETHER ARISING IN CONTRACT, TORT (INCLUDING NEGLIGENCE), STRICT LIABILITY OR OTHERWISE.

15. **System Damage and Insurance**.

a. **System Damage**. If the **System** is damaged or destroyed other than by Purchaser's gross negligence or willful misconduct, Seller shall promptly repair and restore the System to its pre-existing condition; provided, however, that if more than fifty percent (50%) of the System is destroyed during the last five (5) years of the Initial Term or during any Additional Term, Seller shall not be required to restore the System, but may instead terminate this Agreement, unless Purchaser agrees (i) to pay for the cost of such restoration of the System or (ii) to purchase the System "AS-IS" at the greater of (A) then current fair market value of the System and (B) the sum of the amounts described in Section 13.b(3)A~~13.b(3)A~~)(i) (using the date of purchase to determine the appropriate Contract Year) and Section 13.b(3)A~~13.b(3)A~~)(iii).

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b. **Insurance Coverage.** At all times during the Term, Seller and Purchaser shall maintain the following insurance:

i. Seller's Insurance. At all times during the Term, Seller shall maintain at its own cost the following insurance and shall provide proof thereof to Purchaser, in the form of a Certificate of Insurance, prior to commencing work under this Agreement. Seller agrees that its subcontractors, if any, will maintain the coverages required in an amount and to the extent Seller determines appropriate relative to each subcontractor's' scope of work. :

(1) **Worker's Compensation** Employer's Liability and Disability Benefits Coverage (statutory limits). In compliance with the Workers' Compensation Law of the State of New York, Seller shall provide:

A. a certificate of insurance on an Acord form indicating proof of coverage for Worker's Compensation, Employer's Liability and Disability Benefits Coverage, **OR**

B. a New York State Workers Compensation Notice of Compliance (Form C-105, Form U- 26.3, Form SI-12 or Form SI-105.2P) and New York State Notice of Compliance- Disability Benefits Law (Form DB-120 or DB-20.1).

C. In the event that the Contractor is exempt from providing coverage, he must provide a properly executed copy of the Certificate of Attestation of Exemption from NYS Workers' Compensation and/or Disability Benefits Coverage: Form CE-200.

(2) **Commercial General Liability** Insurance coverage including blanket contractual coverage for the operation of the program under this Agreement with limits not less than $1,000,000 per occurrence and $2,000,000 in the aggregate. This insurance shall be written on an occurrence coverage form and include bodily injury and property damage liability. Purchaser must be included as additional insured. The additional insured endorsement for the Commercial General Liability insurance required above shall not contain any exclusion for bodily injury or property damage arising from completed operations. All construction, trade contractor, and service maintenance agreements must utilize the additional insured endorsement CG 2010 and CG 2037 March 2013 edition or current equivalents. The insurance coverage shall contain a waiver of subrogation in favor of Purchaser. Acceptable proof of the waiver of subrogation and Purchaser's additional insured status may be evidenced through a copy of the policy form or endorsement.

(3) **Commercial Umbrella Liability** insurance coverage with limits not less than $5,000,000 per occurrence and $5,000,000 aggregate. Coverage will be on a follow form or excess of the commercial liability and auto liability policies. The insurance coverage shall contain a waiver of subrogation in favor of Purchaser. Acceptable proof of the waiver of subrogation and Purchaser's additional insured status may be

evidenced through a copy of the endorsement. The total limits for General Liability and Umbrella liability can be met through a combination of the two policies.

(4) **Automobile Liability** Insurance coverage for all owned, scheduled, hired, and non-owned vehicles with a combined single limit of liability of not less than $1,000,000. This insurance shall include coverage for bodily injury and property damage. Purchaser must be included as additional insured. Acceptable proof of Purchaser's additional insured status may be obtained by submitting a copy of the policy form or endorsement. The insurance coverage shall contain a waiver of subrogation in favor of Purchaser.

(5) **PURCHASER MUST BE NAMED AS THE CERTIFICATE HOLDER AND ADDITIONAL INSURED.**

(6) All policies of insurance referred to above shall be underwritten by companies authorized to do business in the State of New York with an A.M. Best financial strength rating of A- or better. In addition, every policy required above shall be primary insurance and any insurance carried by Purchaser, its officers, or its employees shall be excess and not contributory insurance to that provided by Seller. Seller shall be solely responsible for any deductible losses under each of the policies required above.

(7) Payment(s) to Seller may be suspended in the event Seller fails to provide the required insurance documentation in a timely manner.

(8) Prior to cancellation in any policy, a thirty (30) day notice shall be given to the County Attorney at the address listed below, with the exception of a ten (10) day notice for nonpayment of premium:

Dutchess County Attorney

County Office Building
22 Market Street
Poughkeepsie, New York 12601

(9) On receipt of such notice, Purchaser shall require Seller to replace the cancelled insurance policy, , so that the insurance coverage required by this paragraph is maintained continuously throughout the term of this Agreement in form and substance acceptable to Purchaser. Failure of Seller to take out or to maintain, or the taking out or the maintenance of any required insurance shall provide Purchaser with the option to purchase such expired insurance once Seller confirms no such insurance is in place and bill such premium to Seller, and shall not relieve Seller from any liability under this Agreement nor shall the insurance requirements be construed to conflict with or to limit the obligations of Seller concerning indemnification.

(10) All Certificates of Insurance shall be approved by Purchaser's Director of Risk Management or designee prior to commencement of any work under this Agreement.

ii. Purchaser's Insurance. Purchaser shall maintain commercial general liability insurance with coverage of at least $1,000,000 per occurrence and $2,000,000 annual aggregate.

c. **Policy Provisions.** All insurance policies provided hereunder, except where municipalities are self-insured, shall (, (ii) be written on an occurrence basis, iii) be maintained with companies either rated no less than A-VII as to Policy Holder's Rating in the current edition of A.M. Best's Insurance Guide or otherwise reasonably acceptable to the other party.

d. **Certificates.** Upon the other Party's request each Party shall deliver the other Party certificates of insurance evidencing the above required coverage. A Party's receipt, review or acceptance of such certificate shall in no way limit or relieve the other Party of the duties and responsibilities to maintain insurance as set forth in this Agreement.

e. **Deductibles.** Unless and to the extent that a claim is covered by an indemnity set forth in this Agreement, each Party shall be responsible for the payment of its own deductibles.

16. **Ownership; Option to Purchase.**

a. **Ownership of System.** Throughout the Term, Seller shall be the legal and beneficial owner of the System at all times, including all Environmental Attributes, and the System shall remain the personal property of Seller and shall not attach to or be deemed a part of, or fixture to, the Facility or the Premises. Each of the Seller and Purchaser agree that the Seller is the tax owner of the System and all tax filings and reports will be filed in a manner consistent with this Agreement. The System shall at all times retain the legal status of personal property as defined under Article 9 of the Uniform Commercial Code. Purchaser covenants that it will use commercially reasonable efforts to place all parties having an interest in or a mortgage, pledge, lien, charge, security interest, encumbrance or other claim of any nature on the Facility or the Premises on notice of the ownership of the System and the legal status or classification of the System as personal property. If there is any mortgage or fixture filing against the Premises which could reasonably be construed as prospectively attaching to the System as a fixture of the Premises, Purchaser shall provide a disclaimer or release from such lienholder. If Purchaser is the fee owner of the Premises, Purchaser consents to the filing of a disclaimer of the System as a fixture of the Premises in the office where real estate records are customarily filed in the jurisdiction where the Facility is located. If Purchaser is not the fee owner, Purchaser will obtain such consent from such owner. For the avoidance of doubt, in either circumstance Seller shall file such disclaimer. Upon request, Purchaser agrees to deliver to Seller a non-disturbance agreement in a form reasonably acceptable to Seller from the owner of the Facility (if the Facility is leased by Purchaser), any mortgagee with a lien on the Premises, and other Persons holding a similar interest in the Premises. To the extent that Purchaser does not own the Premises or Facility, Purchaser shall provide to Seller immediate written notice of receipt of notice of eviction from the Premises or Facility or termination of Purchaser's lease of the Premises and/or Facility.

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b. **Option to Purchase.** At the end of the sixth (6th) and tenth (10th) Contract Years and at the end of the Initial Term and each Additional Term, so long as Purchaser is not in default under this Agreement, Purchaser may purchase the System from Seller on any such date for a

purchase price equal to the Fair Market Value of the System. The "**Fair Market Value**" of the System shall be determined by mutual agreement of Purchaser and Seller; provided, however, if Purchaser and Seller cannot agree to a Fair Market Value within thirty (30) days after Purchaser has exercised its option, the Parties shall select a nationally recognized independent appraiser with experience and expertise in the solar photovoltaic industry to determine the Fair Market Value of the System. Such appraiser shall act reasonably and in good faith to determine the Fair Market Value of the System on an installed basis and shall set forth such determination in a written opinion delivered to the Parties; provided that in no event shall the Fair Market Value be less than the aggregate of the amounts calculated under Sections 13(b)(3)(A)(ii) and (iv) as of the date of System title transfer. The valuation made by the appraiser shall be binding upon the Parties in the absence of fraud or manifest error. The costs of the appraisal shall be borne by the Parties equally. Purchaser must provide a notification to Seller of its intent to purchase at least ninety (90) days and not more than one hundred eighty (180) days prior to the end of the applicable Contract Year or the Initial Term or Additional Term, as applicable, and the purchase shall be complete prior to the end of the applicable Contract Year or the Initial Term or Additional Term, as applicable. Upon purchase of the System, Purchaser will assume complete responsibility for the operation and maintenance of the System and liability for the performance of the System, and Seller shall have no further liabilities or obligations hereunder.

17. **Indemnification and Limitations of Liability**.

a. **General**. Each Party (the "**Indemnifying Party**") shall defend, indemnify and hold harmless the other Party and the directors, officers, shareholders, partners, members, agents and employees of such other Party, and the respective affiliates of each thereof (collectively, the "**Indemnified Parties**"), from and against all loss, damage, expense, liability and other claims, including court costs and reasonable attorneys' fees (collectively, "**Liabilities**") resulting from any third party actions relating to the breach of any representation or warranty set forth in Section 1414 and from injury to or death of persons, and damage to or loss of property to the extent caused by or arising out of the negligent acts or omissions of, or the willful misconduct of, the Indemnifying Party (or its

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contractors, agents or employees) in connection with this Agreement; provided, however, that nothing herein shall require the Indemnifying Party to indemnify the Indemnified Party for any Liabilities to the extent caused by or arising out of the negligent acts or omissions of, or the willful misconduct of, the Indemnified Party. This Section 17~~17~~(a~~a~~) however, shall not apply to liability arising from any form of hazardous substances or other environmental contamination, such matters being addressed exclusively by Section 17~~17~~(c~~e~~).

b. **Notice and Participation in Third Party Claims**. The Indemnified Party shall give the Indemnifying Party written notice with respect to any Liability asserted by a third party (a "**Claim**"), as soon as possible upon the receipt of information of any possible Claim or of the commencement of such Claim. The Indemnifying Party may assume the defense of any Claim, at its sole cost and expense, with counsel designated by the Indemnifying Party and reasonably satisfactory to the Indemnified Party. The Indemnified Party may, however, select separate counsel if both Parties are defendants in the Claim and such defense or other form of participation is not reasonably available to the Indemnifying Party. The Indemnifying Party shall pay the reasonable attorneys' fees incurred by such separate counsel until such time as the need for separate counsel expires. The Indemnified Party may also, at the sole cost and expense of the Indemnifying Party, assume the defense of any Claim if the Indemnifying Party fails to assume the defense of the Claim within a reasonable time. Neither Party shall settle any Claim covered by this Section 17~~17~~(b~~b~~) unless it has obtained the prior written consent of the other Party, which consent shall not be unreasonably withheld or delayed. The Indemnifying Party shall have no liability under this Section 17~~17~~(b~~b~~) for any Claim for which such notice is not provided if that the failure to give notice prejudices the Indemnifying Party.

c. **Environmental Indemnification**. Seller shall indemnify, defend and hold harmless all of Purchaser's Indemnified Parties from and against all Liabilities arising out of or relating to the existence at, on, above, below or near the Premises of any Hazardous Substance (as defined in Section 17~~17~~(c~~e~~)(i~~i~~)) to the extent deposited, spilled or otherwise caused by Seller or any of its contractors or agents. Purchaser shall indemnify, defend and hold harmless all of Seller's Indemnified Parties from and against all

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Liabilities arising out of or relating to the existence at, on, above, below or near the Premises of any Hazardous Substance, except to the extent deposited, spilled or otherwise caused by Seller or any of its contractors or agents. Each Party shall promptly notify the other Party if it becomes aware of any Hazardous Substance on or about the Premises generally or any deposit, spill or release of any Hazardous Substance.

i. "**Hazardous Substance**" means any chemical, waste or other substance (a) which now or hereafter becomes defined as or included in the definition of "hazardous substances," "hazardous wastes," "hazardous materials," "extremely hazardous wastes," "restricted hazardous wastes," "toxic substances," "toxic pollutants," "pollution," "pollutants," "regulated substances," or words of similar import under any laws pertaining to the environment, health, safety or welfare, (b) which is declared to be hazardous, toxic, or polluting by any Governmental Authority, (c) exposure to which is now or hereafter prohibited, limited or regulated by any Governmental Authority, (d) the storage, use, handling, disposal or release of which is restricted or regulated by any Governmental Authority, or (e) for which remediation or cleanup is required by any Governmental Authority.

d. **Limitations on Liability**.

i. No Consequential Damages. Neither Party nor its directors, officers, shareholders, partners, members, agents and employees subcontractors or suppliers shall be liable for any indirect, special, incidental, exemplary, or consequential loss or damage of any nature arising out of their performance or non-performance hereunder even if advised of such.

ii. Actual Damages. Seller's aggregate liability under this Agreement arising out of or in connection with the performance or non-performance of this Agreement shall not exceed the total payments made (or, as applicable, projected to be made) by Purchaser under this Agreement. The provisions of this Section (17~~17~~)(~~dd~~)(~~iiii~~) shall apply whether such liability arises in contract, tort (including negligence), strict liability or otherwise.

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18. **Force Majeure**.

a. **"Force Majeure"** means any event or circumstances beyond the reasonable control of and without the fault or negligence of the Party claiming Force Majeure. It shall include, without limitation, failure or interruption of the production, delivery or acceptance of electricity due to: an act of God; war (declared or undeclared); sabotage; riot; insurrection; civil unrest or disturbance; military or guerilla action; terrorism; economic sanction or embargo; civil strike, work stoppage, slow-down, or lock-out; explosion; fire; earthquake; abnormal weather condition or actions of the elements; hurricane; flood; lightning; wind; drought; the binding order of any Governmental Authority (provided that such order has been resisted in good faith by all reasonable legal means); the failure to act on the part of any Governmental Authority (provided that such action has been timely requested and diligently pursued); unavailability of electricity from the utility grid, equipment, supplies or products (but not to the extent that any such availability of any of the foregoing results from the failure of the Party claiming Force Majeure to have exercised reasonable diligence); and failure of equipment not utilized by or under the control of the Party claiming Force Majeure.

b. Except as otherwise expressly provided to the contrary in this Agreement, if either Party is rendered wholly or partly unable to timely perform its obligations under this Agreement because of a Force Majeure event, that Party shall be excused from the performance affected by the Force Majeure event (but only to the extent so affected) and the time for performing such excused obligations shall be extended as reasonably necessary; provided, that: (i) the Party affected by such Force Majeure event, as soon as reasonably practicable after obtaining knowledge of the occurrence of the claimed Force Majeure event, gives the other Party prompt oral notice, followed by a written notice reasonably describing the event; (ii) the suspension of or extension of time for performance is of no greater scope and of no longer duration than is required by the Force Majeure event; and (iii) the Party affected by such Force Majeure event uses all reasonable efforts to mitigate or remedy its inability to perform as soon as reasonably possible. The Term shall be extended day for day for each day performance is suspended due to a Force Majeure event.

c. Notwithstanding anything herein to the contrary, the obligation to make any payment due under this Agreement shall not be excused by a Force Majeure event that impacts Purchaser's ability to make payment.

d. If a Force Majeure event continues for a period of one hundred (180) days or more within a twelve (12) month period and prevents a material part of the performance by a Party hereunder, the Party not claiming the Force Majeure shall have the right to terminate this Agreement without fault or further liability to either Party (except for amounts accrued but unpaid).

19. **Assignment and Financing**.

a. **Assignment**. This Agreement may not be assigned in whole or in part by either Party without the prior written consent of the other Party, which consent shall not be unreasonably withheld or delayed. Notwithstanding the foregoing, Seller may, without the prior written consent of Purchaser, (i) assign, mortgage, pledge or otherwise collaterally assign its interests in this Agreement to any Financing Party, (ii) directly or indirectly assign this Agreement to an affiliate of Seller, (iii) assign this Agreement to any entity through which Seller is obtaining financing or capital for the System and (iv) assign this Agreement to any person succeeding to all or substantially all of the assets of Seller (provided that Seller shall be released from liability hereunder as a result of any of the foregoing permitted assignments only upon assumption of Seller's obligations hereunder by the assignee). Purchaser's consent to any other assignment shall not be unreasonably withheld if Purchaser has been provided with reasonable proof that the proposed assignee (x) has comparable experience in operating and maintaining photovoltaic solar systems comparable to the System and providing services comparable to those contemplated by this Agreement and (y) has the financial capability to maintain the System and provide the services contemplated by this Agreement in the manner required by this Agreement. This Agreement shall be binding on and inure to the benefit of the successors and permitted assignees.

b. **Financing**. The Parties acknowledge that Seller may obtain construction and long-term financing or other credit support from lenders or third parties (including tax equity or similar investors) ("**Financing Parties**") in connection with the installation, construction, ownership, operation and

maintenance of the System. Both Parties agree in good faith to consider and to negotiate changes or additions to this Agreement that may be reasonably requested by the Financing Parties; provided, that such changes do not alter the fundamental economic terms of this Agreement. The Parties also agree that Seller may assign this Agreement to the Financing Parties as collateral, and in connection with any such assignment, Purchaser agrees to execute a consent to assignment in customary form and reasonably acceptable to the Financing Parties.

20. **Confidentiality and Publicity**. The obligations of this Section 20 are subject to Purchaser's compliance with the New York State Freedom of Information Law as set forth in Article 6 of the New York State Public Officers Law.

a. **Confidentiality**. If either Party provides confidential information, including business plans, strategies, financial information, proprietary, patented, licensed, copyrighted or trademarked information, and/or technical information regarding the design, operation and maintenance of the System or of Purchaser's business ("**Confidential Information**") to the other or, if in the course of performing under this Agreement or negotiating this Agreement a Party learns Confidential Information regarding the facilities or plans of the other, the receiving Party shall (a) protect the Confidential Information from disclosure to third parties with the same degree of care accorded its own confidential and proprietary information, and (b) refrain from using such Confidential Information, except in the negotiation and performance of this Agreement. Notwithstanding the above, a Party may provide such Confidential Information to its, officers, directors, members, managers, employees, agents, contractors and consultants (collectively, "**Representatives**"), and affiliates, lenders, and potential assignees of this Agreement (provided and on condition that such potential assignees be bound by a written agreement or legal obligation restricting use and disclosure of Confidential Information), in each case whose access is reasonably necessary to the negotiation and performance of this Agreement. Each such recipient of Confidential Information shall be informed by the Party disclosing Confidential Information of its confidential nature and shall be directed to treat such information confidentially and shall agree to abide by these provisions. In any event, each Party shall be liable (with respect to the other Party) for any breach of this provision by any entity to whom that Party improperly discloses Confidential Information. The terms of this Agreement (but not its execution or existence) shall be considered Confidential Information for purposes of this Section 20~~20~~(a~~a~~), except as set forth in Section 20~~20~~(b~~b~~). All Confidential Information shall remain the property of the disclosing Party and shall be returned to the disclosing Party or destroyed after the receiving Party's need for it has expired or upon the request of the disclosing Party. Each Party agrees that the disclosing Party would be irreparably injured by a breach of this Section 20~~20~~(a~~a~~) by the receiving Party or its Representatives or other person to whom the receiving Party discloses Confidential Information of the disclosing Party and that the disclosing Party may be entitled to equitable relief, including injunctive relief and specific performance, in the event of

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a breach of the provision of this Section 2020(aa). To the fullest extent permitted by applicable law, such remedies shall not be deemed to be the exclusive remedies for a breach of this Section 2020(aa), but shall be in addition to all other remedies available at law or in equity.

b. **Permitted Disclosures**. Notwithstanding any other provision in this Agreement, neither Party shall be required to hold confidential any information that (i) becomes publicly available other than through the receiving Party, (ii) is required to be disclosed to or by a Governmental Authority under applicable law or pursuant to a validly issued subpoena (but a receiving Party subject to any such requirement shall promptly notify the disclosing Party of such requirement to the extent permitted by applicable law), (iii) is independently developed by the receiving Party or (iv) becomes available to the receiving Party without restriction from a third party under no obligation of confidentiality. If disclosure of information is required by a Governmental Authority, the disclosing Party shall, to the extent permitted by applicable law, notify the other Party of such required disclosure promptly upon becoming aware of such required disclosure and shall cooperate with the other Party in efforts to limit the disclosure to the maximum extent permitted by law.

21. **Goodwill and Publicity**. Neither Party shall use any name, trade name, service mark or trademark of the other Party in any promotional or advertising material without the prior written consent of such other Party. The Parties shall coordinate and cooperate with each other when making public announcements related to the execution and existence of this Agreement, and each Party shall have the right to promptly review, comment upon and approve any publicity materials, press releases or other public statements by the other Party that refer to, or that describe any aspect of, this Agreement. Neither Party shall make any press release or public announcement of the specific terms of this Agreement (except for filings or other statements or releases as may be required by applicable law) without the specific prior written consent of the other Party. Without limiting the generality of the foregoing, all public statements must accurately reflect the rights and obligations of the Parties under this Agreement, including the ownership of Environmental Attributes and Environmental Incentives and any related reporting rights.

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22. **General Provisions**

a. **Choice of Law**. The law of the state where the System is located shall govern this Agreement without giving effect to conflict of laws principles.

b. **Jurisdiction, Venue and Attorneys' Fees**. Any dispute arising from or relating to this Agreement shall be properly sited in the federal court in the Southern District of New York State or New York Supreme Court located in Dutchess County, New York.

c. **Notices**. All notices under this Agreement shall be in writing and shall be by personal delivery, facsimile transmission, electronic mail, overnight courier, or regular, certified, or registered mail, return receipt requested, and deemed received upon personal delivery, acknowledgment of receipt of electronic transmission, the promised delivery date after deposit with overnight courier, or five (5) days after deposit in the mail. Notices shall be sent to the person identified in this Agreement at the addresses set forth in this Agreement or such other address as either party may specify in writing. Each party shall deem a document faxed, emailed or electronically sent in PDF form to it as an original document.

d. **Survival**. Provisions of this Agreement that should reasonably be considered to survive termination of this Agreement shall survive. For the avoidance of doubt, surviving provisions shall include, without limitation, Section 4 (Representations and Warranties), Section 14(d) (No Other Warranty), Section 1515(bb) (Insurance Coverage), Section 1717 (Indemnification and Limits of Liability), Section 2020 (Confidentiality and Publicity), Section 2222(aa) (Choice of Law), Section 2222 (bb) (Jurisdiction, Venue and Attorneys' Fees), Section 2222(cc) (Notices), Section 2222 (gg) (Comparative Negligence), Section 2222(hh) (Non-Dedication of Facilities), Section 2222(jj) (Service Contract), Section 2222(kk) (No Partnership) Section 2222(ll) (Full Agreement, Modification, Invalidity, Counterparts, Captions) and Section 2222(nn) (No Third Party Beneficiaries).

e. **Further Assurances**. Each of the Parties hereto agree to provide such information, execute and deliver any instruments and documents and to take such other actions as may be necessary or reasonably requested by the other Party which are not inconsistent with the provisions of this

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Agreement and which do not involve the assumptions of obligations other than those provided for in this Agreement, to give full effect to this Agreement and to carry out the intent of this Agreement.

f. **Right of Waiver**. Each Party, in its sole discretion, shall have the right to waive, defer or reduce any of the requirements to which the other Party is subject under this Agreement at any time; provided, however that neither Party shall be deemed to have waived, deferred or reduced any such requirements unless such action is in writing and signed by the waiving Party. No waiver will be implied by any usage of trade, course of dealing or course of performance. A Party's exercise of any rights hereunder shall apply only to such requirements and on such occasions as such Party may specify and shall in no event relieve the other Party of any requirements or other obligations not so specified. No failure of either Party to enforce any term of this Agreement will be deemed to be a waiver. No exercise of any right or remedy under this Agreement by Purchaser or Seller shall constitute a waiver of any other right or remedy contained or provided by law. Any delay or failure of a Party to exercise, or any partial exercise of, its rights and remedies under this Agreement shall not operate to limit or otherwise affect such rights or remedies. Any waiver of performance under this Agreement shall be limited to the specific performance waived and shall not, unless otherwise expressly stated in writing, constitute a continuous waiver or a waiver of future performance.

g. **Comparative Negligence**. It is the intent of the Parties that where negligence is determined to have been joint, contributory or concurrent, each Party shall bear the proportionate cost of any Liability.

h. **Non-Dedication of Facilities**. Nothing herein shall be construed as the dedication by either Party of its facilities or equipment to the public or any part thereof. Neither Party shall knowingly take any action that would subject the other Party, or other Party's facilities or equipment, to the jurisdiction of any Governmental Authority as a public utility or similar regulated entity. Neither Party shall assert in any proceeding before a court or regulatory body that the other Party is a public utility by virtue of such other Party's performance under this agreement. If Seller is reasonably likely to become subject to regulation as a public utility, then

the Parties shall use all reasonable efforts to restructure their relationship under this Agreement in a manner that preserves their relative economic interests while ensuring that Seller does not become subject to any such regulation. If the Parties are unable to agree upon such restructuring, Seller shall have the right to terminate this Agreement without further liability, and Seller shall remove the System in accordance with Section 11 of this Agreement.

i. **Estoppel**. Either Party hereto, without charge, at any time and from time to time, within five (5) business days after receipt of a written request by the other party hereto, shall deliver a written instrument, duly executed, certifying to such requesting party, or any other person specified by such requesting Party: (i) that this Agreement is unmodified and in full force and effect, or if there has been any modification, that the same is in full force and effect as so modified, and identifying any such modification; (ii) whether or not to the knowledge of any such party there are then existing any offsets or defenses in favor of such party against enforcement of any of the terms, covenants and conditions of this Agreement and, if so, specifying the same and also whether or not to the knowledge of such party the other party has observed and performed all of the terms, covenants and conditions on its part to be observed and performed, and if not, specifying the same; and (iii) such other information as may be reasonably requested by the requesting Party. Any written instrument given hereunder may be relied upon by the recipient of such instrument, except to the extent the recipient has actual knowledge of facts contained in the certificate.

j. **Service Contract**. The Parties intend this Agreement to be a "service contract" within the meaning of Section 7701(e)(3) of the Internal Revenue Code of 1986. Purchaser will not take the position on any tax return or in any other filings suggesting that it is anything other than a purchase of electricity from the System.

k. **No Partnership**. No provision of this Agreement shall be construed or represented as creating a partnership, trust, joint venture, fiduciary or any similar relationship between the Parties. No Party is authorized to act on behalf of the other Party, and neither shall be considered the agent of the other.

l. **Full Agreement, Modification, Invalidity, Counterparts, Captions.** This Agreement, together with any Exhibits, completely and exclusively states the agreement of the parties regarding its subject matter and supersedes all prior proposals, agreements, or other communications between the parties, oral or written, regarding its subject matter. This Agreement may be modified only by a writing signed by both Parties. If any provision of this Agreement is found unenforceable or invalid, such unenforceability or invalidity shall not render this Agreement unenforceable or invalid as a whole. In such event, such provision shall be changed and interpreted so as to best accomplish the objectives of such unenforceable or invalid provision within the limits of applicable law. This Agreement may be executed in any number of separate counterparts and each counterpart shall be considered an original and together shall comprise the same Agreement. The captions or headings in this Agreement are strictly for convenience and shall not be considered in interpreting this Agreement.

m. **Forward Contract.** The transaction contemplated under this Agreement constitutes a "forward contract" within the meaning of the United States Bankruptcy Code, and the Parties further acknowledge and agree that each Party is a "forward contract merchant" within the meaning of the United States Bankruptcy Code.

n. **No Third Party Beneficiaries.** Except as otherwise expressly provided herein, this Agreement and all rights hereunder are intended for the sole benefit of the Parties hereto and shall not imply or create any rights on the part of, or obligations to, any other Person.

o. **Approval by Purchaser Legislature.** This Agreement is subject to approval by the Dutchess County Legislature, and notwithstanding anything to the contrary herein, this Agreement shall become effective and binding upon the Parties only upon Purchaser's receipt of such approval. If such approval is not obtained within three months following the Effective Date, either Party may, upon 10 days' written notice to the other, terminate this Agreement without further liability hereunder.

End of Exhibit 4

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Exhibit 5

Additional Objectives, Terms and Conditions

1. Seller, or a Qualified Party, as defined by applicable law, at Seller's direction, shall prepare required materials and conduct studies as needed to complete the State Environmental Quality Review (the "**SEQR**"), including as applicable and without limitation, any required planametric survey of the prospective sites including; benchmark points, contours, depth of bedrock, depth of ground water, vegetative survey, requirements of the New York State Historic Preservation Office, noise studies, and utilities survey.
2. Seller shall photo document the Premises prior to commencement of work on the Premises.
3. To the extent required by applicable law, Seller shall contact Dig Safely New York in accordance with applicable law prior to commencement of work on the Premises, and shall comply with the obligations set forth in New York State Code Rule 753 to the extent applicable to the System.
4. Seller to obtain all legally required approvals from the New York State Historic Preservation Office , as deemed necessary from the SEQR review, for Seller to perform work on the Premises.
5. Seller shall begin post-construction restoration within fourteen (14) days of completing its construction activities, as required by applicable law.
6. The Parties shall work together to develop mutually agreeable:
    a. periodic site inspection schedule;
    b. violation of applicable law notification and stop work request procedures;
    c. background check procedures and obligations for all contractors coming to site;
    d. Maintenance plans for transformers owned by each Party, if applicable;
    e. Procedures and standards for Project communication in addition to the notice requirements set forth in the Agreement; and
    f. Communications protocols and site interface responsibilities, including as appropriate the identification of appropriate Purchaser and Seller personnel.
7. Seller shall perform Site-related diligence prior to commencing constructions.
8. Groundcover used for restoration of the site following the expiration of the Term shall not be an invasive species in contravention of applicable law.

9. In its performance of this Agreement, Seller shall comply with the applicable terms of any permits obtained hereunder, and with applicable environmental laws.
10. Seller shall perform detailed glare analysis in preparation for review and approval by the FAA (for the landings and take-offs from Dutchess County Airport) and by the NYSDOT (for driving impact on State Route 376).
11. Seller shall obtain FAA approval for the proposed location of the solar array working with the Purchaser.
12. Seller shall obtain NYSDOT approval for the proposed location of the solar array working with the Purchaser.

End of Exhibit 5

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nyserda
Energy. Innovation. Solutions.

NY-Sun Competitive PV Program
Program Opportunity Notice (PON) 2956
$60,000,000 Available

Proposals Due:*
July 17 2014, by 5:00 PM Eastern Time

The New York State Energy Research and Development Authority (NYSERDA) is pleased to announce the availability of up to $60 million in funding under the **NY-Sun Competitive Photovoltaic (PV) Program.** NYSERDA invites Applicants to submit proposals for the installation of customer-sited PV projects or Renewable Biogas-fueled electric generation (ADG) projects larger than 200 kW in New York Independent System Operator (NYISO) load zones A-F, G&H, and I&J. Applicants whose Qualifications and proposed Project Site(s) meet or exceed minimum program requirements (as defined herein and reviewed by a Technical Evaluation Panel) will be competitively selected based on their incentive bid in dollars per kilowatt hour ($/kWh). All projects must be installed, interconnected, and operational by April 30, 2016.

Up to $60 million in funding is available. NYSERDA may, at its discretion, award funding in addition to that amount.

NYSERDA will conduct a teleconference for prospective Applicants on May 28, 2014, **at 1 pm EST.** NYSERDA will review the PON requirements and address questions. Those who wish to participate in the teleconference must send an e-mail indicating their intent to participate to the following e-mail address CompetitivePV@nyserda.ny.gov, by 12:00 noon EST on May 21, 2014, with the subject line "PON 2956 Teleconference." Participants will be provided call in information on or about May 27th.

Proposal Submission:
Applicants must submit:

- Two (2) hard copies of the Proposal Checklist (Attachment A) and the Disclosure of Prior Findings of Non-responsibility Form (Attachment B). At least one of the Proposal Checklists must contain an original signature. The Attachment A and B should then be followed by the items listed below.
- Two (2) hard copies of the Applicant Qualification Package.
- Two (2) hard copies of the Project Site Package for each Project Site, which includes two (2) signed copies of the Project Site Detail from Attachment C. At least one of the Project Site Detail forms must contain a signature.
- One (1) compact disc (CD) compatible with Microsoft Windows XP® containing an exact digital copy of the original paper copy of the Applicant Qualification Package and each Project Site Package, in Portable Document Format (PDF) except for Attachments that are in excel format, those **must** be provided on the CD in excel.

Proposals must be <u>received</u> **by NYSERDA by 5:00 pm eastern time on July 17, 2014**, and must be clearly labeled and submitted to:

Roseanne Viscusi, PON 2956
NYS Energy Research and Development Authority
17 Columbia Circle
Albany, NY 12203-6399

Late proposals and proposals lacking the appropriate completed and signed Proposal Checklist will be returned. Faxed or e-mailed proposals will not be accepted. Proposals will not be accepted at any other NYSERDA

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location other than the address above. If changes are made to this solicitation, notification will be posted on NYSERDA's web site at www.nyserda.ny.gov.

If you have technical questions concerning this solicitation, contact Alison Neligan at (518) 862-1090, ext. 3397 (aln@nyserda.ny.gov). If you have contractual questions concerning this solicitation, contact Venice Forbes at (518) 862-1090, ext. 3507 (vwf@nyserda.ny.gov).

NOTE: CAPITALIZED TERMS APPEARING IN THIS PON ARE DEFINED IN SECTION IX (DEFINITIONS). APPLICANTS SHOULD REFER TO SECTION IX WHEN READING THIS DOCUMENT. APPLICANTS SHOULD READ THIS PON, INCLUDING THE DEFINITIONS AND ATTACHMENTS, IN ITS ENTIRETY BEFORE SUBMITTING A PROPOSAL.

No communication intended to influence this procurement is permitted except by contacting Alison Neligan (Designated Contact) at (518) 862-1090, ext. 3397 or aln@nyserda.ny.gov. Contacting anyone other than the Designated Contact (either directly by the Applicant or indirectly through a lobbyist or other person acting on the Applicant's behalf) in an attempt to influence this procurement may result in an Applicant being deemed non-responsible, and may result in the Applicant not being awarded a contract.

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I. INTRODUCTION

In accordance with a series of New York State Public Service Commission Orders,[1] NYSERDA seeks proposals under the NY-Sun Competitive PV Program. Proposals will be competitively selected for the installation of customer-sited PV[2] in NYISO load zones A-F, G&H, and I&J. All systems must be greater than 200 kW. All Projects must be installed, interconnected, and operational by April 30, 2016. The following is a link to a map of the NYISO load zones:
http://www.nyiso.com/public/webdocs/market_data/zone_maps_graphs/nyca_zonemaps.pdf.

All PV equipment must be electrically interconnected on the customer side of a utility meter installed at a site that pays the RPS surcharge as part of its electricity bill (referred to as "RPS" or "RPS/SBC" on utility bill). Proposals will be assessed first for completeness and then on a pass/fail basis with respect to the proposing team's demonstrated competency; proposals demonstrating sufficient competency will be evaluated exclusively on the Incentive Bid in dollars per kilowatt hour ($/kWh) for each Project Site.

Significant Changes from PON 2860:

- The Payment structure has been changed; the two up-front payments under previous PONs will now be reduced to one up-front payment in the amount of 30% of the Project Site Incentive. **Performance payments have been reduced from three years to two years,** to total up to 70% of the Project Site Incentive, based on actual performance.
- Project and Applicant incentive caps have been removed for PV.
- Applicants may submit proposals that include projects at customer sites served by NYPA. Funding for such projects is subject to a proposal before the NYSERDA Board at its June 24th meeting.
- In the event of a bid price tie, or virtual tie (e.g. within $0.003/kWh), the selection process may take other factors into consideration as the tie-breaker; factors such as greater likelihood of installation (e.g. signed contract in place with the customer) and/or whether the proposed project is in a strategic location.
- For project proposals that include dual axis tracker systems, the available capacity factor is now 17.5% (0.175).
- An additional $50,000 integration incentive has been added for projects that integrate energy efficiency measures that reduce the energy use intensity (kBtu/sq. ft./year) at the customer site by a minimum of 15%, relative to the baseline energy use intensity.
- An additional $50,000 integration incentive has been added for projects that integrate PV/energy storage at a customer site that provides a minimum of 250 kW of load management, demand management, or improved load factor.
- The time allowed for "Timely Completion" of projects selected for award is April 30, 2016.
- The template for the Letter of Intent has been updated (see Att. K); letters of intent submitted with proposals must conform to this template.
- The Template for initial contact to the Utilities has been provided (see Att. L). NYSERDA has also coordinated the utilities for a standard response to be provided back to the Applicant (see Att. L).

[1] http://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId=%7BC05CD0D6-8EA5-4CB9-A9FA-6ADD3AECB739%7D; http://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={D080E857-2A37-494D-A64F-13307397AC18}; http://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId={61FFD7EA-6DC4-44AF-B094-7DD82D0C818D}

[2] For Renewable Biogas projects, the biogas can either be locally-fed to the generator or contracted for delivery through a utility's natural gas pipeline as Pipeline Directed Biogas as described below.

II. GENERAL INFORMATION/ELIGIBILITY

Awards/Incentives: Proposals that have been deemed technically meritorious by the Technical Evaluation Panel will be ranked on the level of incentive requested by the Applicant, lowest to highest, in dollars per kWh (Incentive Bid). Awardees will be notified in writing and will receive a conformed copy of the Standard Performance Agreement (Attachment F, G or H) for signature if selected for an award. The agreement will provide for one up-front payment and two performance payments – one performance payment following each of the first two years of operation. The maximum dollar value of the Performance Agreement will be calculated by multiplying the individual project Incentive Bid by the number of kWh the project is projected to produce over two years using a capacity factor of 13.4% for fixed mounted PV, 17.5% for PV with dual axis tracker systems, or 75% for renewable biogas. Performance payments will be calculated based on the number of verified kWh actually produced during each of the two years of operation under contract to NYSERDA not to exceed the Project Site Incentive. The maximum dollar value for Renewable Biogas may not exceed $3 million per project.

Eligible Applicants: Applicants may and are encouraged to collaborate and form teams (e.g. project developers, energy service companies, system installation companies, equipment distributors, financial institutions, host sites, etc.) in order to meet the eligibility requirements identified herein. Utilities are not eligible to participate; however their un-regulated affiliates are eligible to participate as Applicants or as members of an Applicant's team. Applicants must show installation experience among the team members in the technology proposed (PV or ADG). In addition, Applicants must show that their team's previous experience demonstrates competency with respect to the largest and most complex installation the Applicant proposes. For example, if an Applicant proposes to install a 1 MW PV project, the Applicant Qualification Package portion of the proposal must demonstrate that the "team" has the experience and capability to install a PV project within a reasonable range of that size and complexity either through direct experience or through an aggregated "surrogate" as identified in Attachment J.

Eligible Project Site Locations: To be eligible, projects must be installed in NYISO load zone A-F, G&H, or I&J. All installations must be grid-connected (electrically interconnected on the customer side of a utility meter through which the Customer pays the RPS surcharge (referred to as "RPS" or "RPS/SBC" on utility bill) as part of their electricity bill. Applicants may also submit proposals that include projects at customer sites served by NYPA. Funding for such projects is subject to a proposal before the NYSERDA Board at its June 24th meeting with regards to funding for expanded statewide deployment of PV.

Strategic Locations: Utilities have identified specific areas on the electric distribution system that would benefit from the installation of new PV and/or renewable biogas systems. For projects in these Strategic Locations, NYSERDA provides for an additional 25% above the Project Incentive. **This increase is only available for a Project Site identified by the Applicant in the Project Site Package portion of a proposal as within a Strategic Location; such location must be confirmed by the Utility.** Applicants may wish to consider using this added incentive to reduce their Incentive Bid as a means to improve competitive position. The Strategic Locations for this PON, are determined by the utilities and incorporated into this solicitation, are shown in Attachment D.

Timely Completion: All projects must be installed, interconnected, and operational by April 30, 2016.

Substitutions: Applicants must notify NYSERDA as soon as a Project Site Location awarded is no longer moving forward. At NYSERDA's discretion, requests to substitute a project of the same technology and NYISO load zone group may be considered if: (1) the request is accompanied by a complete Project Site Package for the substitute; (2) the substitute's project scale and installation timeline are comparable; documentation is provided confirming communications to/from the local utility per Section V 2.0 (2); and (3) such requests are received by NYSERDA in writing on or before January 15, 2015. All approved substitutions must still meet the Timely Completion requirement that the system be installed, interconnected, and operational by April 30, 2016.

Prime Power: PV and Renewable Biogas Projects must be designed for and operate as prime power applications; systems designed primarily for back-up electric power applications are not eligible.

System Size Limitation: Systems must be sized such that the projected yearly energy output (Site Estimated Annual Energy Production) will not exceed 110% of the site's historical annual net grid supplied consumption (including any eligible Satellite Meters; see Net Metering, Interconnection below). For project sites that currently include or plan to install other on-site power production equipment, the applicant must identify the size of such equipment and which meters it serves. At NYSERDA's discretion the system size limitation may be adjusted downward to prevent or avoid obsolescence of other on-site power equipment.

Ineligible Projects and Costs: PV or renewable biogas equipment funded in whole or in part with System Benefits Charge (SBC) funding is not eligible for this program. Systems installed prior to issuance of an award by NYSERDA under this PON are not eligible for funding.

Project types eligible under this RPS CST Program may also be eligible under the RPS Main Tier. However, once a project application or proposal has been approved by NYSERDA or becomes the subject of an award under this CST Program, that project is ineligible for funding under the RPS Main Tier Program. Applicants will not be permitted to withdraw or cancel a project application or proposal, or seek to nullify a contract or award in order to apply or pursue an application or proposal in the RPS Main Tier for the same project (or for the same portion of the project). Projects less than 200 kW may be eligible under PON 2112, however Applicants are not permitted to submit proposals under both this solicitation and PON 2112. Nor are Applicants permitted to withdraw or cancel a project application or proposal, or seek to nullify a contract or award under this solicitation in order to apply or pursue an application or proposal under PON 2112 for the same project. More information on the program can be found at: http://www.nyserda.ny.gov/BusinessAreas/Energy-Efficiency-and-Renewable-Programs/Renewables.aspx

Previously Received Awards: Applicants to this solicitation must demonstrate good faith progress on projects awarded **under previous NY-Sun PV Program** solicitations. At NYSERDA's discretion, prior performance may be applied to one or more critical members of a team in addition to the Applicant.

Interconnection; Net Metering: Applicants must consult with the interconnecting utility and receive a written response from the utility for each Project Site. For each Project Site, the Applicant's communication to the utility is reasonably expected to include, at a minimum: (1) identification of customer name, street location(s) and account number(s); (2) authorization from the customer for the Applicant to secure customer usage history; (3) proposed project size (kW); (4) whether the intent is to net meter and or remote-net meter; and (5) whether the site is located in a strategic location.

The utility is expected to conduct an initial review of the potential project and provide the Applicant with preliminary guidance regarding next steps within ten (10) business days of receiving a complete request. This initial contact does not replace the interconnection application process. This initial utility contact by

the Applicant must be made by letter or electronically no later than twelve (12) business days before the proposal due date in order to provide the Utility with time to review and respond. The utility will not respond to requests that do not include a letter of authorization from the customer. Applicants, who do not submit a complete and timely request to the utility may not receive a response prior to the proposal due date. The absence of a response from the utility in a site package will be looked upon negatively during the Technical Evaluation Panel's review. In order to simplify the process for both the Applicant and the utilities, NYSERDA has developed a form that Applicants must use when making initial contact with the utility. NYSERDA and the utilities have coordinated to develop a template response back to Applicants. Both forms can be found in Attachment L. **See Section V 2.0 (2).**

Applicants are encouraged to investigate the availability of any **net metering opportunities** they may qualify for, including remote net metering if applicable. To determine if a project qualifies for net metering or remote net metering, please refer to the appropriate utility tariff using the link below.

https://www2.dps.ny.gov/ETS/search/searchShortcutEffective.cfm?serviceType=ELECTRIC

Note that by pursuing interconnection with the utility, utility fees and/or costs to upgrade portions of the local utility infrastructure may be incurred. Depending upon the size, nature and location of the project, these fees may be substantial and if a utility upgrade is required, it could result in significant delay.

Additionally, if the intent is to pursue remote net metering, all meters (host and satellite) that will be included for the Project Site along with the most current 12 month historical energy usage of each meter must be identified on the Electric Utility Information tab of Attachment C. Applicants considering projects that will take advantage of remote net-metering must consult the host utility to insure that the project will meet the utility's requirements.

State Environmental Quality Review Act: NYSERDA will conduct a project-based review in accordance with the New York State Environmental Quality Review Act (SEQRA) (http://www.dec.ny.gov/docs/permits_ej_operations_pdf/shorteaf.pdf) and relevant emissions standards, as appropriate. Only those projects passing this review will be allowed to proceed to contract. PV systems installed on existing buildings with an array area of less than 4,000 square feet are classified as SEQRA Type II actions and will not require further environmental review.

RPS Attributes: Orders issued by the Public Service Commission provide that the RPS Program will support and promote an increase, to 30%, of the percentage of the energy consumed in New York State that comes from renewable sources. When assessing and reporting on progress towards that goal, or on the composition of the energy generated and/or consumed in NYS, NYSERDA and the NYS Department of Public Service will include all electrical energy created by any project receiving funds through the NYS RPS Customer-Sited Tier Program, regardless of the percentage of the project capacity included on the Bid Application Form, for the life of such projects, and the environmental attributes associated with such energy, whether metered or projected, as a part of any report, evaluation, or review of the RPS Program, whenever any such report, evaluation, or review may be conducted or issued, as renewable energy consumed in NYS. No party, including but not limited to owners, lessees/lessors, operators, and/or associated contractors shall agree to or enter any transaction that would or may be intended to result in the exportation or transmittal of any electrical energy created by any project receiving funds through the NYS RPS Customer-Sited Tier Program to any party or system outside of New York State.

III. PHOTOVOLTAIC (PV) PROJECTS

For all installations, the electrical output must be generated by new Electric Generation Equipment installed after the date of the fully executed Standard Performance Agreement with NYSERDA. The equipment must be new to the host site, must be newly-manufactured (must not be refurbished), and must represent an incremental increase in electric energy production at each host site location(s) above a baseline as demonstrated by historical data or by other methods deemed acceptable to NYSERDA.

All PV modules must be certified as meeting all applicable standards of the Institute of Electrical and Electronics Engineers (IEEE) and Underwriter's Laboratory (UL) 1703. All inverters must be listed on the New York State Public Service Commission's certified equipment listing (http://www3.dps.ny.gov/W/PSCWeb.nsf/96f0fec0b45a3c6485257688006a701a/dcf68efca391ad6085257687006f396b/$FILE/SIRDevices.pdf) and the listing of the applicable distribution utility.

Metering and Data Acquisition for PV Installations: The Applicant must provide, install, and maintain an internet enabled electric meter that displays instantaneous AC power and cumulative total AC energy production and, at a minimum, can record cumulative total AC energy production of the PV system on an hourly basis, store the hourly readings for at least 7 days, and can transmit recorded readings once per day to a NYSERDA designated Data Agent via e-mail, FTP, HTTP or Modbus TCP/IP. The meter must meet the American National Standards Institute (ANSI) C12.20, be Revenue grade with a +/-0.2% accuracy, and be properly calibrated. The meter must also have battery backup to prevent the loss of data during power outages. The Applicant must provide, and maintain, an active internet connection to the meter throughout the Performance Period to support daily data transmissions. Data collected from the meter will be made available to the public at http://chp.nyserda.ny.gov or other similar website specified by NYSERDA, and will be used by NYSERDA to verify the Site Actual Annual Energy Production which will inform the magnitude of annual performance payments. It is the Applicant's responsibility to assure that data is successfully transmitted to the website during the performance period. Should any anomalous conditions or communications gaps occur, the Applicant **must** remedy the problem immediately and inform NYSERDA within ten (10) business days.

Integration of Energy Efficiency and/or Energy Storage:
Applicants are required to conduct a clipboard audit or Energy Star Portfolio Manager benchmarking assessment for all awarded projects on the customer's behalf.

NYSERDA offers a $50,000 integration incentive to Applicants that integrate into the awarded solar project energy efficiency measures that reduce the energy use intensity (kBtu/sq. ft./year) at the customer's site by a minimum of 15%, relative to the baseline energy use intensity for the customer.

NYSERDA offers a separate $50,000 PV/energy storage integration incentive to Applicants that demonstrate that they have provided a minimum of 250 kW of load management, demand management, or improved load factor at the customer's site.

Applicants are eligible to receive the integration incentive(s) on the basis of projects installed and documentation of at least one year's performance provided by the Applicant no sooner than the end of the first year's performance period and no later than the end of the two-year performance period. Applicants are eligible to participate in other NYSERDA and/or Utility Programs to offset costs for the equipment installations. The $50,000 integration incentive is to assist in the development, design, and validation of integration of energy efficiency and/or energy storage.

Energy Efficiency: To obtain the energy efficiency integration incentive, Applicants must complete an energy audit that meets, at a minimum, ASHRAE Level I standards, within 120 days of the date of the executed contract between the Applicant and the customer. The audit must, at a minimum, provide baseline information about the customer's site including:

- A site description including: the site location, area in conditioned square feet (sq. ft.), energy and fuel consumption data including a summary of one year of utility bills for all electricity and other fuels consumed at the facility. This data should be aggregated to establish a baseline annual electric consumption (kWh), electric demand (kW) and fuel consumption (mmBtu) for the site. This information should also be used to calculate the baseline energy use intensity for the site in kBtu/sq. ft./year.
- A summary of building systems including a description of all existing building systems for which the energy audit recommends energy efficiency improvements.

To be eligible to earn the integration incentive, the Applicant must provide documentation that audit identified energy efficiency measures (and or other measures) have been installed and are operational on or before April 30, 2017. Documentation must be provided, no sooner than the end of the first year's performance period and no later than the end of the two year performance period, that shows that installation of energy efficiency improvements have reduced the energy use intensity (kBtu/sq. ft./year) at the site by a minimum of 15% relative to the baseline established by the audit. Applicants should optimize the size of the PV system based on the known and expected operational parameters of the customer site, including reduced load requirements resulting from improved energy efficiency.

If an Applicant implements audit-recommended energy efficiency improvements and does not reduce the energy use intensity at the site by 15% compared to the audit-identified baseline due to unforeseen and significant operational changes (e.g. increased hours of operation, occupancy, or manufacturing), NYSERDA may, at its sole discretion, provide the energy efficiency integration incentive to the Applicant, provided that the Applicant verifies that the energy efficiency improvements made would have resulted in a minimum 15% reduction in energy use intensity at the customer site, absent energy use increases caused by significant operational changes.

Energy Storage: To eligible to earn the PV/energy storage integration incentive, the Applicant must demonstrate that they have installed an energy storage system that provides a minimum of 250 kW of load management, demand management, or improved load factor, by no later than the end of the first year's performance period. Applicants must include the following information in their proposals:

- Description of all hardware and associated control systems for the PV/energy storage system integration
- Specify how the proposed method of system integration will benefit the project site, including its minimum and maximum discharge duration and describe load management, demand management, or improved load factor opportunities based on building load shape, rate class and tariffs.

To be eligible to earn the PV/energy storage integration incentive the Applicant must provide documentation verifying that the above integration hardware and associated control systems have been installed, interconnected, and operational on or before April 30, 2017. Documentation must be provided, no later than the end of the two year performance period, that the energy storage system integration has resulted in a minimum 250 kW of load management, demand management, or improved load factor at the customer's site for a period of at least one year.

The Applicant agrees to optimize the design and size of the Energy Storage system based on the forecasted production of the integrated PV system and known or expected operational parameters of the facility. If an Applicant successfully implements the PV/energy storage integration system, and the customer is still unable to reduce their kW requirements by a minimum of 250 kW during a 12 month consecutive time period due to unforeseen and significant operational changes (e.g. increased/decreased hours of operation, occupancy, or manufacturing), NYSERDA may, at its sole discretion, still provide the additional incentive, provided that the Applicant verifies that the systems integration would have resulted in a minimum 250 kW reduction in building load at the customer site, absent unforeseen and significant operational changes.

IV. RENEWABLE BIOGAS-FUELED ELECTRIC GENERATION PROJECTS

Renewable Biogas can be used to produce electric energy at the site where the gas is generated (i.e., locally-fed), or as Pipeline Directed Biogas for sale to an end user at another location where electric energy is generated (Pipeline-Directed Biogas must originate within the Zone Group (G&H or I&J) of the Electric Generation Equipment that it serves). To produce electricity, any prime mover capable of converting Renewable Biogas (whether locally-fed or Pipeline Directed Biogas) to electricity is eligible including, but not limited to: fuel cells, internal combustion reciprocating engines, micro-turbines and combustion gas turbines. The prime mover of all Renewable Biogas systems must meet an air emission limit of no more than 1.6 lbs of NOx per MWh. In addition, the Applicant will be required to obtain all environmental permits associated with the installation(s). If the electric generator is fueled with a mixture of Renewable Biogas and other fuel, only that fraction of the electricity generated that is attributable to the Renewable Biogas will be credited toward this program.

Electric Generation Equipment can be configured as electric-only, or as combined heat and power (CHP). If an installation is configured as CHP, program payments will be made only for the electric production component. A system installation report detailing the design of the installed system, costs associated with equipment procurement and installation, and the commissioning process, including performance data measured during commissioning, will be required. Sites that pay the RPS surcharge may use Renewable Biogas created at an off-site facility, as long as the facility creating the Renewable Biogas is located within the same Zone Group (G&H, or I&J) as the electric generator. It is not necessary for the site generating the Renewable Biogas to pay the RPS surcharge. The ownership of the fuel source is not relevant in terms of eligibility; the Renewable Biogas may be conveyed through a private pipeline or a pipeline operated by a local gas distribution company (LDC). If the site generating the Renewable Biogas conveys the Renewable Biogas to the end-user via a privately owned or LDC operated pipeline, then the supplier and end-user will be expected to follow the procedures contained in the NYS RPS Biomass Power Guide for Renewable Pipeline Gas (www.nyserda.ny.gov/~/media/Files/EDPPP/Energy and Environmental Markets/RPS/RPS Documents/rps-biomass-guide.ashx). These procedures include a requirement that a contract between the supplier and the end-user be established that includes provisions for metering gas volumes to ensure that the heat input rate associated with the Renewable Biogas injected into a pipeline can be readily established.

Metering and Data Acquisition for Renewable Biogas Installations: The Applicant must provide, install, and maintain an electric meter that displays instantaneous AC power and cumulative total AC energy production, and is capable of providing an output to a data logger. The electric meter shall be installed to account for all parasitic losses so that only net energy produced by the system is recorded. The electric meter must meet ANSI C12.20, be revenue grade with a +/-0.2% accuracy, and be properly calibrated. The

Applicant must provide, install, and maintain a revenue grade gas meter that records gas input into the prime mover(s) and is capable of providing an output to a data logger. The gas meter must have an accuracy of +/- 2%, be corrected to standard temperature and pressure, and be properly calibrated. A gas meter installed by the local natural gas distribution company may meet this requirement provided it is installed so that it only records gas consumed by the prime mover(s) and is capable of providing an output to a data logger. Contracts for Pipeline Directed Biogas must include a provision applicable to the purveyor of the biogas that requires them to comply with any auditing of the biogas that NYSERDA or NYSERDA's agent may choose to perform.

NYSERDA will contract with a remote monitoring contractor to install and maintain a data logging system at the Project Site and connect such data logging system to the electric meter, gas meter, and other meters and/or sensors as applicable. The Applicant must provide NYSERDA, and NYSERDA's-designated contractors, access to facilities, equipment, data (including metering and energy management data), and personnel as necessary to facilitate Remote Monitoring/Data Acquisition (RMDA). The Applicant also must provide, and maintain, an active internet connection to the data logger throughout the Performance Period. Data collected by the RMDA system will be made available to the public at http://chp.nyserda.ny.gov or other similar website specified by NYSERDA, and will be used by NYSERDA to verify the Site Actual Annual Energy Production which will inform the magnitude of annual performance payments. When the Project Application Form is completed using the electronic spreadsheet, the Project Site Incentive is auto-calculated using the Assigned Capacity Factor: 75% (.75); otherwise this value needs to be manually calculated and entered using the Assigned Capacity Factor.

Incentive Limits: The maximum incentive amount for each Renewable Biogas Project Site is $3 million. In addition, the incentive amount (excluding any "Strategic Location" bonus) for each Project Site may not exceed 50% of the total installed system costs for the installation. Applicants are required to provide an estimate for the total installed costs for the Project Site and show that the Project Site Incentive amount is no greater than 50% of the total installed costs for the site. Note that NYSERDA will base the awarded contract on the kW system size listed on the Project Application Form.

V. PREPARING A PROPOSAL

As is described in more detail below, each proposal will consist of two components, or "packages." The first is the Applicant Qualification Package, which will be reviewed to determine, on a pass/fail basis, whether the proposing team is capable and competent to complete the installation(s). The second component consists of one or more Project Site Packages. Each Project Site Package must include information and documentation with respect to an individual project that will allow the evaluation panel to determine whether the project is eligible and whether it can be completed within the program's Timely Completion requirement. The Project Application Form includes the Incentive Bid for the project, in dollars per kWh, by which it will be ranked for consideration of an award.

Each project must have a Capacity greater than 200 kW, and must be interconnected on the customer side of a single host utility meter within one of the identified Zone Groups. A proposal may be for a single project, or for multiple projects. If the proposal covers multiple projects, then the proposal may consist of a single Applicant Qualification Package and a Project Site Package for each individual project; each project must be for the same technology and must be located in the same Zone Group.

Proposals must be submitted to NYSERDA in accordance with the directions on the first page of this PON (see "Proposal Submission"). **Due to the large volume of proposals that are received, NYSERDA requests that Applicants *do not* send their proposals in binders.**

Applicants are encouraged to concisely present the information needed to fully address the evaluation criteria (see Section VI). Proposals that fail to include the information requested below may be rejected as non-responsive.

Please do not include unnecessary attachments beyond those necessary to provide a complete, comprehensive, and effective response.

Each page of the proposal should state the name of the Applicant, "PON 2956," and the page number. **Proposals must be received by NYSERDA's Albany office by 5:00 pm eastern time on or before July 17, 2014. Late proposals, and proposals lacking the appropriate completed and signed Proposal Checklist (Attachment A) and Disclosure of Prior Findings of Non-responsibility Form (Attachment B), will be returned. Faxed or e-mailed copies will be not accepted.**

Proposal Outline:

Each proposal must contain a Proposal Checklist (Attachment A), a Disclosure of Prior Finding of Non-responsibility Form (Attachment B), an **Applicant Qualification Package; and one or more Project Site Package(s).**

To help facilitate timely and accurate evaluation, each proposal should be organized in the sequence below, and the paper copies should be labeled with corresponding tabs. Applicants submitting multiple Project Sites for a given technology via a single proposal using the same team are permitted and encouraged to submit a single Applicant Qualification Package, which should be incorporated by reference for each Project Site package in the proposal.

1.0 Applicant Qualification Package

This package **must** include the following information regarding the Applicant's experience and qualifications.

- Cover Letter – The cover letter should include a summary of the applicant's qualifications and the project(s) and highlight any special features of the proposal or project(s); the cover letter **must not** include the bid price. The bid price must only be shown on the Project Application Form.
- Members of Applicant's Team, Qualifications, Experience and References

  Team Members
  Identify the Team leader for the entire proposal, including full contact information.
  Identify the team members (companies/individuals) responsible for each part of the project.
  Provide an organizational chart that describes the reporting relationships of all key personnel.
  Provide resumes of key personnel who will be directly involved with the implementation of the proposed project.
  Provide Company Profiles for all major Team participants that include:
  - Year founded
  - Number of employees
  - States and countries in which they do business and have offices located

- Target customers (residential, commercial, industrial, government, etc.)
- Target Project Sizes
- Identify if your business model currently includes integration of energy efficiency or energy storage technologies

Project Design and Installation Experience
Provide total and annual number of installations and aggregated Capacity of completed installations performed by each of the team members over the last three (3) years for the technology proposed. Also identify the specific role and responsibilities of each of the team members for the previous installations.

Recent Project References
Provide at least 3 reference letters on the customer's letterhead, each signed and dated by a representative of the site where a system was installed or developed by a member on the Applicant's team, or details regarding aggregated "surrogate" project(s) in lieu of letter(s), as further described below. Reference letters must be from customers who have had projects completed in the last 3 years. The installations should be for the same eligible technology as the installation proposed and be comparable in size to the installation(s) proposed. The letters must include:

- Electric customer name, address and contact information
- Name of installer and/or developer company and their role in the installation
- Site location
- System description
- Date installed
- System Capacity rating
- Statement as to overall satisfaction

Reference letters that are missing any of the information listed above will be considered invalid and may cause the Technical Evaluation Panel to view such letters as failing to meet minimum requirements.

For teams involving PV installers who have had experience with commercial-scale projects in NYSERDA's Standard Offer PV Program (PON 2112 and predecessors) but cannot otherwise furnish three letters of recent project references, the aggregate of the team's good-standing completed commercial-scale projects from NYSERDA's Standard Offer PV Program can serve as a "surrogate" project(s) in lieu of one of the required letters for recent project references. To exercise the option for a "surrogate" project in lieu of one or more of the required letters for recent project references, Attachment J must be completed and submitted as part of the Applicant Qualification Package. The Applicant **must** still provide at least 1 letter of reference for the largest project completed within the last three years.

- Quality Assurance Plan - Provide a **comprehensive** and **detailed** description of the quality assurance plan to ensure that the installation will be completed in accordance with industry standards and practices. Also include the warranties offered as part of the individual installation and a **detailed** description of the service and maintenance capabilities of the Applicant's team. If the Applicant receives an award, NYSERDA may at its discretion inspect or have a third party inspect any individual installation for adherence to appropriate codes and professional standards pertaining to the installation.

- Other Information - If necessary, provide additional information to assist NYSERDA and the Technical Evaluation Panel in reviewing and evaluating the teams' qualifications and ability to install the proposed project. For Pipeline Directed Biogas proposals, the Applicant will be required to show proof that a sufficient amount of biogas is available to support the installation.

2.0 Project Site Package(s)

Proposals may be submitted for a single or multiple Project Sites. A Project Site Package **must** be submitted for each Project Site included in the proposal. Each Project Site Package must be labeled and include all of the documents and information identified below, in the following order:

1. **A concise description of the project**, including a summary identifying the customer, the site, the project size, the customer's annual energy usage, whether net metering/remote metering is proposed, if integration of energy efficiency or energy storage is planned, and any other specific information that will allow the Technical Evaluation Panel to make a proper determination as to the eligibility of the project (See Section III).

2. **A copy of the Applicant's communication(s) to the utility and the utility's response(s) with respect to each Project Site.** For each Project Site, the Applicant's communication to the Utility is reasonably expected to include: (1) identification of customer name, street location(s) and account number(s); (2) authorization from the customer for the Applicant to secure customer usage history; (3) proposed project size (kW); (4) whether the intent is to net meter and or remote-net meter; and (5) whether the site is located in a strategic location. The Utility is expected to conduct an initial review of the potential project and provide the Applicant with preliminary guidance regarding next steps within ten (10) business days of receiving a complete request. This initial utility contact by the Applicant must be made by letter or electronically **no later than twelve (12) business days before the proposal due date** in order to provide the utility with time to review and respond.

   The communication to the utility must include a letter of authorization from the customer to the utility. Applicants, who do not submit their request to the utility in time, may not receive a response back. If your site package does not include the response from the utility, it will be looked upon negatively during the Technical Evaluation Panel's review. This initial contact does not replace the interconnection application process. In order to simplify the process for both the Applicant and the utilities, NYSERDA has developed a form that Applicants must use when notifying the utility. Additionally NYSERDA and the Utilities have worked together to develop a template response back to Applicants. Both forms can be found in Attachment L.

3. **A letter of intent on the identified electric customer's letterhead** specifying the Project Site address where the installation will be located and the Capacity of the proposed system. The Capacity identified in the letter of intent must match the Capacity identified on the Project Application Form. The letter of intent must have been signed within one year of the July 17th Proposal due date by an individual having the authority to bind the electric customer. Please refer to Attachment K, a template which identifies required language. If the Applicant has a signed contract with the customer, submitting a copy of that contract instead of a letter of intent is acceptable and will be viewed favorably by the Technical Evaluation Panel.

4. **Project Application Form for each Project Site**, which contains the Project Site Checklist, Project Site Details, and Electric Utility Information. The Applicant **must** submit two (2) hard copies of the Project Site Details which outlines the bid price. **Please note that your bid price should be calculated based on a two year performance period.** One copy must contain an original signature. For projects that plan to remote net-meter the Electric Utility information must list all accounts and satellite meters. A bill for each account showing payment into the RPS and the most current 12 month usage is required.

5. **Electric utility bill from the Project Site** showing the **most** current 12 month usage history and payment into the RPS. A single copy of the bill showing payment into the RPS and a print out from the Utility with the **most** current 12 months is required for each account and meter that will be off-set by the system.

6. **Aerial photo for the PV Project Site** including location of the proposed equipment (e.g. Google maps).

7. **Calculations showing percentage of system losses** due to shading, orientation, and tilt (for PV).

8. **Completed and signed short (SEQRA) EAF** form: http://www.dec.ny.gov/docs/permits_ej_operations_pdf/shorteaf.pdf

9. A **Project Site Implementation Schedule** (see Attachment E), which describes the plan for completing the installation (including expected milestones, sequences and dates/timing). When developing the Project Site Implementation Schedule, Applicants should take into consideration the time required for all outside approvals including, but not limited to obtaining permits and the utility's interconnection process. The Project Site Implementation Schedule must provide project date(s) for all items below:

   - Signed customer agreement
   - List of all permits required, when they will be applied for, and anticipated approval of each
   - System installation begin date and completion date
   - Application for Interconnection submitted to the local utility and estimated approval
   - Interconnection inspection requested and final approval received
   - Data transmittal to website

When the Project Application Form is completed using the electronic spreadsheet, the Project Site Incentive is auto-calculated using the Assigned Capacity Factor: 13.4% (0.134) for fixed ground or roof mounted PV systems and 17.5% (0.175) for dual axis tracking systems; otherwise this value needs to be manually calculated and entered using the Assigned Capacity Factor.

REMINDER: (1) Performance payments have been reduced from three years to two years, and awarded contracts will be based on the kW system size identified by the Applicant, as listed on the Project Application Form (Att. C), and (2) for project proposals that include dual axis tracker systems, the available capacity factor is now 17.5% (0.175).

The incentive amount (excluding any "Strategic Location, energy efficiency, and or energy storage" bonus) for each Project Site may not exceed 50% of the total installed system costs for the installation. Applicants are required to provide an estimate for the total installed costs for the Project Site and show that the Project Site Incentive amount is no greater than 50% of the total installed costs for the site.

Maximum Acceptable Incentive Bid – NYSERDA has determined a Maximum Acceptable Incentive Bid; any request above this value will not be funded. NYSERDA is not disclosing this Maximum Acceptable Incentive Bid.

Applicants should review and check that all items on the Project Site Checklist are in each Project Site package.

VI. PROPOSAL EVALUATION

As is explained below, proposal evaluation and selection will occur via a 3-step procedure:

Step (1): Proposals will be screened for completeness and conformity with the Eligibility Requirements by a team of NYSERDA staff. Only those deemed complete and in conformance will proceed to the next step, all others will be deemed ineligible. NYSERDA has determined a Maximum Acceptable Incentive Bid. Bid prices that exceed the Maximum Acceptable Incentive Bid will not be evaluated or funded.

- Step (2): a Technical Evaluation of the Applicant Qualification Package and each Project Site Package will be conducted by a Panel consisting of non-NYSERDA staff and NYSERDA staff to ensure that all the criteria and requirements specified in this PON are satisfied. Only those that satisfy the technical criteria will proceed to the next step.
- Step (3): Incentive Bids will be ranked, lowest to highest, for selection based on price by each Zone Group. In the event of a bid price tie, or virtual tie (e.g. within $0.003/kWh), the selection process may take other factors into consideration as the tie-breaker; factors such as greater likelihood of installation (e.g. has a signed contract in place with the customer) and whether the proposed project is in a strategic location.

Proposals not selected can be submitted in subsequent rounds and/or subsequent solicitations. Applicants not selected may and are encouraged to request a follow-up briefing from NYSERDA to learn about the procurement process and findings and to possibly help improve prospects for future proposals.

STEP 1: Screening for Completeness & Conformity with Eligibility Requirements

SCREENING CRITERIA
• Proposal was submitted by the due date and signed by an authorized representative of the Applicant. • Project Site Details form is completed and signed. • Proposal is for **either** the installation of a PV project(s) (load zones A-J or Renewable Biogas project(s) in load zones G through J. • Incentive Bid(s) do not exceed the Maximum Acceptable Incentive Bid.

STEP 2: Technical Evaluation Panel Criteria

Proposals that satisfy the requirements of the Screening Criteria will be reviewed by a Technical Evaluation Panel (TEP) to ensure that all the technical criteria are satisfied. Only proposals that are deemed satisfactory based on TEP review will proceed to step 3.

TECHNICAL CRITERIA
• Applicant has sufficient experience in the technology for the proposed installation. 1. Was sufficient team member information provided as listed in the Applicant Qualification section? 2. Does the experience presented in the proposal support the installation proposed, including consideration of the technology and the electric customer sector? • Project references are included and are associated with past installations in the proposed technology. 1. Were three applicable references (including the furnishing of "surrogate" aggregation information via Attachment J in lieu of one or more reference, if applicable) for previous installations that attest to the competency of the Applicant included in the proposal? 2. Were these installations in the technology proposed and complexity as that being proposed? 3. Were the installations installed within the last three years? • Quality assurance plan is sufficient to ensure installation will be completed in accordance with industry standards and practices. 1. Does the Applicant have a formal documented quality assurance plan in place? 2. Does the quality plan address items such as industry standards followed, service and maintenance capabilities, and warranties offered? 3. Are the service and maintenance capabilities sufficient to ensure continued quality operation of the installation(s)? • Project Site Packages. 1. Is the letter of intent or signed customer contract complete and signed dated by appropriate persons and does it support the installation? 2. Is the communication to and from the Utility included? 3. Is the required documentation as outlined in Section IV included? 4. Is the Project Application Form completed and included? • Implementation Schedule is complete and reasonable. 1. Does the schedule clearly support completion of the installation within the required April 30, 2016 requirement? 2. Is the schedule realistic given the scale, complexity, location and jurisdictional characteristics for the proposed installation(s)? 3. Does the schedule provide information on when permits and interconnection application will be submitted and their estimated approvals?

STEP 3: Incentive Bid Evaluation

Project Application Forms associated with proposals that meet the Screening and TEP criteria will be ranked based on the Incentive Bid. Within a Zone Group, selection for awards will begin with the proposal with the lowest Incentive Bid, working sequentially through the next lowest Incentive Bid. In the event of a bid price tie, or virtual tie (e.g. within $0.003/kWh), the selection process may take other factors into consideration as the tie-breaker; factors such as greater likelihood of installation (e.g. has a signed contract in place with the customer) and whether the proposed project is in a strategic location.

Any funding not awarded will be reallocated at NYSERDA's discretion and in accordance with Commission Orders.

VII. CONTRACTING/PAYMENT

Contracting
Selected Applicants will be notified by NYSERDA in writing of all awards. Upon award, contracting will be through a Standard Performance Agreement; see appropriate Attachment F, G, or H

- **The Applicant will have thirty (30) days from the Effective Date noted in the first paragraph of the Agreement to execute and return the Standard Performance Agreement to NYSERDA. NYSERDA may rescind and cancel the award if it does not receive the signed Agreement within that timeframe.**
- **Applicants who intend to create a special purpose entity to contract/develop/own/lease the project must notify NYSERDA of such intent in their Proposal(s). Once Applicants are notified of an award the Applicant must, within ten (10) business days, notify NYSERDA whether or not a special purpose entity will be formed. Failure to notify NYSERDA will result in unnecessary delays that may impinge on the Applicant's ability to meet the Timely Completion of Installation requirement.**
- **On or before January 15, 2015, the Applicant must provide NYSERDA a copy of (1) a fully executed agreement demonstrating a binding commitment to install the project at the Project Site; and (2) a fully executed agreement with the electric customer, including the terms set forth in Attachment I.**
- **Applicants must provide a report outlining status of permitting, utility interconnection, and copies of applications for each, as well as updated project schedule by April 30, 2015.**

Timely Completion of Installation: All projects must be installed, interconnected, and operational by April 30, 2016. If the installation is not completed within this time period, the Agreement may be terminated and the funding for the project may be canceled at NYSERDA's discretion.

Reporting
Within thirty (30) days after the end of each of the two (2) annual payment periods during the Performance Period, the Applicant must provide a report using information extracted from NYSERDA's data management website containing the following as applicable to the installation(s):

- Monthly electric energy production data (in kWh) for the 12 month payment period (Site Actual Annual Energy Production),
- Monthly gas consumption data for Renewable Biogas installations (in cubic feet and/or MMBtu as appropriate),
- Documentation that a sufficient amount of biogas was supplied to the pipeline by the biogas producer for reconciliation on a calendar-month basis for Pipeline Directed Biogas installations (in cubic feet and MMBtu) for the 12 month payment period,
- Monthly measurements of the heating value of the biogas consumed by locally-feed biogas installations (in BTU/cubic feet) for the 12 month payment period.

Attachments F, G and H are Sample Standard Performance Agreements which identify additional reporting requirement details.

Payment
The payment process is designed to encourage the installation of high performing systems. If awarded a contract, payments for each installation will consist of a combination of an up-front payment and performance payments.

Up-Front Payment:
One up-front payment will be paid upon receipt by NYSERDA of documentation showing that all necessary permits and approvals have been acquired, that all final sign offs have been received, that the system has been interconnected to the grid (proof of interconnection is required via a letter or email from the local distribution utility), that the project has proven capable of providing data to the website specified by NYSERDA, and that a copy of the clipboard audit, Energy Portfolio Manger assessment, and or audit has been provided to NYSERDA. Inspection by NYSERDA or NYSERDA's agent may also be required prior to payment. This payment will be 30% of the Project Site Incentive.

Performance Payments: Performance payments will be paid annually for two (2) consecutive years. For each year of the two-year Performance Period, the performance payment will equal 70% of the Applicant's Incentive Bid ($/kWh) multiplied by the Site Actual Annual Energy Production (kWh). If the Project Site is in a Strategic Location, the Incentive Bid will be multiplied by 1.25. The sum of the up-front payment and the performance payments will not exceed the Project Site Incentive.

NYSERDA will provide a $50,000 integration incentive to Applicants that integrate energy efficiency measures into the awarded solar project that reduces the energy use intensity (kBtu/sq. ft./year) at the project site by a minimum of 15%, relative to the baseline energy use intensity for the customer and/or PV/energy storage integration incentive to Applicants that demonstrate that they have provided a minimum of 250 kW of load management, demand management, or improved load factor for the customer.

For Pipeline-Directed Biogas installations, payments associated with electricity generation will be conditioned on the end-user demonstrating that a sufficient quantity of Renewable Biogas has been purchased during each calendar month to support electricity generation in that same month.

Monthly energy production data for a period of twelve (12) months must be submitted annually with each performance payment request. For Renewable Biogas installations, monthly gas purchase or production, and consumption data, as applicable, for a period of twelve (12) months must also be submitted. In addition, data on the heating value and/or chemical composition of the biogas must be provided for installations directly consuming biogas (as opposed to using Pipeline-Directed Biogas).

The Applicant must submit an annual report to NYSERDA identifying the Site Actual Annual Energy Production within 30 days of the conclusion of each twelve (12) month period. Full reporting requirements can be found in Attachments F, G and H, the Sample Standard Performance Agreements for the various technologies.

VIII. PAYMENT SUMMARY

1. For each Project Site, NYSERDA will use the Incentive Bid to determine the amount the up-front payment.

- The up-front payment = .30 x (Incentive Bid) x Site Estimated Annual Energy Production x 2 years
- Sites in Strategic Locations: Up-front payment = .30 x (Incentive Bid x 1.25) x Site Estimated Annual Energy Production x 2 years

2. For each of the first two years of full year of operation, the Contractor will provide NYSERDA with the Site Actual Annual Energy Production for that year. NYSERDA will provide a performance payment according to the following:

   - Performance payment = 0.70 x Incentive Bid x Site Actual Annual Energy Production, not to exceed the Project Site Incentive
   - Sites in Strategic Locations: Performance payment = .70x (Incentive Bid x 1.25) x Site Actual Annual Energy Production, not to exceed the Project Site Incentive

3. Payments will be made for two years to the extent the Project Site Incentive is not exceeded.

IX. DEFINITIONS

Applicant – The entity (e.g. energy service companies, system installation companies, equipment distributors, financial institutions, host sites, etc.) submitting the proposal to PON 2956. The Applicant is the entity identified as the "Company," on the Proposal Checklist (Attachment A) and the Project Application Form (Attachment C). If selected for an award, this entity will be the "Contractor" under the Standard Performance Agreement and to whom all payments by NYSERDA will be made.

Assigned Capacity Factor – A value, predetermined by NYSERDA for PON 2956, for use in projecting estimated energy production. The values are 13.4% (0.134) for fixed ground – or roof- mounted systems PV systems, 17.5% (0.175) for dual axis systems and 75% (0.75) for Renewable Biogas projects. The Assigned Capacity Factor is used in determining the Site Estimated Annual Energy Production and the Total Contract Estimated Energy Production.

Project Application Form – Form to be completed, signed and submitted by the Applicant, which includes the Zone Group, Applicant's Incentive Bid and Capacity, Project Site Details, and Electric Utility Information (Attachment C).

Capacity – The manufacturer's nameplate rating of the Electric Generation Equipment. For PV, this is the total DC power rating of the PV panels in an installation. For Renewable Biogas projects, this is the AC power rating of the prime mover based on the BTU content of the fuel being used.

Electric Generation Equipment – PV or Renewable Biogas-fueled equipment that generates electric power.

Incentive Bid – The Applicant's requested incentive payment rate in $/kWh, as included on the Project Application Form (Attachment C).

Maximum Acceptable Incentive Bid – NYSERDA has determined a Maximum Acceptable Incentive Bid it is willing to accept; any request above this value will not be funded. In order to inspire best available pricing from the marketplace, NYSERDA is not disclosing this Maximum Acceptable Incentive Bid.

Project Site – The site at which the PV system is located, and where the electric customer's utility meter is located.

Timely Completion – All projects must be completed within and interconnected by April 30, 2016 from the date upon which the Applicant is notified in writing by NYSERDA of an award.

Project Site Incentive - Incentive Bid x Site Estimated Annual Energy Production x 2 years (if the Project Site is identified in the proposal as being located in a Strategic Location and confirmed by the Utility, NYSERDA will multiply this result by 1.25, or if the Project Site is identified in the proposal as incorporating Energy Efficiency or Battery Storage, NYSERDA will provide an additional $50,000).

Performance Period – The period for which performance payments will be made for each Project Site. The Performance Period for this PON is the two (2) consecutive years beginning on the first of the month following the production of electric energy of the Project Site in accordance with the requirements of this program, including the approval of all necessary permits and interconnection agreements.

Pipeline Directed Biogas – Renewable Biogas fuel that is contracted for delivery through a natural gas pipeline.

Renewable Biogas - For the purpose of determining eligible renewable biogas fuels, the definitions and procedures for renewable biogas contained in the NYS RPS Biomass Power Guide (www.nyserda.ny.gov/~/media/Files/EDPPP/Energy and Environmental Markets/RPS/RPS Documents/rps-biomass-guide.ashx) related to anaerobic digestion will be applied. Renewable Biogas is defined as fuel from the anaerobic digestion of farm, food or wastewater treatment materials that is currently not being used for the production of heat, power, or steam. Renewable feedstocks include manure, agricultural residues, high BOD industrial organic wastes (e.g. food and beverage wastes), and municipal wastewater treatment sludge. [Note: Electricity generated by landfill biogas is not eligible for this program].

Satellite Meter – Under remote net metering, additional meter(s) designated by the host meter account with the same name on the account, for the application of excess net metering credits.

Site Actual Annual Energy Production – This is the actual, verified metered energy production in kWh of a specific Project Site over the period of one year (See Section III; Metering and Data Acquisition).

Site Estimated Annual Energy Production - the Project Site Capacity x Assigned Capacity Factor x 8760 hours/year.

Strategic Locations – In accordance with the Order, the electric utilities in the Zone Groups have identified regions within their service territories where the installation of new PV and/or Renewable Biogas-fueled electric power generation systems is expected to provide benefits to the electric distribution system. For PON 2956, these regions are shown in Attachment D. **Incentives for projects installed within these Strategic Locations will be paid at 125% of the Incentive Bid. This increased payment is only available for sites identified as being within a Strategic Location at the time the proposal is submitted and confirmed by the Utility.**

Zone Group –The grouping of New York Independent System Operator (NYISO) designated load zones (A-F), (G&H) and (I&J), each of which is a Zone Group.

X. GENERAL CONDITIONS

Proprietary Information: Careful consideration should be given before confidential information is submitted to NYSERDA as part of your proposal. Review should include whether it is critical for evaluating

a proposal, and whether general, non-confidential information, may be adequate for review purposes. The NYS Freedom of Information Law, Public Officers law, Article 6, provides for public access to information NYSERDA possesses. Public Officers Law, Section 87(2) (d) provides for exceptions to disclosure for records or portions thereof that "are trade secrets or are submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise." Information submitted to NYSERDA that the Applicant wishes to have treated as proprietary and confidential trade secret information, should be identified and labeled "Confidential" or "Proprietary" on each page at the time of disclosure. This information should include a written request to exempt it from disclosure, including a written statement of the reasons why the information should be exempted. See Public Officers Law, Section 89(5) and the procedures set forth in 21 NYCRR Part 501 http://nyserda.ny.gov/~/media/Files/About/Contact/NYSERDARegulations.ashx. However, NYSERDA cannot guarantee the confidentiality of any information submitted.

Omnibus Procurement Act Of 1992: It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority- and women-owned business enterprises, as bidders, subcontractors, and suppliers on its procurement Agreements.

Information on the availability of New York subcontractors and suppliers is available from:	A directory of certified minority- and women-owned business enterprises is available from:
Empire State Development Division For Small Business 30 South Pearl Street Albany, NY 12245	*Empire State Development* Minority and Women's Business Development Division 30 South Pearl Street Albany, NY 12245

Limitation: This solicitation does not commit NYSERDA to award a contract, to pay any costs incurred in preparing a proposal, or to procure or contract for services or supplies. NYSERDA reserves the right to accept or reject any or all proposals received, to negotiate with all qualified sources, or to cancel in part or in its entirety the solicitation when it is in NYSERDA's best interest.

Disclosure Requirement: The Applicant must disclose any indictment for any alleged felony, or any conviction for a felony within the past five years, under the laws of the United States or any state or territory of the United States, and shall describe circumstances for each. When an Applicant is an association, partnership, corporation, or other organization, this disclosure requirement includes the organization and its officers, partners, and directors or members of any similarly governing body. If an indictment or conviction should come to the attention of NYSERDA after the award of a contract, NYSERDA may exercise its stop-work right pending further investigation, or terminate the agreement; the Service Provider may be subject to penalties for violation of any law which may apply in the particular circumstances. Applicants must also disclose if they have ever been debarred or suspended by any agency of the U.S. Government or the New York State Department of Labor.

State Finance Law sections 139-j and 139-k: NYSERDA is required to comply with State Finance Law sections 139-j and 139-k. These provisions contain procurement lobbying requirements which can be found at http://www.ogs.ny.gov/aboutogs/regulations/advisoryCouncil/StatutoryReferences.html The attached Proposal Checklist calls for a signature certifying that the Applicant will comply with State Finance Law sections 139-j and 139-k and the Disclosure of Prior Findings of Non-responsibility form

includes a disclosure statement regarding whether the Applicant has been found non-responsible under section 139-j of the State Finance Law within the previous four years.

Tax Law Section 5-a: NYSERDA is required to comply with the provisions of Tax Law Section 5-a, which requires a prospective contractor, prior to entering an agreement with NYSERDA having a value in excess of $100,000, to certify to the Department of Taxation and Finance (the "Department") whether the contractor, its affiliates, its subcontractors and the affiliates of its subcontractors have registered with the Department to collect New York State and local sales and compensating use taxes. The Department has created a form to allow a prospective contractor to readily make such certification. See, ST-220-TD (available at http://www.tax.ny.gov/pdf/current_forms/st/st220td_fill_in.pdf). Prior to contracting with NYSERDA, the prospective contractor must also certify to NYSERDA whether it has filed such certification with the Department. The Department has created a second form that must be completed by a prospective contractor prior to contacting and filed with NYSERDA. See, ST-220-CA (available at http://www.tax.ny.gov/pdf/2006/fillin/st/st220ca_606_fill_in.pdf). The Department has developed guidance for contractors which is available at http://www.tax.ny.gov/pdf/publications/sales/pub223.pdf.

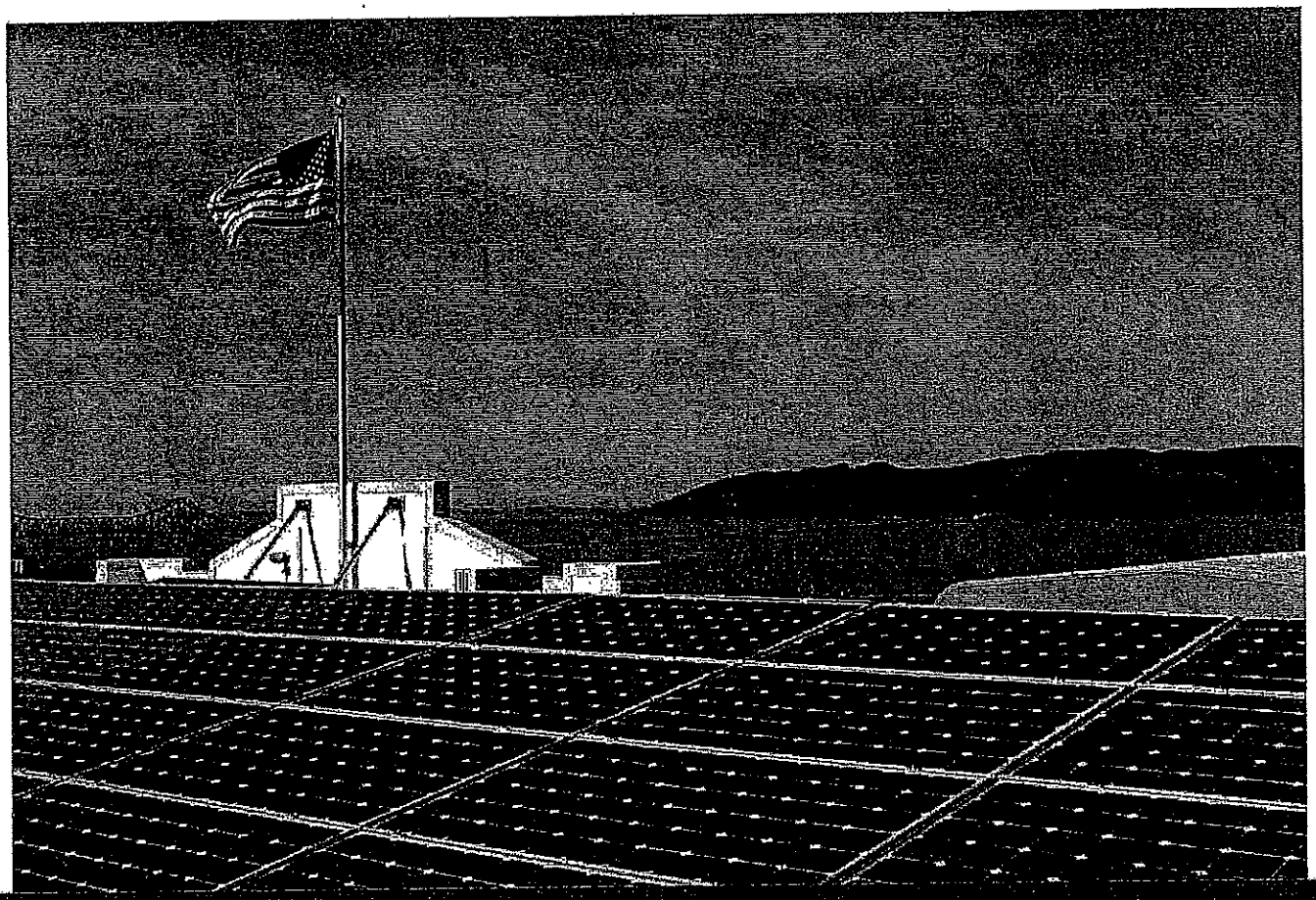
Contract Award: NYSERDA anticipates making multiple awards under this solicitation. It may award a contract based on initial proposals without discussion, or following limited discussion or negotiations pertaining to the Sample Standard Performance Agreement. Each Proposal should be submitted using the most accurate cost and technical information available. NYSERDA may request additional data or material to support proposals. NYSERDA expects to notify Applicants in approximately 8 to 10 weeks from the Proposal due date whether each Proposal has been selected to receive an award. Contracting will be through a Standard Performance Contract Agreement (Agreement). Sample Agreements are shown as Attachments F, G and H. **NYSERDA may decline to contract with awardees who are delinquent with respect to any obligation, including required reporting, under any previous or active NYSERDA agreement.**

Insurance: Selected Applicants will be required to maintain or cause to be maintained throughout the term of this Agreement, commercial general liability insurance for bodily injury liability, including death, and property damage liability, incurred in connection with the performance of this Agreement, with minimum limits of $1,000,000 in respect of claims arising out of personal injury or sickness or death of any one person, $1,000,000 in respect of claims arising out of personal injury, sickness or death in any one accident or disaster, and $1,000,000 in respect of claims arising out of property damage in any one accident or disaster. Such insurance shall be evidenced by insurance policies, each of which shall: **(1) name or be endorsed to cover the Applicant as the insured, and NYSERDA and the State of New York as additional insureds;** (2) provide that such policy may not be cancelled or modified until at least 30 days after receipt by NYSERDA of written notice thereof; and (3) be reasonably satisfactory to NYSERDA in all other respects.

XI. ATTACHMENTS

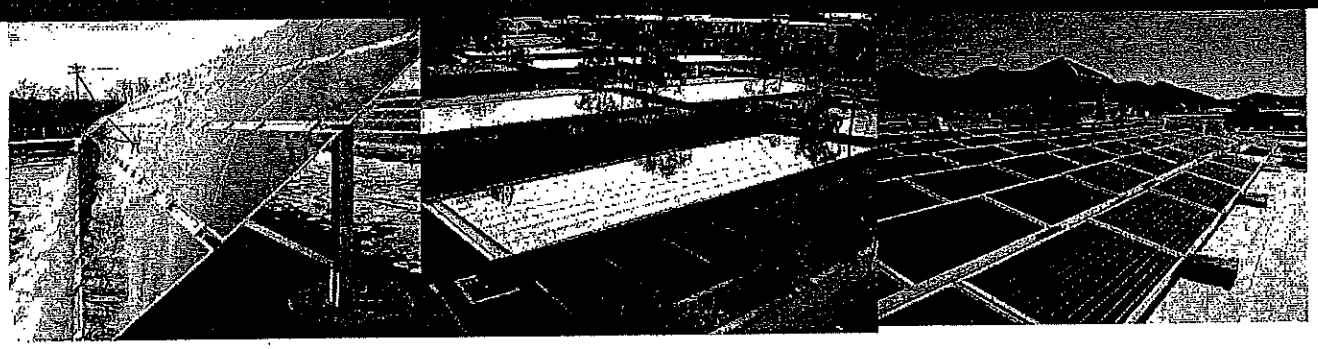
Attachment A	Proposal Checklist
Attachment B	Disclosure of Prior Findings of Non-responsibility Form
Attachment C	Project Application Form
Attachment D	Strategic Locations
Attachment E	Project Site Implementation Schedule Template
Attachment F	Sample Standard Performance Agreement for PV
Attachment G	Sample Standard Performance Agreement for Electric Generation using Renewable Biogas Fuel Locally-fed to the Generator
Attachment H	Sample Standard Performance Agreement for Electric Generation using Pipeline Directed Biogas
Attachment I	Addendum to the Customer Agreement
Attachment J	Aggregated "Surrogate" Project Information in lieu of One or More Required Reference
Attachment K	Letter of Intent Template
Attachment L	Utility request and Utility Response templates

SolarCity



New York Sun Competitive PV Program
Program Opportunity Notice (PON) 2956

Applicant Qualification Package of Dutchess County
Round I – July 17, 2014



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All Information is Proprietary and Confidential

ATTACHMENT A – PON No. 2956 PROPOSAL CHECKLIST (MANDATORY)

Proposal Title Clinton County		Due Date 7/17/2014	
Primary Contact (Prime Contractor) Jennifer Jachym		Title Senior Project Development Manager	
Company SolarCity Corporation		Phone 415-637-1444	Fax 650-240-1672
		e-mail jjachym@solarcity.com	
Address 3055 Clearview Way	City San Mateo	State or Province CA	Zip 94402
Secondary Contact Carissa Murray		Title Commercial Incentives Specialist.	
Company SolarCity Corporation		Phone 650-963-5100 ext. 58885	Fax 650-240-1672
		e-mail cmurray@solarcity.com	
Address 6671 S Las Vegas Blvd	City Las Vegas	State or Province NV	Zip 89119

THE PRIME CONTRACTOR MUST SIGN THIS FORM BELOW and ANSWER THE FOLLOWING QUESTIONS:

Do you accept all Terms & Conditions in the Sample Agreement? (If no, explain on separate page) **(NYSERDA may or may not accept any of the listed exceptions; NYSERDA reserves the right to limit any negotiations to exceptions specifically identified herein.)** — __ Yes X No

Do you wish to have any information submitted in your proposal package treated as proprietary or confidential trade secret information? If yes, you must identify and label on each applicable page "confidential" or "proprietary" (For additional information regarding this, please refer to the section entitled "Proprietary Information" in the solicitation document). — X Yes __ No

Have you been indicted/convicted for a felony within the past 5 years? (If yes, explain on separate pg) — __ Yes X No

Are you a Minority or Women-Owned Business Enterprise? — __ Yes X No

Does your proposal contain Minority or Women-Owned Business enterprises as subcontractors? — __ Yes X No

Are you submitting the required number of copies? (See proposal instructions.) — X Yes __ No

Is other public funding pending/awarded on this and/or very similar topic (prior and/or competing proposals)? (If yes, explain on separate page) — __ Yes X No

ON WHAT PAGE IN YOUR PROPOSAL CAN THESE ITEMS BE FOUND?

Cover Letter 6	Indictment/Conviction of Felony (If applicable)
Applicant Qualification Packet 6	NYSERDA Contracts Awarded (If applicable)
Project Site Package 26	Prior and/or Competing Proposals (If applicable)
Letters of Reference 15	Exceptions to Terms & Conditions (If applicable) 23
Letter of Intent 44	Disclosure of Prior Findings of Non-responsibility Form 4

AUTHORIZED SIGNATURE & CERTIFICATION

I certify that the above information, and all information submitted in connection with State Finance Law §139-j and §139-k, is complete, true, and accurate, that I have read and reviewed the Standard Terms and Conditions set forth in the attached Sample Agreement and that I accept all terms unless otherwise noted herein, and that the proposal requirements noted have been completed and are enclosed. I affirm that I understand and will comply with NYSERDA's procedures under §139-j(3) and §139-j(6)(b) of the State Finance Law. I understand that this proposal may be disqualified if the solicitation requirements are not met. I, the undersigned, am authorized to commit my organization to this proposal.

Signature	Name Hayes Barnard
Title Chief Revenue Officer	Organization SolarCity Corporation
Phone 650-963-5103	

NOTE: This completed form **MUST** be signed and attached to the front of all copies of your proposal.

Disclosure of Prior Findings of Non-responsibility Form

(Mandatory)

Name of Individual or Entity seeking to enter the procurement contract: SolarCity Corporation		
Address: 3055 Clearview Way San Mateo, CA 94402		
Date: 7/17/2014		
Solicitation or Agreement Number: 2956 Name and Title of Person Submitting this Form:		
Has any Governmental Entity made a finding of non-responsibility regarding the Individual or Entity seeking to enter the Procurement Contract in the last four years? (Please indicate with an "X")		Yes
	X	No
Was the basis for the finding of non-responsibility due to a violation of §139-j of the State Finance Law? (Please indicate with an "X")		Yes
	X	No
Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity? (Please indicate with an "X")		Yes
	X	No
If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below.		
Government Agency or Authority: N/A		
Date of Finding of Non-responsibility: N/A		
Basis of Finding of Non-responsibility: (Add additional pages as necessary) N/A		

Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named Individual or Entity due to the intentional provision of false or incomplete information? (Please indicate with an "X")		Yes
	X	No

If you answered yes, please provide details below.

Government Agency or Authority: N/A

Date of Termination or Withholding of Contract: N/A

Basis of Termination or Withholding: (Add additional pages as necessary)

N/A

Offerer certifies that all information provided to NYSERDA with respect to State Finance Law §139-k is complete, true, and accurate.

By:_____ Date: July 15, 2014

Signature

Name: Hayes Barnard Title: Chief Revenue Officer

Cover Letter

July 15, 2014

Roseanne Viscusi, PON 2956
NYS Energy Research and Development Authority
17 Columbia Circle
Albany, NY 12203-6399

Dear Roseanne,

On behalf of SolarCity, it is my pleasure to submit SolarCity's application for NYSERDA's PON 2956 incentive for the installation of a photovoltaic system with Dutchess County.

SolarCity is a publicly traded firm (NASDAQ: SCTY) established in 2006 to provide clean and affordable Better Energy™ to millions of homeowners, businesses, and governments to protect their environment and shield themselves from rising electricity costs. Through our turnkey solar solutions, tens of thousands of our customers across 15 states, DC, Puerto Rico, and parts of Canada have benefitted from our 6,000+ strong in-house custom design, engineering, construction, financing, ongoing system monitoring, and operations and maintenance personnel. As the nation's leading solar provider with over $4 Billion in project financing capacity, SolarCity eliminates all financial dependency risks and uncertainty for our customers – reducing financing costs and accelerating deployment upon NYSERDA award.
With our expanding operations, which currently employ 175 residents, SolarCity is committed to New York and the goals of Governor Cuomo's NY-Sun Initiative. With our three (3) operations centers, including Albany, Elmsford and Hauppauge, SolarCity is well positioned to handle all aspects of project implementation, as well as ongoing monitoring and maintenance, for solar projects throughout the state.

With our size, experience and presence in New York state, and access to established project financing funds, SolarCity has a proven ability to execute on the proposed project upon NYSERDA award.

Summary of SolarCity's Application
A brief summary of the Project Site included in this Applicant Qualification Package is below.

- Load Zone: G
- Utility: Central Hudson Gas & Electric
- Project Site: Dutchess County Airport
- Project Description: Ground Mount
- System Size (kW DC): 2,501.4
- Remote Net Metered: Yes
- Strategic Zone: No

As a publicly traded company, we are required to request that all information provided in this proposal be treated as privileged and confidential. If any section of this application is to be released to the public, please contact our Senior Project Development Manager Jennifer Jachym at **jjachym@solarcity.com** or at (415) 637-1444, and allow us to specify which information can potentially be made public and which information must remain privileged and confidential. We look forward to working with NYSERDA on this great project.

Sincerely,

Hayes Barnard
Chief Revenue Officer ,SolarCity Corporation

Applicant's Team, Qualifications, Experience, & References

Project Team for Dutchess County

Beginning local service in 2011, SolarCity has become one of the few solar companies in New York that has experience in municipal and residential markets. SolarCity proposes the following team to manage Dutchess County projects. This team collectively oversees system designers, installation crews and monitoring/maintenance personnel state-wide and is one of the most experienced in the industry. Our system design team will consist of senior design staff including Sharon Greenberg and Benjamin Liu, who are listed below, as well as several additional Designers. The install team will likely consist of Commercial Project Manager Elie Schecter, Commercial Construction Manager Carl Haywood, and our local employee installers.

Team Roles

Jennifer Jachym, LEED AP
Senior Project Development Manager
Team Leader and Main Point of Contact
SolarCity Corporation @ 203 Ridgewood Drive
Elmsford, NY 10523
415.637.1444
jjachym@solarcity.com

Name	Title	Project Role	Contact Information
Elie Schecter	Commercial Project Manager	Manages project schedules, budgets and quality	914.924.6450 eschecter@solarcity.com
Carl Haywood	Construction Manager	Responsible for project quality, safety, cost, and schedule	chaywood@solarcity.com
Sharon Greenberg	Commercial Engineering Manager	Oversees Engineering and System Design	650.963.5100 x 5488 sgreeenberg@solarcity.com
Ben Liu	Commercial Design Team Lead	Leads System Design	650.963.5809 bliu@solarcity.com
Fiona Taylor	Senior Director, Asset Management Group	Utility interconnection agreements, rebate applications	650.963.5693 ftaylor@solarcity.com
Leon Keshishian	Regional Vice President, East Coast	Oversees local operations centers	301.328.8801 lkeshishian@solarcity.com
Jimmy Bergeron	Operations & Maintenance Manager	Oversees all maintenance and operations for installed systems	650.963.5100 x 55727 jbergeron@solarcity.com
Eric Carlson	Senior Director, Grid System Integration		650.963.5105 ecarlson@solarcity.com

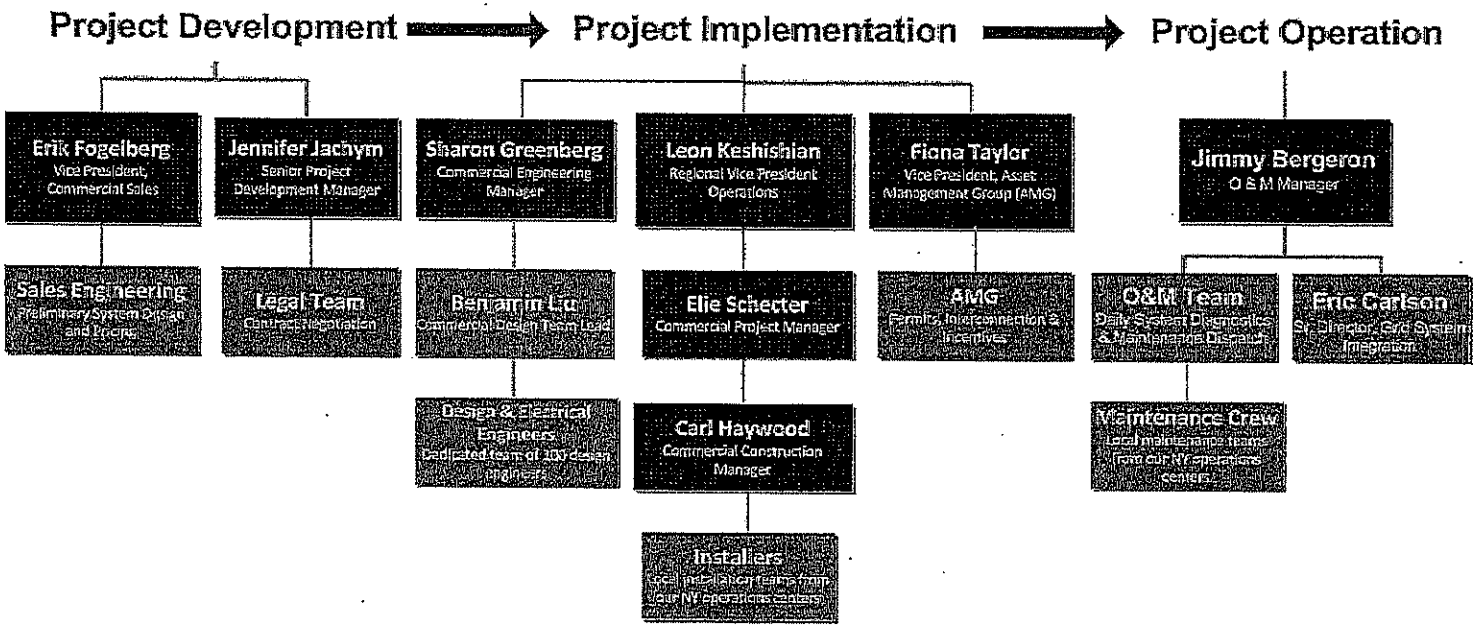
Organizational Chart

The organizational chart below reflects the project team for Dutchess County and how each team member collaborates on commercial projects.

The main point of contact for this project will initially be Jennifer Jachym, who will help guide the County through the solar project process and the NYSERDA application process. There is a transitional period between the development and implementation phases, wherein the project will be primarily transferred to Elie Schecter, the Project Manager. Elie and Carl Haywood, our New York-based Construction Manager, will be managing the day-to-day of installation and will meet with the school regularly to provide progress updates. After the system is completely installed, passed inspection, and interconnected, the Monitoring team and the Operations and Maintenance (O&M) team, under Jimmy Bergeron's direction, will track system production and address any issues in accordance with warranty and O&M contract obligations. Our Regional Vice President Leon Keshishian will provide the leadership to oversee the operational management of the project to ensure that it meets the quality and safety standards of SolarCity.

SolarCity

Project Development Organizational Chart



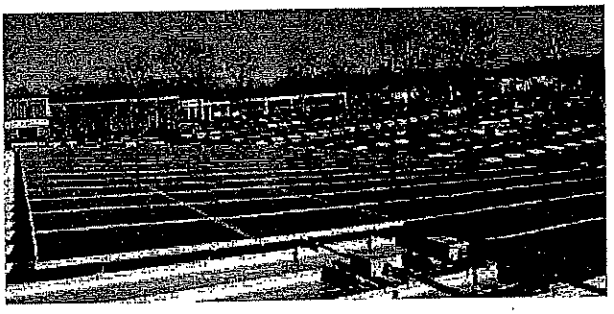
Resumes of Key Personnel

Jennifer Jachym—Senior Project Development Manager

Jennifer is a LEED-Certified Accredited.Professional with more than six years of solar project financing experience for Fortune 500, education, and government clients. As a Senior Project Development Manager, Jen has valuable experience with Engineer, Procure, and Construct (EPC) contracts, American Recovery & Reinvestment Act projects, and bond-funded projects. Jen guides SolarCity's customers through the initial feasibility and contract process through to ground-breaking, and helps our customers with the transition to installation and maintenance. Jennifer has a strong customer service and management background, with ten years of account management experience prior to joining SolarCity in 2007. Jen's clients include eBay (650 kW), Bayer Healthcare (300 kW), various school districts and universities (4.8 MW), and a large-scale utility cooperative (14 MW). Jen received a dual Bachelor's degree from Syracuse University.

Elie Schecter— Commercial Project Manager

Elie has been a solar industry professional since 2006, when he worked in a consultant role for the Natural Resources Defense Council, developing a policy toolkit for advancing the solar energy industry in New York State. He also led installations and managed crews on approximately 40 PV projects for an installation company in Nyack, New York, and led the installation of several solar projects for a recuperating New Orleans following Hurricane Katrina. He has been with SolarCity since 2008, when he began as an engineer.



Elie Schecter was trusted to manage SolarCity's first Honda installation in St. James, NY.

Since then, he has become a Senior PV Systems Designer and the Commercial Design Team Lead, eventually returning to Project Management. Elie is a NABCEP and NYSERDA certified installer, and because he has such an extensive background in policy, engineering, and project management, has a simultaneously thorough and holistic approach to managing commercial projects. Elie received a Bachelor of Arts, Cum Laude with Honors, from Middlebury College.

Carl Haywood – Construction Manager

Carl brings more than thirty years of electrical construction experience to his commercial solar PV projects..He is a former IBEW Local 3 electrician, and has been with SolarCity since 2012. Since joining SolarCity, Carl has been managing large scale commercial projects. However, he has a total of eight years of experience managing residential and very large scale commercial solar installations on the East Coast, including a high profile 850 kW water treatment plant in Wilmington, DE during the winter of 2009-2010. In total, Carl has worked on 16 MW of solar PV. In 2012, Carl closed out the first Walmart on the East Coast to go solar with SolarCity. He also assisted with GAL Manufacturing in Bronx, NY, one of the largest solar installs in New York City.

Sharon Greenberg – Commercial Engineering Manager

Sharon has extensive engineering experience in the renewable energy space as well as with semiconductor and defense firms. At SolarCity, Sharon oversees the commercial engineering department, including staffing and resource allocation, productivity metrics and procedure implementation. In her prior role with SunLink Corporation, Sharon formed and ran the project management department and successfully improved communication between the sales and engineering teams. The result was a near 100% increase in engineering project throughput during her time there. Additionally, she was the post-sale representative for the largest solar installation in SunLink's history, and managed the design and installation process for the project. Sharon holds a Bachelor's of Science in Mechanical Engineering from University of California, Los Angeles and an MBA from Georgetown University.

Ben Liu – Commercial Design Team Lead

Ben Liu has been with SolarCity for 7 years and is a NABCEP-certified CA C-10 electrical contractor with 10 years of experience on commercial solar projects. He has designed over 100 commercial projects, from elementary schools to U.S. Border or Naval Air Stations to enhancement of corporate environments. Ben's expertise combines practical and innovative solutions on a site-by-site basis. Ben has a BS in Mechanical Engineering from University of California San Diego.

Leon Keshishian – Regional Vice President, East Coast

Lee brings extensive experience in managing and growing businesses in the manufacturing and construction fields. He is Regional Vice President of East Coast Operations for SolarCity, managing all residential and commercial staff involved with the installation and service of solar installations out of 9 operations centers from Massachusetts to Washington DC, plus satellite operations in Puerto Rico and Florida. Lee joined SolarCity after their purchase of Clean Currents Solar in January 2011, a Mid-Atlantic solar business unit of a company he co-founded. Lee is on the board of the parent company, Clean Currents Energy Services, which is an energy supplier in the deregulated PJM markets with over 20,000 residential and commercial customers. Lee's prior work includes Northeast Regional Vice President of Pulte Homes, the nation's largest residential developer and senior brand management roles with Reynolds Metals (ALCOA) and Dial Corporation (Henkel) in Latin America and Europe. In between the consumer products and housing worlds, he was a director with start-up online company, boxerjam.com, which received venture funding from a group led by NEA and later sold to Media General. Lee is a graduate of Georgetown University in International Relations with additional graduate studies at Thunderbird School of Global Management in Arizona.

Jimmy Bergeron – Director of Plant Operations and Maintenance

Jimmy Bergeron is a NABCEP-certified PV installer and commercial and industrial electrician with seven years of experience managing large-scale commercial and utility-sized PV systems. Prior to his position as the Director of Plant Operations and Maintenance, managing the operations of tens of thousands of PV projects, Jimmy spent the last six years at SolarCity in various roles, improving the quality of our solar energy systems. Jimmy has constructed more than 150 residential and commercial projects for SolarCity. He has served as the principle Head Program Manager for 200 Walmart installations totaling 71MW and managing a $96 million budget for installed jobs. He has developed policies, procedures, and estimating and data tracking tools for SolarCity's Commercial Construction Department. Jimmy has a Bachelor's degree from Villanova University.

Eric Carlson – Senior Director, Grid System Integration

Eric Carlson leads SolarCity's product development and integration team, which is responsible for developing technical solutions to deploying very high levels of solar on the grid. This includes the SolarGuard and PowerGuide system monitoring platforms, demand side management, energy storage systems, grid modeling, and interconnection codes and standards. Prior to joining SolarCity, Eric spent three years at SPG Solar Holdings, serving most recently as Director of Technology. In that capacity, Eric led engineering teams responsible for developing balance-of-system products for the PV industry. In addition, he developed solar monitoring and control systems, created Customer Relationship Management software tools, and conducted PV performance modeling and analysis. Eric began his career at Intel Corporation after graduating from Princeton University, magna cum laude, with a B.S.E. in Electrical Engineering.

Fiona Taylor – Vice President, Asset Management Group

Fiona is Vice President of the 40+ member Asset Management Group (AMG), which has the primary mission of managing the portfolio of lease and PPA assets on behalf of SolarCity's investment funds with the objective to optimize the performance of each fund. Fiona has extensive knowledge in the areas of structured finance and asset management including financial planning and analysis, credit analysis, contract administration, rebate management, interconnection and grant administration. Having held varied positions ranging from an officer in the Royal Australian Air Force to Vice President at Visa, Inc., Fiona has a multitude of skills needed to hold this versatile role at SolarCity. She leads her team in deploying and managing the assets in each of SolarCity's investment funds focusing on performance management, forecasting, analysis, reporting and fostering strong cross divisional relationships between the AMG and external fund/investor stakeholders. Fiona holds an Arts degree in Economics and Politics, an Officer Training certification in Military Studies, a Graduate Diploma in Business, and a Master of Business in Financial Law from the University of New South Wales, the Australian Defence Force Academy, Victoria University, and the University of Southern Queensland.

SolarCity Company Profile

SolarCity (NASDAQ: SCTY) was founded in June 2006 and built with the mission to protect the environment from polluting power sources by providing affordable, renewable Better Energy™. We have helped tens of thousands of homeowners, businesses, and academic institutions adopt clean power and reduce their environmental footprint.

SolarCity's 6000+ employees are focused on providing high quality turnkey solar installation services throughout 15 states, Washington Dc, Puerto Rico, and parts of Canada. We operate out of 40+ national facilities; thereby providing our customers with unparalleled support and responsiveness for every project.

We have provided the following table of information to summarize SolarCity's company profile in line with NYSERDA's requirements. We look forward to the opportunity to help Dutchess County attain carbon neutrality through a full-service photovoltaic system in line with the County's dedication to limiting the environmental impacts of its activities.

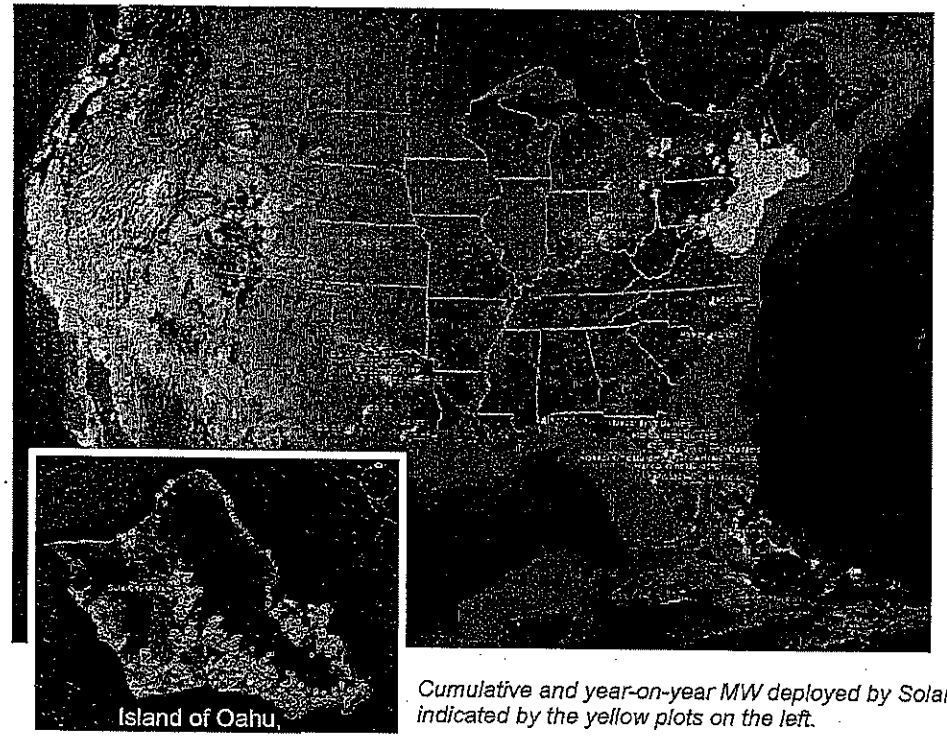
SolarCity Company Information	
Year Founded	2006
Status	Public (NASDAQ: SCTY)
Number of Employees	Over 6,000 as of June 9, 2014
States of Business	AZ, CA, CO, CT, DC, DE, HI, MA, MD, NJ, NV, NY, OR, TX, WA
Target Customers	Commercial, Education, Government, Residential
Location of Offices	More than 40 facilities nationally, across the 15 states, plus Washington DC listed above

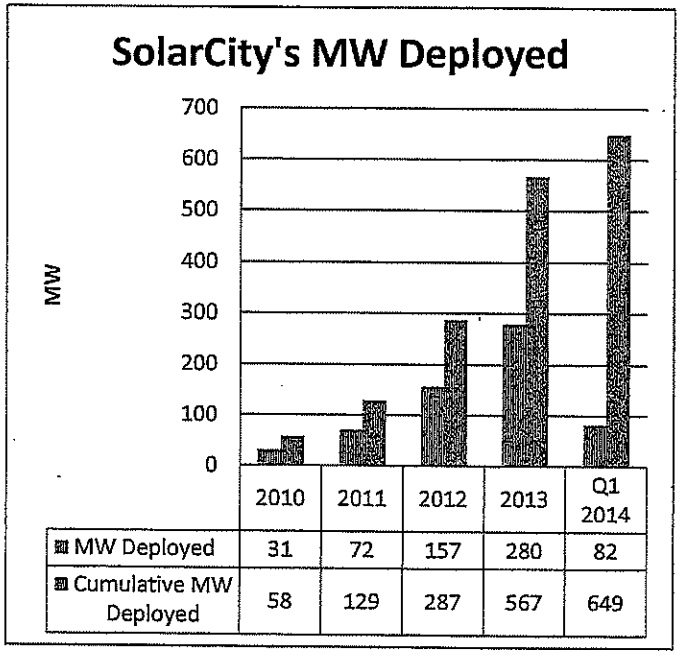
A Map of Installations in the State of New York.

SolarCity currently has a staff of 175 across three operating centers in Albany, Westchester, and Long Island as of March 31, 2014.

Project Design and Installation Experience by Year

Across the nation we have installed PV systems for over 180 municipalities and have a wealth of experience in streamlining installations to fit around the busy schedules of our clients as well as accommodate the needs of stakeholders. Dutchess County projects are well within the scope of our design and installation teams' abilities. As of March 31, 2014, we've deployed 649 MW since our establishment in 2006. Out of these 649 MW, we have deployed several multi-MW projects for governments and utility companies. A table of some of our large-scale projects is provided on the next page. The map and chart below show our cumulative installations.





	2010	2011	2012	2013	Q1 2014
MW Deployed	31	72	157	280	82
Cumulative MW Deployed	58	129	287	567	649

Cumulative and year-on-year MW deployed by SolarCity with corresponding map of these installations in the US, as indicated by the yellow plots on the left.

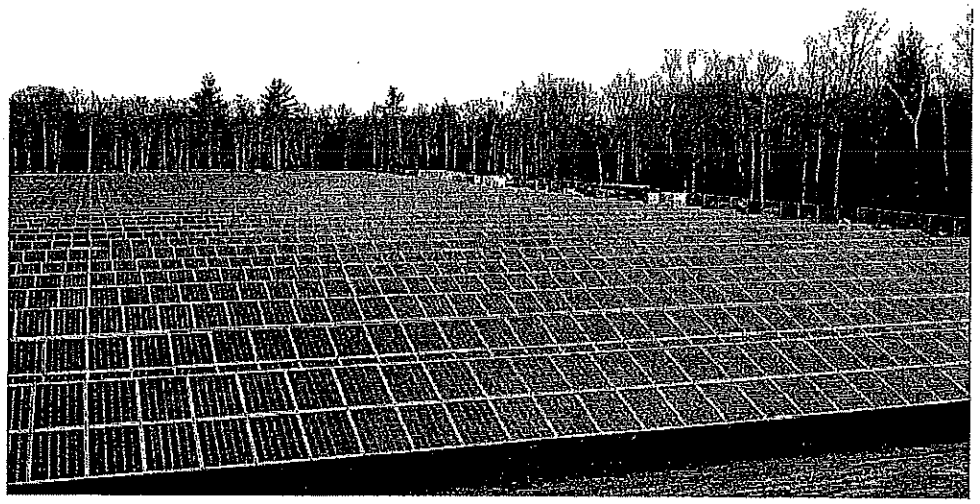
Experience Building and Managing Large-Scale PV Projects

SolarCity has extensive experience and a strong track record of building ground-mounted PV systems with a minimum capacity of 1MW for public and private sector clients. The aggregate size of the large-scale and utility-scale projects we have undertaken has provided SolarCity with a tremendous amount of experience and knowledge. We understand the tasks necessary to ensure the solar systems integrate seamlessly with the existing electrical system and that the system addresses the various requirements asked for by our clients. Aside from maximum efficiency, these requirements, which vary depending on the location and client, include environmental impact, glare, flooding, geotechnical considerations, and aesthetics.

As of March 31, 2014, we've installed 63 ground mount projects with 23 MW of combined capacity for government clients. The table below lists some of our past and ongoing ground-mount projects with a minimum capacity of 1MW, demonstrating our capability to successfully execute and maintain projects similar to that proposed for Dutchess County.

Sample List of Large Scale Projects of SolarCity

Project Name	Project Size (kW)	Installation Type	Location
Walmart	65,000	Roof and ground-mount	Multiple locations, including East Coast
Hawaiian Electric Company	15,000	Ground-mount	Kapolei, HI
Kauai Island Utility Cooperative	14,166	Ground-mount	Koloa, HI
Oregon University Systems	4,857	Ground-mount	Oregon
US Topco	3,993		Lancaster, CA
Davis-Monthan Air Force Base	3,281	Ground-mount	Davis-Monthan AFB, AZ
Queen Anne's County	2,748	Ground-mount	Centreville, MD
Town of East Bridgewater, MA	2,446	Ground-mount	East Bridgewater, MA
Simi Valley Unified School District	1,495	Ground-mount and solar support structures	Simi Valley, CA
City of Sacramento – Fairbairn Water Treatment Plant & Sacramento Water Treatment Plant	1,485	Ground-mount	Sacramento, CA
Casa Grande Elementary School District	1,155	Ground-mount and solar support structures	Casa Grande, AZ
Monterey Regional Water Pollution Control Agency	1,116	Ground-mount	Marina, CA
Intel Folsom	1,105	Ground-mount	Folsom, CA
South Central Connecticut Regional Water Authority	1,053	Ground-mount	Hamden, CT
Town of Centreville, MD	1,001	Ground-mount	Centreville, MD



SolarCity installation at the Town of East Bridgewater, Connecticut

Recent Project References

For NYSERDA's benefit, we have provided a summary table below of customer and project references. Signed letters of reference from each customer are supplied following the summary table. We are happy to provide more references to help NYSERDA learn more about SolarCity's project experience.

SolarCity Project References			
Electric Customer Name	SUNY Cortland	Town of East Bridgewater	Manheim Remarketing Inc. (Cox)
Address	38 Graham Ave, Cortland, NY 13045	230 Highland St, East Bridgewater, MA 02333	2000 Dealer Dr Newburgh, NY12550-5067
Contact Information	Matthew Brubacker Energy Manager Associate Facilities Program Coordinator (607) 753-4370 Matthew.brubaker@cortland.edu	George Samia Town Administrator (508) 378-1601 gsamia@ebmass.com	Eric Holder Manager, Engineering and Alternate Energy (678) 645-4571 Eric Holder@coxinc.com
Name of Installer	SolarCity Corporation	SolarCity Corporation	SolarCity Corporation
Site Location	32 Stratton Dr, Cortland, NY 13045	230 Highland St. East Bridgewater, MA 02333	Clifton Park & Newburgh, NY San Diego, CA Kenly, NC
System Description	Ground mount and roof mount	Ground mount	Ground mount and roof mount
Date Installed	3/2014	7/2013	12/2013 and 3/2014
System Capacity Rating	1.063 kW	2.446 kW	1,582.7 kW
Statement of Overall Satisfaction	✓	✓	✓

SUNY Cortland
Physical Plant
Campus Energy Management

July 14, 2014

SolarCity
3055 Clearview Way
San Mateo, CA 94402

RE: SolarCity Recommendation Letter

To Whom It May Concern,

SUNY Cortland selected SolarCity in February 2013 to develop a large 1,063 kW solar array on our campus. This enabled our facility to greatly expand our capacity for solar and capitalize on NYSERDA funding available to such an opportunity. The project developed two 200.5 kW roof-mount systems and one large 661 kW ground-mount array. Installations began within the first quarter of 2014. All three sites are now awaiting permission to operate from National Grid (Niagara Mohawk). SolarCity provided us with turnkey solar services that included design, engineering, procurement, construction and installation, permitting and incentives application, utility interconnection, financing, and ongoing operations and maintenance. They provided our PV systems through a Power Purchase Agreement or PPA financing structure. The PPA is one of the first of this size for the State University of New York system.

SolarCity's depth of knowledge about the contract process, incentive program and constant professionalism allowed the team to bring the project through all phases of review and implementation. The project incentive funding through NYSERDA required an extremely tight timeline for project implementation. SolarCity did a great job dealing with the tight timeline along with one of the harshest winters the Central New York region has seen in several years.

We are pleased with the services of SolarCity and would choose them as our solar services provided in the future, if another opportunity arises.

Sincerely,

Matthew J. Brubaker, AIA LEED AP BD+C
Campus Energy Manager

Service Group Building • P.O. Box 2000 • Cortland, NY 13045-0900
Phone: (607) 753-2272 • email: matthew.brubaker@cortland.edu

SolarCity
3055 Clearview Way
San Mateo, CA 94402

RE: SolarCity Recommendation Letter

To Whom It May Concern,

The Town of East Bridgewater decided to go solar with SolarCity in December, 2011. We have been pleased with our installation and recommend their clean energy services. Our project is 2.4 MW in size and consists of Ground Structure. The installation took place between December, 2011 and July, 2013. This project has a Power Purchase Agreement financing structure.

SolarCity performed the following services for this project:

Installation, repair and maintenance of solar equipment.

Additional Comments:

The Town of East Bridgewater was approached by several companies with offers of similar projects. It was felt by East Bridgewater Administration as well as legal counsel that Solar City had the most workable give and take formula amidst the lot

Sincerely,

George Samia

George Samia
Town Administrator
Town Of East Bridgewater
508-378-1601
gsamia@ebmass.com

Manheim

July 9, 2014

SolarCity
3055 Clearview Way
San Mateo, CA 94402

RE: SolarCity Recommendation Letter

To Whom It May Concern,

Manheim Remarketing Inc. (Cox Enterprises, Inc.) selected SolarCity in June 2013 to help us switch to clean energy. We have four systems installed by them, two of which are in the state of New York. Our 1,582.7 kW ground-mount and roof-mount PV systems were installed between October of 2013 and March of 2014. They are all operating and are interconnected with Central Hudson Gas & Electric, New York State Electric & Gas, San Diego Gas & Electric, and Duke Energy. SolarCity provided us with turnkey solar services that included design, engineering, procurement, construction and installation, permitting and incentives application and utility interconnection. They provided our PV systems through cash, design-build financing structure.

We are pleased with the services of SolarCity and would choose them as our solar services provided in the future, if another opportunity arises.

Sincerely,

Eric Holder

Eric Holder
Manager, Engineering & Alternate Energy
Cox Enterprises, Inc
678-645-4571
Eric Holder@coxinc.com

Quality Assurance Plan for Dutchess County

Since 2008, SolarCity has conducted Quality Assurance Programs, resulting in constant improvement of internal safety, productivity and customer satisfaction scores. SolarCity's Executive and Customer Care teams meet on a monthly basis to review results of customer surveys and look for areas of improvement. From our initial sourcing of high-quality panels and inverters, to designing the best possible layout for your space, to installing to your complete satisfaction, systemic integrity is an inherent part of our Quality Assurance Program. We are looking forward to working with Dutchess County to evaluate and deploy the best-value and lowest-risk solar solution for their ground mount array.

Procurement

We have a well-developed process by which we can ascertain the quality of the products available on the market. SolarCity does not merely purchase the cheapest panels on the market without assessing their true value to the customer or our company. Here are a few of the evaluation criteria for system components and companies from which we purchase:

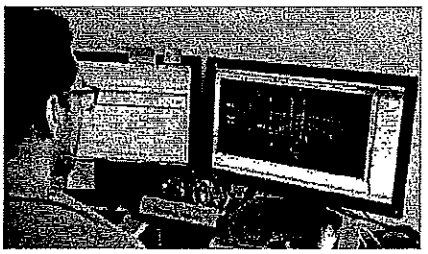
- All modules are ISO-certified
- All inverters are CEC-certified
- All components meet UL-1741 and UL-2703 requirements
- All manufacturing partners must perform and pass thermal cycling testing

These requirements are standard in the solar industry to ensure operational, high-quality PV systems. As we own, operate, and maintain thousands of solar PV systems, it is in our best interest, as well as Dutchess County's, to find the highest quality components possible for a project's needs in order to keep these systems running at high efficiency.

Design

SolarCity exercises a stringent series of review processes in order for our designs to pass from the hands of our Design and Engineering teams to our installation crews out in the field. SolarCity takes great pride in designing and installing systems that are pleasing to the eye, align closely to the existing lines of the building and meets the required power output. We will engage with all of our customers to verify the acceptability of all designs prior to construction. In general, ground mount systems shall meet these design criteria:

- Symmetrical and flat, despite undulations in the ground surface
- Avoid direct shading on the PV modules from 9am to 5pm, especially during summer months
- Inverters are placed in locations with good ventilation and shielded from exposure to rain
- Straight wire runs that are aligned with module frames and racking system



SolarCity's engineers follow stringent protocols in order to generate the best possible design for our customers' systems.

Once a system is designed, it is reviewed internally, and then reviewed by an external professional engineer. All systems are installed compliant with national codes and local ordinances. The final planset is stamped by a Professional Engineer, is provided to the Authority Having Jurisdiction (AHJ) and includes all aspects of the project such as:

- NEC compliance
- Life-safety issues
- Verification of the design assumptions made in the electrical and structural calculations
- Determination of the appropriate equipment
- Building code compliance
- Finalization of structural calculations
- Providing rack and module connection details (when necessary)

SolarCity's crew members are trained to the highest solar installation standards, seen here installing a ground mount in Delaware.

Installation

From the Project Managers to the crew members, SolarCity Operations is the key to our success. We incentivize our crew members to meet deadlines and install quality systems. We measure weekly, monthly and quarterly productivity improvements for all of our installation teams. For every project, crews are required to:

- Upload digital photos of each stage of the installation into each customer's file on our central server
- Torque all connections to the manufacturer-specified values
- Label all current-carrying wires
- Verify the functioning of SolarGuard monitoring to proactively address issues and meet our performance guarantees
- Add a laminated string diagram to the inside cover of each combiner box
- Complete the "Job Closeout Sheet" to ensure that each step of the job was done to specification
- Submit reports on the timeliness of each installation

We have a dedicated Department of Field Engineering phone line, which is staffed at all hours for installation crews who may have questions on safety, potential changes required mid-project or unexpected issues. This mitigates any delays that would typically accrue for a construction project by elevating overnight problems and addressing them more immediately than other solar or construction companies typically would.

Post-Installation Follow Up

After the installation is complete and the project is interconnected, we measure the quality of our installations in the form of customer satisfaction surveys with our customers. Any operations-based customer complaints from our surveys are examined, which allows for better installation practices in the future. SolarCity's Executive team, Customer Care, Operations, Sales and Brand teams meet on a monthly basis to review the results and look for areas of improvement. Additionally, our Installation Quality Manager releases an Operations Update every week, which features suggestions as to how to keep our customer's properties looking better than when we'd arrived, how to ensure proper mounting procedures are followed, and informs the Operations team about changes to process. We take pride in our installation speed, and based upon the vast majority of feedback, we are also great at maintaining the state of the property during the course of the installation and do not allow quality or safety to slide in favor of swiftness.

Warranty Information

The chart below summarizes the warranty of various system components (modules, inverters, and racking system). SolarCity will choose suppliers that have been vetted through our engineering quality and investor standards. SolarCity stands by its products and installations and will be available throughout the life of the system should any concerns arise.

System Component	Warranty
Ground Mount Racking System	20 years
Solar Modules	10 years product, 25 years linear power
Inverters	5 years; 20 years extended service agreement
Balance of System Components	5 years
Monitoring	20 years

Operations and Maintenance (O&M) Capabilities

SolarCity's commitment to our customers extends beyond the point where their systems begin to produce energy. We understand that the ability to enjoy the benefits of clean energy depends on the ability of the solar system to perform at an optimum level. With that in mind, SolarCity has developed a comprehensive operations and maintenance plan (O&M) to ensure that all of our systems achieve the highest kWh output over their lifetime. SolarCity does not simply build a system and then walk away. Rather, we enter into partnerships with our customers that last for years, ensuring their success as well as our own.

SolarCity's vans and trucks are branded so our customers can trust service crews entering a private site.

SolarCity's comprehensive O&M package is critical part of protecting your solar performance and revolves around our ability to closely monitor system output 24 hours a day. PowerGuide, our in-house monitoring tool allows our monitoring team to determine when a system is performing below expectations or goes off-line. In the event that a system's performance is largely impaired, SolarCity will notify the customer and, if necessary, alert the appropriate Project Manager who will attempt to resolve the issue on-site. Operations and Maintenance crews for the proposed system at Dutchess County's facilities will be based from our Albany warehouses and aim to respond in less than 48 hours. All O&M activity on the site will be performed in accordance with standard safety procedures and applicable codes. Qualified technicians will perform comprehensive tests and inspections on an annual basis to ensure the proper operation of the system.

SolarCity maintains a robust O&M program with which all of our installations teams are familiar. This program is described in our O&M manual, which covers the following:

Summary Table of SolarCity's O&M

Activity	Frequency	Description
Preventative Maintenance	As Scheduled	**General Inspection** - A full visual and physical inspection of all system components and their immediate surroundings carried out in accordance with inspection checklists **Structure Maintenance** - Necessary preventive maintenance may be performed on system structural components to ensure continued safe and effective operation. **Electrical System Testing** - Troubleshooting of all electrical components will be performed through standard electrical test methods to isolate and verify performance of each component through voltage, current, resistance and continuity tests.
Corrective Maintenance (Troubleshooting and Repair)	As Necessary	**Troubleshooting** – Remote diagnostics to determine the symptoms or root cause of equipment failure. If on-site troubleshooting is required, SolarCity will dispatch team. **Solution Verification** – SolarCity will test and confirm the solution is working to the specifications of the contract. **Low Performance and Hardware Failure** – Replacement of failed components based on workmanship or manufacturer's warranty
Inspection	Per Occurrence	**Inspection Checklist** – Ensures all aspects of the system are in proper working order.

Inverter Tests and Array Inspections

Inverters are the by far the most complex and critical pieces of equipment for any solar system. A failed inverter prevents the solar modules from producing energy and presents the greatest downtime risk for any system. SolarCity takes great care in maintaining inverters according to manufacturer warranty requirements to ensure proper operation of the system. Inverter inspection is focused on five primary categories, covering power on and power off states:

The solar array consists of many smaller components and is installed over a large physical area. Array components are typically simple in design and less prone to failure than inverters. Failure of these components is difficult to detect and usually results in incremental loss in production. SolarCity's O&M process is designed to identify and prevent failures that can occur over the long term operation of the system.

Activity	Description for Inverters	Description for Arrays
Visual Checks	Thorough visual inspection of the interior and exterior of the inverter is performed to prevent issues related to wire management (ground faults, safety and electrical shock). Discolored fuses, circuit boards, wiring and other components that show potential heat damage are tested and replaced as needed. The interior of the inverter is checked for moisture intrusions. The exterior of the inverter housing is also evaluated for physical damage. The inverter housing is repaired as required to achieve the expected service life of the inverter.	Visual inspection of electrical equipment wire runs, conduit, disconnects, fuses and combiners is performed. As with inverter visual checks, this precaution is taken to prevent issues associated with wire management (ground faults, safety and electrical shock). Combiner boxes are inspected for heat discoloration, moisture entry, rodent ingress, and continuity of weatherproof seals. Racking is inspected for signs of corrosion, chipped paint and missing components. Any issues with racking fasteners (missing, loose) are corrected.
Mechanical Checks	All conductor terminations in the inverter are physically checked for proper torque. This step eliminates poor connectivity due to movement cause by normal heat expansion and contraction.	All conductor terminations in combiner boxes are physically checked for proper torque. This step eliminates poor connectivity due to movement cause by normal heat expansion and contraction. Disconnects are tested to ensure proper operation. Random samples of module clamps are tested for torque.
Electrical Checks	Infrared scans are performed to identify hot spots and potential failure points of inverter components. Low voltage power supplies are verified for proper operating parameters. These tests ensure that individual components do not cause premature failure of the inverter.	These checks prevent issues with performance and ensure overcurrent protection (fuses). Infrared scans are performed to identify hot spots and potential failure points in combiner boxes and disconnects. String level testing of current and voltage is performed to identify underperforming strings and modules. Ground continuity of system racking is verified.
Operational Checks	Inverter power ratings, input and output voltages are recorded to verify that the inverter is operating normally.	Due to the large number of modules on site, a random sample set of modules is chosen for each module test. Modules are inspected for hot spots and blemishes on the PV cells. The backsheets of another sample set of modules is inspected for burn marks, blisters and discoloration. The junction boxes are also inspected to verify that seals are water tight and that connectors are in good condition.
Cleanliness	Fans are cleaned and filters are replaced to ensure that the inverter operates within design temperature limits. Proper cooling is critical for protecting the power electronics of the inverter.	Areas of heavy soiling are identified and evaluated for possible cleaning. Rooftop arrays are checked for accumulated debris and roof damage in the array area. Ground mounted arrays are checked for vegetation growth in the array area.

Exceptions to NYSERDA Contract

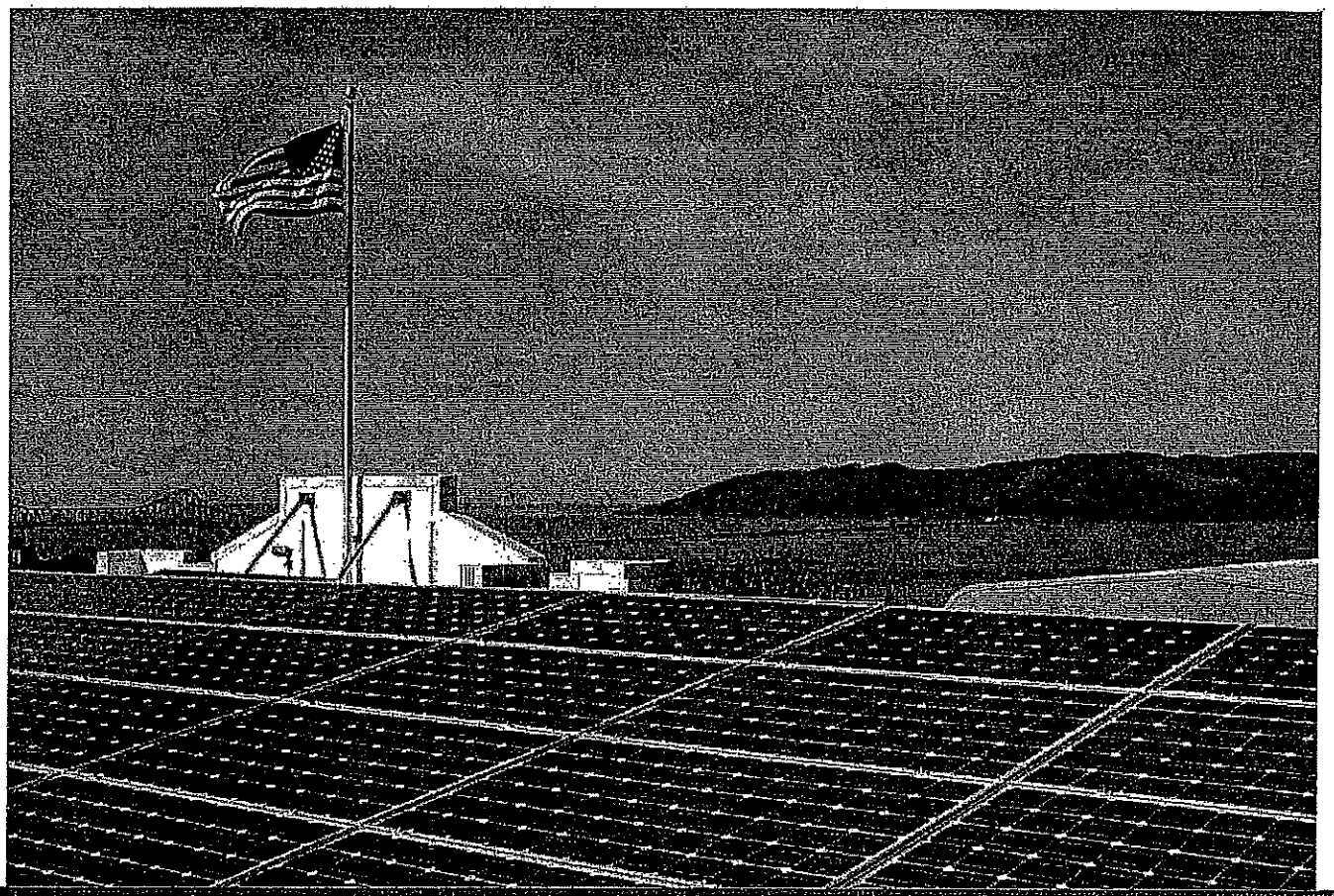
In previous rounds of NYSERDA PONs, SolarCity has worked with NYSERDA to integrate our comments to the standard contract. They are listed here for reference. As with our previous experiences, we will work with NYSERDA in creating a mutually agreeable contract for both parties.

SolarCity Comments to NYSERDA PON 2956 Standard Performance Agreement for PV		
Section	**Issue**	**Comments**
2.6 (Equipment and Components)	Meter requirements: --internet enabled --displays instantaneous AC power and cumulative total AC energy production --capable of (1) recording cumulative total AC production on an hourly basis, (2) stores info for 7 days, and (3) transmits recorded readings 1/day to NYSERDA --ANSI C12.20, revenue grade, with +/-0.2% accuracy --includes battery backup to prevent data loss during power outages	SolarCity's proprietary and CEC-approved monitoring/metering system is in accordance with all specs below except "stores for 7 days" (actually about 72hrs) and "revenue grade +/-0.2% accuracy" (our system is at least 0.5% to 1% or better).
2.6 (Equipment and Components)	NYSERDA will make data collected from meters public	SolarCity would prefer any data shared publicly be aggregated and published in a non-site specific manner. Otherwise this should be okay, so long as our meters don't record total host customer energy usage (many hosts consider their total usage to be confidential information)
2.7 (Site Inspection)	Excerpt from Std Perf Agrmnt: "NYSERDA may visit Project Site (i.e., Host Site) with or without notice at any time to inspect the system." Excerpt from Att-J (more reasonable): "Inspection/Reporting/Commissioning: Contactor will allow NYSERDA, its technical contractor, or Data Agent to conduct Site Inspections or remote monitoring services. Contractor will obtain permission from the Customer for NYSERDA, its technical contractor, or Data Agent to inspect the Installation location or perform remote monitoring services. Contractor will arrange access to the Project Site upon requests by NYSERDA, its technical contractor, or Data Agent."	SolarCity's Customer usually requires advance notice before SolarCity or any third parties (including NYSERDA) are authorized to access the roof, electrical room, or other 'backstage' areas. Since SolarCity owns the System and manages all aspects of ongoing service and support for Customer, NYSERDA will need to notify SolarCity of the desire for a site visit and then SolarCity will secure site access authority from Customer. SolarCity will commit to very fast/reasonable turnaround times for any such site visit requests from NYSERDA. We welcome the inspection process, but must work though Customer protocols.

SolarCity Comments to NYSERDA PON 2956 Standard Performance Agreement for PV		
Section	**Issue**	**Comments**
2.8 (Energy Assessment)	ASHRAE level walk-through energy audit required	SolarCity will need clarification on the logistics and costs associated with such an energy audit. As long as these are reasonable and do not impact the ability to execute the project we have no objection.
6.1 (E)	Events of default ... "assignment of all or part of the Contractor's obligations required under this Agreement without NYSERDA's prior written permission"	Due to blind pool portfolio financing structure, SolarCity needs allowances for assignment of the PPA to tax equity investment entities utilized by investors, without limitations of consent from NYSERDA.
8.1 (Indemnification)	SolarCity must indemnify, defend and hold harmless NYSERDA and NYS	(1) Please insert "third-party" between "all" and "liabilities" in the second line of the provision. (2) Add "("Losses") immediately following "(including, without limitation, attorneys' fees and expenses)" in the third line. (3) Add the following immediately following the final sentence of the provision: "Notwithstanding the forgoing, Contractor shall not be required to indemnify NYSERDA or New York State for any Losses to the extent such Losses are due to or caused by the negligence or willful misconduct of either NYSERDA or New York State."

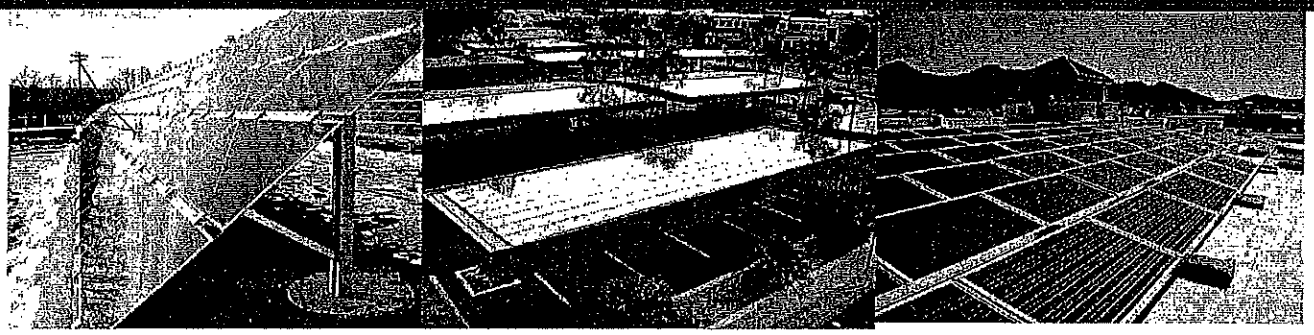
SolarCity Comments to NYSERDA PON 2956 Standard Performance Agreement for PV		
Section	**Issue**	**Comments**
9.1 (Maintenance of Insurance; Policy Provisions)	This section requires that we make NYSERDA and NYS additional insured on the specified policies and that policies must provide at least 30 days' notice in case of cancellation or modification.	(1) Generally, it's not possible to add anyone as an additional insured to workers comp, employers liability or disability policies. Suggest modifying Section 9.1(A) by adding, "With respect to the Commercial General Liability Policy," to the beginning. (2) Most policies (including ours) do not allow for notice of cancellation for non-payment of premium more than 10 days in advance. Suggest modifying Section 9.1(B) to add "(ten (10) days' for non-payment of premium)" immediately following "thirty (30) calendar days
9.3 (Delivery of Policies; Insurance Certificates)	(1) In case a policy will expire prior to termination of NYSERDA contract, Contractor must deliver certificates of insurance to NYSERDA evidencing renewal of policies. (2) NYSERDA can require Contractor to provide certified copies of each policy.	(1) This should be modified to require provision of certificates of insurance evidencing renewal "as soon as reasonably possible". It is almost impossible to get evidence of renewal 30 days in advance because policies are generally being renegotiated right up until expiration. (2) Suggest striking – most contractors will not/cannot divulge actual policies.
12.3	Contractor shall not use NYSERDA's name, logo, etc without NYSERDA's prior written consent.	Suggest revising as follows, "Neither party shall use the corporate name, logo, identity or any affiliation of the other or of the Customer [the host] without the prior written consent of the other or the Customer, as applicable."
Exhibit B (Standard Terms and Conditions for all NYSERDA Agreements), Section 2 (Wage and Hour Provisions)	If the project is considered a "public work" or a "building services agreement", we must pay prevailing wage.	Note: Neither typical SolarCity/ Customer contracts, nor the actual projects qualify as either a "public work" or a "building services agreement." Should the project be considered "public work" or "building services agreement" we will comply with all applicable rules.

SolarCity



New York Sun Competitive PV Program
Program Opportunity Notice (PON) 2956

Project Site Package of Dutchess County
Round I – July 17, 2014



Project Description – Dutchess County Airport

The proposed Dutchess County Airport project will consist of a 2501.4kW$_{DC}$ solar PV array, located near 263 New Hackensack Road Wappingers Falls, NY 12590. This is not within a strategic location. SolarCity will sell electricity to the Dutchess County Department of Public Works, the electric customer of record for the proposed satellite accounts, under a Power Purchase Agreement (PPA). New service and a new meter will be built for the Remote Net Metered facility (under Dutchess County DPW as the customer of record), with credits serving onsite load, and remaining credits being applied to other Dutchess County facilities. Specifically, we intend to send Remote Net Meter credits to the following satellite meters:

	Account #	Meter #	Name on Utility Bill	Service Address	Utility Zone
Satellite Meter 1	5603-0260-00-9	21260661	Dutchess County DPW	10 Market St	G
Satellite Meter 2	5121-4300-00-9	41049122	Dutchess County DPW	22 Market St	G
Satellite Meter 3	5303-0336-00-9	21260660	Dutchess County DPW	50 Market St	G
Satellite Meter 4	5622-0510-00-9	21260687	Dutchess County DPW	230 North Rd	G
Satellite Meter 5	5615-0511-00-9	92676432	Dutchess County DPW	503 Haight Ave	G
Satellite Meter 6	7699-2360-00-8	70330467	Dutchess County DPW	263 New Hackensack Road	G

MARCUS J. MOLINARO
COUNTY EXECUTIVE

NOEL H.S. KNILLE, AIA, ASLA
COMMISSIONER

ROBERT H. BALKIND, P.E.
DEPUTY COMMISSIONER

COUNTY OF DUTCHESS

DEPARTMENT OF PUBLIC WORKS
ADMINISTRATION

June 25, 2014

Central Hudson Gas & Electric, Corp.
284 South Avenue
Poughkeepsie, NY 12601

Dear Sir/Madam:

Dutchess County is planning on submitting a proposal to NYSERDA's NY-Sun Competitive PV Program with proposals due on July 17, 2014. NYSERDA is requesting that we make initial contact with the Utility, in order to receive a high-level assessment of potential effects of our proposed project on the distribution system serving our customer's location(s). Please find below the required information that NYSERDA is requesting us to provide to you, along with a letter of authorization signed by the customer. We are aware that if we do not submit this form within 10 business days of the closing of the PON, we may not receive a response.

Dutchess County
Dutchess County Airport
263 New Hackensack Road
Wappingers Falls, NY 12590

Host utility account number	New service
Proposed project size	2501.4kW DC
Proposed project will be net metered?	Yes
Proposed project will be utilizing remote net metering?	Yes
Proposed project interconnect voltage	480V
Is project within Strategic Solar Location?	No
All names & account numbers	

Satellite Meter 1 5603-0260-00-9 21260661
Dutchess County DPW 10 Market St — Zone G

Satellite Meter 2 5121-4300-00-9 41049122
Dutchess County DPW 22 Market St — Zone G

Satellite Meter 3 5603-0336-00-9 21260660
Dutchess County DPW 50 Market St — Zone G

Satellite Meter 4 5622-0510-00-9 21260687
Dutchess County DPW 230 North Rd — Zone G

626 Dutchess Turnpike, Poughkeepsie, New York 12603
(845) 486-2555 Fax (845) 486-2554
www.dutchessny.gov

Satellite Meter 5 5615-0511-00-9 92676432
Dutchess County DPW 503 Haight Ave Zone G

Satellite Meter 6 7699-2360-00-8 70330467
Dutchess County DPW 263 New Hackensack Road Zone G

Sincerely,

Noel H.S. Knille, AIA, ASLA, Commissioner
Dutchess County Department of Public Works
626 Dutchess Turnpike
Poughkeepsie, NY 12603
e-mail: nknille@dutchessny.gov

Sign Name: Date: June 25, 2014

Print Name: Noel H.S. Knille, AIA, ASLA

2

Stephanie Genesee
Distributed Generation
Electric Distribution Planning

People. Power. Possibilities.
Central Hudson
A FORTIS COMPANY

June 30, 2014

Noel H.S. Knille, AIA, ASLA, Commissioner
Dutchess County Department of Public Works
626 Dutchess Turnpike
Pougkeepsie, NY 12603

Dear Noel H.S. Knille,

The New York Sun Competitive PV Program requires that applicants make initial contact with Central Hudson Gas & Electric regarding each proposed project site. The following represents the result of a preliminary high-level feasibility assessment on your proposed PV installation in accordance with NYSERDA PON requirements.

Information Provided By Dutchess County Department of Public Works

Customer Name	Dutchess County Airport
Street Location	263 New Hackensack Road Wappingers Falls, NY 12590
Host Utility Account Number	New service
Proposed Project Size (kW)	2,501.4
Proposed Project will be net-metered?	Yes
Proposed Project will be utilizing remote net-metering? (Yes, No)	Yes
Proposed Project Interconnect Voltage	480V
If Yes, provide all account names and account numbers that will be used	1. 5603-0260-00 2. 5121-4300-00 3. 5603-0336-00 4. 5622-0510-00 5. 5615-0511-00 6.7699-2360-00
Is project within Strategic Solar Location?	No
Requesting most recent 12 month usage?	-

Central Hudson High-Level Feasibility Assessment for 263 New Hackensack Road in Wappingers Falls, NY

Is project within Strategic Solar Location?	No
Type of Utility Service	New service requested. Would recommend primary metered service otherwise a customer owned, dedicated 3MW transformer would be required at the customer's cost.
Is export expected from the solar project?	New service – load unknown.
Are upgrades required to allow for solar project?	No major upgrades foreseen. A dedicated Viper

284 South Avenue
Poughkeepsie, NY 12601

(845) 452-2000
Email: DistributedGeneration@cenhud.com
www.CentralHudson.com/DG

Stephanie Genesee
Distributed Generation
Electric Distribution Planning

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	at customer's PCC would most likely be required due to protective coordination issues. Cost of Viper approx. $55,000.
Will project need a CESIR study for acceptance?	Yes, in order to study and mitigate potential protective coordination, voltage, and power quality issues. Cost of CESIR approx. $15,000-20,000.
Net-Metering/Remote Net-Metering Eligibility	Not eligible for a 2.5MW system. Please see Leaf 163.5.11 within Central Hudson's Tariff. Non-Residential customers may only net-meter up to 2MW. https://www2.dps.ny.gov/ETS/jobs/display/download/5494120.pdf

Please note that this high-level feasibility assessment does not guarantee that additional costs or restrictions will not be incurred. If you pursue interconnection, more in-depth studies will be performed by our Distributed Generation Engineering Group to determine any negative impacts the PV installation may have on Central Hudson's System.

For 12 month customer usage, please visit:
http://inet.cenhud.com/RetailChoice/ICforESCOs/InqAcct.aspx.

If you have any questions, please feel free to contact me.

Sincerely,

Stephanie Genesee

Stephanie Genesee

284 South Avenue
Poughkeepsie, NY 12601

(845) 452-2000
Email: DistributedGeneration@cenhud.com
www.CentralHudson.com/DG

MARCUS J. MOLINARO
COUNTY EXECUTIVE

NOEL H.S. KNILLE, AIA, ASLA
COMMISSIONER

ROBERT H. BALKIND, P.E.
DEPUTY COMMISSIONER

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS
ADMINISTRATION

June 25, 2014

Ms. Jennifer Jachym, Senior Project Development Manager
SolarCity Corporation
6 Vatrano Road
Albany, NY 12205

RE: Dutchess County Airport
Letter of Intent for NYSERDA Incentives

Dear Ms. Jachym:

This letter of intent dated June 25, 2014, between SolarCity and Dutchess County affirms our mutual intent to develop a Solar PV project located at the Dutchess County Airport, 263 New Hackensack Road, Wappingers Falls, NY 12590. The Applicant proposes to install a 2,501.4kW DC ground-mounted system and will be requesting remote net-metering. The system will be interconnected with Central Hudson Gas & Electric and is not located in a utility designated Strategic Location.

Dutchess County acknowledges that this letter of intent is for purposes of seeking funding under PON 2956, NYSERDA's NY SUN Competitive PV Program, and that such funding application for the project at this site is exclusively through SolarCity. If selected under the Program, SolarCity and Dutchess County intend to enter into an Agreement to develop and install this PV project at this site.

Sincerely,

Noel H.S. Knille, AIA, ASLA, Commissioner
Dutchess County Department of Public Works
626 Dutchess Turnpike
Poughkeepsie, NY 12603
e-mail: nknille@dutchessny.gov

enc

PON 2956 NY Sun Competitive PV Program
Project Site Package Checklist

Applicant Name:	**SolarCity**
Site Name:	**Dutchess County - Airport**
Technology Type:	**Photovoltaic (Fixed)**

Required information as part of the Proposal		
	Yes/No/Not Applicable	**Identify page number in this package.**
Completed Project Site Information	Yes	34
Electric Utility Information	Yes	35
Copy of the customer's most recent 12 months of electric usage Provided by the utility.	Yes	36
Copy of customer's bill(s) showing payment into RPS	Yes	36
Signed Letter of Intent on the Customer's Letterhead	Yes	32
Have you provided a list of all required permits and approval from the authority have jurisdiction?	Yes	56
Have you provided a signed and completed page 1 Short Environmental Assessment Form (SEQRA)?	Yes	50
Correspondance with Utility regarding proposed project	Yes	30
For sites with electric generation systems, have you described in detail the current system on site, where it is located, when it was interconnected, and how the current generation will impact net metering?	Not Applicable	
For PV Systems, is any part of the system located on the roof of a building?	No	
For PV systems, have you included aerial photos of the site location? Does the aerial photo include the location of the equipment?	Yes	48
For biogas Systems, have you identified the electric generation system type, manufacturer, and model?	Not Applicable	

PON 2956 Competitive PV Program
Project Site Information
Confidential Information

Applicant Name	SolarCity
Customer Name	Dutchess County Department of Public Works
Site Name	Dutchess County - Airport
Site Street Address	263 New Hackensack Road
Site City, State, Zip Code	Wappingers Falls, NY, 12590
Site County	Dutchess
Customer Contact Name	Noel Knille
Customer Contact Phone	
Customer Contact e-mail	nknille@dutchessny.gov
NYISO Zone	G
Utility	Central Hudson
Strategic Location	No
Customer Purchase Agreement Type	Power Purchase Agreement
System kW DC Rating	2501.4
Site Estimated Annual Energy Production (kWh)	2,936,243
System Description	Ground Mount (Fixed)
Shading and Loss Information	-0.86%
12 month Historical Electrical Usage	2849307.715
Percentage of system offset	103%
Energy Efficiency Assessment Completed	No
Energy Efficiency Measures to be Installed	No
Battery Storage to be Installed	No
Estimated Price of Equipment	$ 3,157,137.34
Estimated Price of Labor, Installation, Permits	$ 2,230,458.44
Estimated Total Installed Price	$ 5,387,595.79
Does this site already have or have plans to install an electric generation system (e.g. baseload CHP or renewables)? If so, please identify the size (kW) of the system.	NO
Do you have any pending applications for this project under any other NYSERDA Program? If so, please list those programs and the current status of the application/contract.	NO

CONFIDENTIAL	
Incentive Bid ($/kWh)	**0.190**
Initial Incentive	$ 1,115,772.48
Strategic Location Bonus	0.00
Energy Efficiency Bonus	0.00
Battery Storage Bonus	0.00
Total Incentive	**$ 1,115,772.48**

Note: Maximum Installation Site Incentive is calculated based on an assigned capacity factor of 13.4% for Fixed PV, 17.5% for Tracking PV and 75% for Renewable Biogas Installations. NYSERDA will add 25 % to this amount if the installation site is in a Strategic Location, . NYSERDA will only accept bid prices up to 3 decimal places. The identified kW DC Rating and Incentive Bid price that is listed on this printed and signed form will be used in the selection of awards.

The Applicant is responsible for the accuracy of the information provided on this form.

Applicant Signature:_____ **Date:** 7-15-2014

Hayes Barnard - CRO

PON 2956 NY Sun Competitive PV Program
Electric Utility Information

Applicant Name:	SolarCity
Site Name:	Dutchess County Airport
Utility:	Central Hudson

If relying on Remote Net Metering to justify the size of the system, identify the NYS Net Metering Law Section that identifies that this technology is eligible:	AB6270
Utility Tariff that applies to this technology and site:	PSL 66-j enabled, new service will likely be on SC2ND rate

	Account #	Meter #	Name on Utility Bill	Service Address	Utility Zone	Annual usage (kWh)	Monthly Usage Provided by Utility May-13	Jun-13	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14
Host Site Meter	New Service	New Service	Dutchess County Department of Public	263 New Hackensack Rd, Wappingers Falls, NY	G	7163.7153	77.531	72.0288	77.531	87.2949	100.04	109.7939	132.545	122.7991	116.2965	100.04	103.2913	84.5338
Satellite Meter 1	5121430000	41049122	Dut Co Dept Public Works County Office B	22 Market St, Poughkeepsie NY 12601-	G	769234	73856	80048	103785	85795	73804	66630	56880	59337	61731	52778	0	58590
Satellite Meter 2	5623051000	21260687	Dutchess County Dept. Public Works	230 North Road, Poughkeepsie, NY 12601	G	671120	47280	45600	86720	70800	58560	47520	39360	42480	58560	105080	48240	43920
Satellite Meter 3	5603026000	21260661	Dutchess County Dept. Public Works	10 Market St, Poughkeepsie, NY 12601	G	556040	40320	56160	53640	47400	42120	25560	53360	40440	67440	36240	31680	31680
Satellite Meter 4	5603033600	21260660	Dut Co Dept Public Works FamIV Court	50 Market St, Poughkeepsie, NY 12601	G	734420	85760	134720	104480	100000	90080	66400	N/A	93120	76160	N/A	N/A	N/A
Satellite Meter 5	3615051108	92676432	Dutchess County Dept. Public Works	503 Haight Ave, Arlington, NY 12603	G	18036	1450	1480	1280	1350	1420	1370	1540	1880	1770	1590	1400	1520
Satellite Meter 6	7699236000E	70330467	Dutchess County Dept. Public Works	263 New Hackensack Rd, Wappingers Falls, NY	G	115000	14880	12350	15600	15240	4320	12280	0	8840	8720	8640	7200	7920
Satellite Meter 7						0												
Satellite Meter 8						0												
Satellite Meter 9						0												
Satellite Meter 10						0												
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Satellite Meter 25						0												
Satellite Meter 26						0												
Satellite Meter 27						0												
Satellite Meter 28						0												
Satellite Meter 29						0												
Satellite Meter 30						0												

**Note that if you have more than 7 Satellite Meters, please contact Alison Neligan at ALN@NYSERDA.NY.GOV for a revised form.

Central Hudson
Gas & Electric Corporation

All Information is Proprietary and Confidential

FED. ID # 14-0555980

January 3, 2014
Account Number: 5121-4300-00-9

DUT CO DEPT PUBLIC WORKS COUNTY OFFICE B
Mail: 22 MARKET ST
POUGHKEEPSIE NY 12601-3222
Serv: 22 MARKET ST
POUGHKEEPSIE NY 12601-3222

Bill For Electric Service From 12/01/13 To 12/31/13 for 1.0 Month

Electric Meter # 41049122 - RATE E207 PAGE 1

Demand Metering

Basic Demand	156.6 KW	(12/05 at 12:30 pm)
Reactive Demand	41.9 RKVA	(12/17 at 12:15 pm)

Energy Consumption 59,337 KWH

Central Hudson Gas & Electric Corporation certifies that this bill in the amount of $ 2345.34 is true and correct. That the items, services and disbursements charged were rendered to or for the municipality on the date stated, that no taxes are included from which you are exempt, and that no part has been paid or satisfied.

Lisa A. Cerone

CA140103

Return this stub with your payment to Central Hudson

BILLED AMOUNT	$2,345.34
Late Payment Date	01/28/2014

$ 2345.34
Amount Paid

Central Hudson Gas & Electric Corporation
284 South Avenue
Poughkeepsie NY 12601-4839

DUT CO DEPT PUBLIC WORKS COUNTY OFFICE B
* SEE SUMMARY BILLING *

Check Below If New Address and/or email address

51214300009 1 4000234534 51214300009 2000234534

April 2014

10 HKT

Central Hudson
A FORTIS COMPANY

Electric Meter # 21260661 RATE E202 GENERAL SERVICE

Electric Delivery Charges 31680 kWh at a cost of $1,365.50

Average Daily Cost for Delivery $48.7679

Amount of Electricity Delivered

		kWh	KW
May 06,2014	Present Reading (act.)	53014	163.15
Apr 08,2014	Previous Reading(act.)	52750	162.29
	Multiplier	120.000	120.000
	Electricity Delivered	31680	103.2

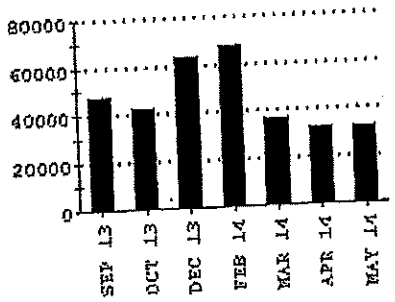
Cost for Electricity Delivered (for 1.0 months)

Basic Service Charge	1.0 Mos @	$4.00	$4.00
Delivery Svc Chg	31680 kWh @	0.00540	171.07
Transition Adj	31680 kWh @	0.00007	2.22
SBC/RPS Chgs	31680 kWh @	0.00771	244.25
Purch. Power Adj	31680 kWh @	-0.00162	-51.32
Misc. Charges	31680 kWh @	-0.00312	-98.84
NYS Assessment	31680 kWh @	0.00279	88.39
RDM Chg	31680 kWh @	0.00275	87.12
Demand Charge	103.2 KW @ 8.100 X 1.0		835.92
NYS & Local Taxes and Surcharges			2.69
Total Electricity Delivery Charges			$1,365.50

Your Electric Energy Supplier is HESS ENERGY MARKETING, LLC.

Graph (black bars = actual)

YOUR RECENT ELECTRIC USAGE



CC140512

Electric Meter # 21260660 RATE E202 GENERAL SERVICE

Electric Delivery Charges 93120 kWh at a cost of $3,355.99

Average Daily Cost for Delivery $98.7056

Amount of Electricity Delivered

		kWh	KW
Jan 07,2014	Present Reading (est.)	75406	194.40
Dec 04,2013	Previous Reading(act.)	74824	193.08
	Multiplier	160.000	160.000
	Electricity Delivered	93120	211.2

Cost for Electricity Delivered (for 1.0 months)

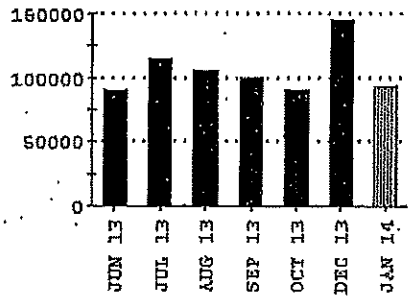
Basic Service Charge	1.0 Mos @	84.00	84.00
Delivery Svc Chg	93120 kWh @	0.00540	502.85
Transition Adj	93120 kWh @	0.00007	6.52
SBC/RPS Chge	93120 kWh @	0.00771	717.96
Misc. Charges	93120 kWh @	-0.00208	-193.69
NYS Assessment	93120 kWh @	0.00279	259.80
RDM Chg	93120 kWh @	0.00275	256.08
Demand Charge	211.2 KW @ 8.100 X 1.0		1710.72
NYS & Local Taxes and Surcharges			11.75
Total Electricity Delivery Charges			$3,355.99

Your Electric Energy Supplier is HESS ENERGY MARKETING, LLC.

50 HKT

Graph (black bars = actual, gray bars = estimate)

YOUR RECENT ELECTRIC USAGE



Central Hudson
A FORTIS COMPANY

503 HAIGHT

Electric Meter # 92676432 RATE E230 GENERAL SERVICE

Electric Service Charges 1520 kWh at a cost of $227.31

Average Daily Cost for Electric $7.5770

	Amount of Electricity Used	32675
Apr 23,2014	Present Reading (act.)	32523
Mar 24,2014	Previous Reading(act.)	10.000
	Multiplier	1520
	Electricity Used(kWh)	

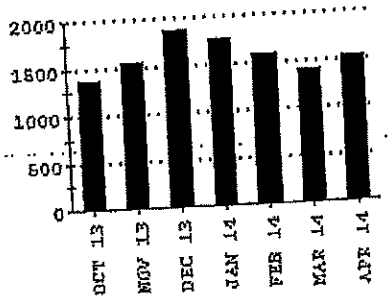
Cost for Electricity Used (for 1.0 months)

ENERGY DELIVERY CHARGES:			
Basic Service Charge	1.0 Mos @	35.00	35.00
Delivery Svc Chg	1520 kWh @	0.00588	8.94
MFC Admin Chg	1520 kWh @	0.00240	3.65
Transition Adj	1520 kWh @	0.00064	0.97
SBC/RPS Chgs	1520 kWh @	0.00771	11.72
Purch. Power Adj	1520 kWh @	-0.00185	-2.81
Misc. Charges	1520 kWh @	-0.00312	-4.74
NYS Assessment	1520 kWh @	0.00279	4.24
RDM Chg	1520 kWh @	0.00063	0.96
Total Delivery Chrgs			57.93
ENERGY SUPPLY CHARGES:			
(You may choose another supplier for this part of your service)			
MFC Supply Chg	1520 kWh @	0.00330	5.02
Market Price	1520 kWh @	0.12938	196.66
Market Price Adj	1520 kWh @	-0.02154	-32.74
Total Supply Chrgs			168.94
NYS & Local Taxes and Surcharges			0.44
TOTAL ELECTRICITY COST			$227.31

For this billing period, the average cost of energy we purchased for you was $0.11114 per kWh (excluding taxes). You can use this number to compare our price to other suppliers' prices.

Graph (black bars = actual)

YOUR RECENT ELECTRIC USAGE



CC140512

Central Hudson
A FORTIS COMPANY

230 N. Rd.

Electric

Meter # 21260687 RATE E202 GENERAL SERVICE

Electric Delivery Charges 43920 kWh at a cost of $1,751.21
Average Daily Cost for Delivery $60.3866

Amount of Electricity Delivered

		kWh	KW
Apr 09,2014	Present Reading (act.)	36411	95.14
Mar 11,2014	Previous Reading(act.)	36228	94.60
	Multiplier	240.000	240.000
	Electricity Delivered	43920	129.6

Cost for Electricity Delivered (for 1.0 months)

Basic Service Charge	1.0 Mos @	84.00	84.00
Delivery Svc Chg	43920 kWh @	0.00540	237.17
Transition Adj	43920 kWh @	0.00007	3.07
SBC/RPS Chgs	43920 kWh @	0.00771	338.62
Purch. Power Adj	43920 kWh @	-0.00162	-71.15
Misc. Charges	43920 kWh @	-0.00312	-137.03
NYS Assessment	43920 kWh @	0.00279	122.54
RDM Chg	43920 kWh @	0.00275	120.78
Demand Charge	129.6 KW @ 8.100 X 1.0		1049.76
NYS & Local Taxes and Surcharges			3.45
Total Electricity Delivery Charges			$1,751.21

Your Electric Energy Supplier is HESS ENERGY MARKETING, LLC.

Gas

Meter # 1057791 RATE G220 HEATING

Gas Service Charges 4134 Ccf at a cost of $5,292.96
Average Daily Cost for Gas $182.5159

Amount of Gas Used

Apr 09,2014	Present Reading (act.)	9942
Mar 11,2014	Previous Reading(act.)	5808
	Gas Used (Ccf)	4134

Cost for Gas Used (for 1.0 months)

GAS DELIVERY CHARGES:

Basic Svc Chg	2.0 Ccf	1.0 Mos @ 37.00	37.00
Next	98.0 Ccf @	0.54940	53.84
Next	4034.0 Ccf @	0.27040	1090.79
MFC Admin Chg	4134.0 Ccf @	0.00886	36.63
Transition Adj	4134.0 Ccf @	0.00538	22.24
SBC Charge	4134.0 Ccf @	0.00577	23.85
NYS Assessment	4134.0 Ccf @	0.00691	28.57
RDM Chg	4134.0 Ccf @	-0.06114	-252.75
Total Delivery Chrgs			1,040.17

GAS SUPPLY CHARGES:
(You may choose another supplier for this part of your service)

MFC Supply Chg	4134.0 Ccf @	0.02289	94.63
Gas Supply Chg	4134.0 Ccf @	1.00327	4147.52
Total Supply Chrgs			4,242.15
NYS & Local Taxes and Surcharges			10.64
TOTAL GAS COST			$5,292.96

For this billing period, the average cost of energy we purchased for you was $1.02616 per Ccf (excluding taxes). You can use this number to compare our price to other suppliers' prices.

1,280.3
.20

Area Light

Area Light Charge for 1.0 months			167.10
Used 1,266 kWh			
Sys Benefits Chg	1266 kWh @	0.00771	9.76
Purch. Power Adj	1266 kWh @	-0.00149	-1.89
Misc. Charges	1266 kWh @	0.00717	9.08
NYS Assessment	1266 kWh @	0.00458	5.80
ENERGY SUPPLY CHARGES:			
Market Price	1266 kWh @	0.10985	139.07
Market Price Adj	1266 kWh @	-0.01780	-22.53

OC140512

Central Hudson
Gas & Electric Corporation

Electric Meter # 70330467 RATE E205 GENERAL SERVICE

Electric Delivery Charges 11280 kWh at a cost of $606.09
Average Daily Cost for Delivery $12.8955

Amount of Electricity Delivered

		kWh	KW
Nov 19,2013	Present Reading (act.)	17412	56.66
Oct 03,2013	Previous Reading(corr.)	17318	56.45
	Multiplier	120.000	120.000
	Electricity Delivered	11280	25.2

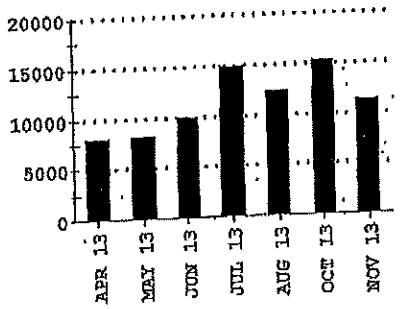
Cost for Electricity Delivered (for 1.5 months)

Basic Service Charge	1.5 Mos @	84.00	126.00
Delivery Svc Chg	11280 kWh @	0.00540	60.91
Transition Adj	11280 kWh @	0.00007	0.79
SBC/RPS Chgs	11280 kWh @	0.00726	81.89
Misc. Charges	11280 kWh @	-0.00304	-34.29
NYS Assessment	11280 kWh @	0.00279	31.47
RDM Chg	11280 kWh @	0.00275	31.02
Demand Charge	25.2 KW @ 8.100 X 1.5		306.18
NYS & Local Taxes and Surcharges			2.12
Total Electricity Delivery Charges			$606.09

Your Electric Energy Supplier is HESS CORPORATION.

Graph (black bars = actual)

YOUR RECENT ELECTRIC USAGE



Account 51214300009
Meter 124807897 41048122
Address 22 Market Street
Poughkeepsie NY 12601

Meter Read Date	Read Code	Number of Months	Total Usage KWH	On Peak KWH	Off Peak KWH	Demand KW	Total Billed Amount	Sales Tax
7/31/2012	0	1	101499	101499	0	411.6	4931.77	0
8/31/2012	0	1	97865	97865	0	570	4457.44	0
9/30/2012	0	1	68733	68733	0	352	3558.94	0
10/31/2012	0	1	60028	60028	0	284.8	3390.48	0
11/30/2012	0	1	56336	56336	0	156	2265.99	0
12/31/2012	0	1	58525	58525	0	158	2193.47	0
1/31/2013	0	1	58785	58785	0	151.8	2208.28	0
2/28/2013	0	1	47687	47687	0	144.4	1801.9	0
3/31/2013	0	1	52870	52870	0	147.2	1812.79	0
4/30/2013	0	1	55325	55325	0	176.9	2302.48	0
5/31/2013	0	1	79856	79856	0	250.5	3599.21	0
6/30/2013	0	1	80048	80048	0	302.4	3502.16	0
7/31/2013	0	1	103785	103785	0	368.1	4564.16	0
8/31/2013	0	1	85795	85795	0	275.5	3701.21	0
9/30/2013	0	1	71804	71804	0	290.4	3728.52	0
10/31/2013	0	1	66630	66630	0	262.7	3454.62	0
11/30/2013	0	1	56880	56880	0	166.4	2248.08	0
12/31/2013	0	1	59337	59337	0	156.6	2345.34	0
1/31/2014	0	1	61731	61731	0	186.4	2486.19	0
2/28/2014	0	1	52778	52778	0	152.6	1813.78	0
3/17/2014	17	0	0	N/A	N/A	N/A	0	0
3/31/2014	0	1	56590	56590	0	153.6	1967.86	0
4/30/2014	0	1	55906	55906	0	191.2	2470.55	0
5/31/2014	0	1	68521	68521	0	259.6	3497.65	0
TOTAL		11	731509	731509	0	N/A	32722.75	0

Screenshot verification:

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Central Hudson
A FORTIS COMPANY

Account Number: 5121-4300-00

Electric Usage History

Including On/Off Peak Consumption and KW Demand, if Applicable

County	DUTCHESS
Municipality	POUGHKEEPSIE
Sales Tax Rate	.00000
Meter Number	124807897
Next Scheduled Meter Read Date	07/31/2014
Bill Cycle	21
Bill Frequency	MONTHLY
Rate Code	E203
Load Zone	LOAD ZONE = G
2014/2015 ICAP Tag	233.53
Load Profile / Usage Factor	LGP / 1.00000
LNP History	NO AUTHORIZATION GIVEN
Payment History	NO AUTHORIZATION GIVEN

Meter Read Date	Read Code	Number of Months	Total Usage KWH	On Peak KWH	Off Peak KWH	Demand KW	Total Billed Amount	Sales Tax
6/30/2014	00	1.0	73941	73941	0	279.80	11224.81	.00
5/31/2014	00	1.0	68521	68521	0	259.60	3497.65	.00
4/30/2014	00	1.0	55906	55906	0	191.20	2470.55	.00
3/31/2014	00	1.0	56590	56590	0	153.60	1967.86	.00
3/17/2014	17	.0	0	N/A	N/A	N/A	.00	.00
2/28/2014	00	1.0	52778	52778	0	152.60	1813.78	.00
1/31/2014	00	1.0	61731	61731	0	186.40	2486.19	.00
12/31/2013	00	1.0	59337	59337	0	156.60	2345.34	.00
11/30/2013	00	1.0	56880	56880	0	166.40	2248.08	.00
10/31/2013	00	1.0	66630	66630	0	262.70	3454.62	.00
9/30/2013	00	1.0	71804	71804	0	290.40	3728.52	.00

Account 76992360008 Sub Acct 7689-1450-02
Meter 70330467 Satellite Meter 41093541

Meter Read Date	Read Code	Number of Months	Total Usage KWH	On Peak KWH	Off Peak KWH	Demand KW	Total Billed Amount	Sales Tax
9/21/2012	0	1	13500	N/A	N/A	49.2	714.56	0
10/19/2012	0	1	8640	N/A	N/A	39.6	496.6	0
11/20/2012	0	1	7800	N/A	N/A	19.2	363.44	0
12/20/2012	0	1	8160	N/A	N/A	18	345.58	0
1/23/2013	0	1	8960	N/A	N/A	19.2	387.06	0
2/20/2013	0	1	7920	N/A	N/A	18	316.88	0
3/21/2013	0	1	7680	N/A	N/A	18	282.35	0
4/19/2013	0	1	7920	N/A	N/A	22.8	377.85	0
5/21/2013	0	1	8160	N/A	N/A	32.4	472.45	0
6/19/2013	0	1	9960	N/A	N/A	43.2	555.79	0
7/18/2013	0	1	14880	N/A	N/A	48	686.65	0
8/16/2013	0	1	12360	N/A	N/A	43.2	690.43	0
9/18/2013	23	1	15600	N/A	N/A	43.2	715.67	0
10/3/2013	6	1.6	15240	N/A	N/A	46.8	1018.51	0
10/17/2013	23	0.5	4320	N/A	N/A	46.8	310.86	0
11/19/2013	0	1.5	11280	N/A	N/A	25.2	606.09	0
12/11/2013	27	0	0	N/A	N/A	N/A	0	0
12/23/2013	1	1	8840	N/A	N/A	20	390.49	0
1/24/2014	1	1	8720	N/A	N/A	20.8	399.19	0
2/22/2014	1	1	8640	N/A	N/A	20.8	329.38	0
3/20/2014	1	1	7200	N/A	N/A	19.2	317.65	0
4/23/2014	1	1	7920	N/A	N/A	25.6	402.88	0
5/20/2014	1	1	6560	N/A	N/A	32.8	457.56	0
6/23/2014	1	1	13760	N/A	N/A	51.2	1562.96	0
TOTAL		10	31800	N/A	N/A	N/A	4312.58	0

Screenshot Verification:

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Central Hudson
A FORTIS COMPANY

Account Number: 7689-1450-02

Electric Usage History

Including On/Off Peak Consumption and KW Demand, If Applicable

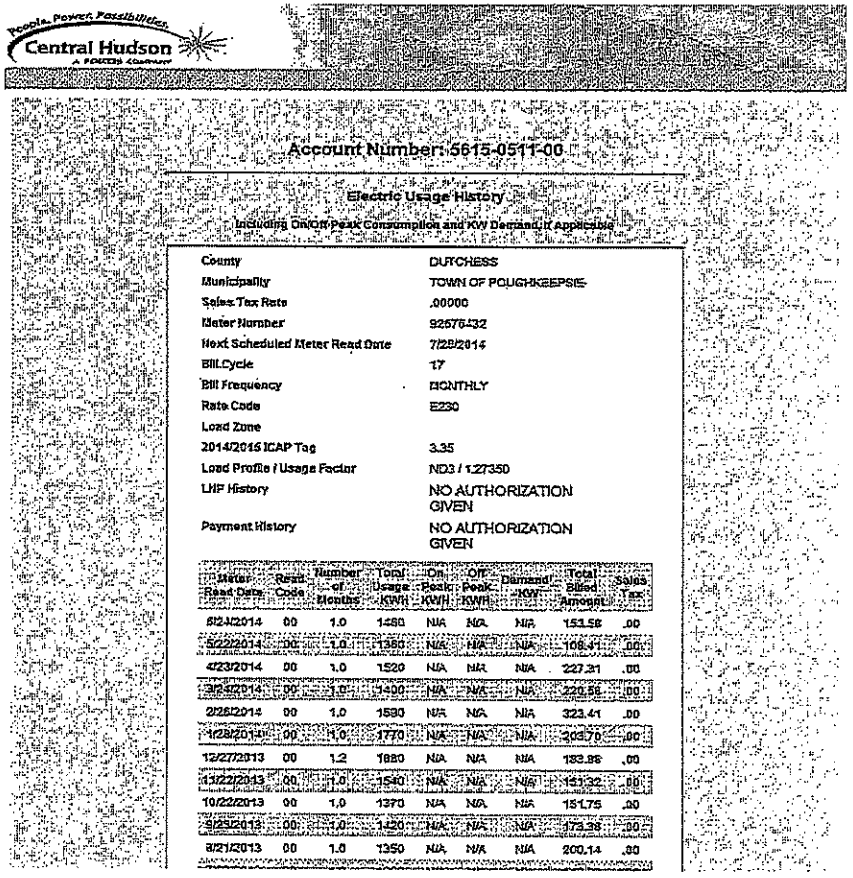
County	DUTCHESS
Municipality	TOWN OF WAPPINGERS
Sales Tax Rate	.00000
Meter Number	41093541
Next Scheduled Meter Read Date	7/23/2014
Bill Cycle	15
Bill Frequency	MONTHLY
Rate Code	E200
Load Zone	LOAD ZONE = G
2014/2015 ICAP Tag	44.84
Load Profile / Usage Factor	SD2 / 1.07596
LNP History	NO AUTHORIZATION GIVEN
Payment History	NO AUTHORIZATION GIVEN

Meter Read Date	Read Code	Number of Months	Total Usage KWH	On Peak KWH	Off Peak KWH	Demand KW	Total Billed Amount	Sales Tax
6/23/2014	01	1.0	13760	N/A	N/A	51.20	1562.96	.00
5/20/2014	01	1.0	6560	N/A	N/A	32.80	457.56	.00
4/23/2014	01	1.0	7920	N/A	N/A	25.60	402.88	.00
3/20/2014	01	1.0	7200	N/A	N/A	19.20	317.65	.00
2/22/2014	01	1.0	8640	N/A	N/A	20.80	329.38	.00
1/28/2014	01	1.0	8720	N/A	N/A	20.80	399.19	.00
12/23/2013	01	1.0	8840	N/A	N/A	20.00	390.49	.00
12/11/2013	17	0	0	N/A	N/A	N/A	.00	.00
11/19/2013	00	1.5	11280	N/A	N/A	25.20	606.09	.00
10/17/2013	23	.5	4320	N/A	N/A	46.80	310.86	.00
10/3/2013	05	1.5	15240	N/A	N/A	46.80	1018.51	.00

Account 5615051100
Meter 92676432
Address Duchess County DPW 501 Haight Avenue

Meter Read Date	Read Code	Number of Months	Total Usage KWH	On Peak KWH	Off Peak KWH	Demand KW	Total Billed Amount	Sales Tax
6/24/2014	0	1	1460	N/A	N/A	N/A	153.58	0
5/22/2014	0	1	1360	N/A	N/A	N/A	106.41	0
4/23/2014	0	1	1520	N/A	N/A	N/A	227.31	0
3/24/2014	0	1	1400	N/A	N/A	N/A	220.58	0
2/26/2014	0	1	1590	N/A	N/A	N/A	323.41	0
1/28/2014	0	1	1770	N/A	N/A	N/A	208.7	0
12/27/2013	0	1.2	1880	N/A	N/A	N/A	183.88	0
11/22/2013	0	1	1540	N/A	N/A	N/A	161.32	0
10/22/2013	0	1	1370	N/A	N/A	N/A	151.75	0
9/23/2013	0	1	1420	N/A	N/A	N/A	179.36	0
8/21/2013	0	1	1350	N/A	N/A	N/A	200.14	0
7/23/2013	0	1	1260	N/A	N/A	N/A	148.38	0
TOTAL		12.2	17920	N/A	N/A	N/A	2255.82	0
6/25/2013	0	1	1480	N/A	N/A	N/A	164.55	0
5/23/2013	0	1	1450	N/A	N/A	N/A	135.78	0
4/23/2013	0	1	1490	N/A	N/A	N/A	155.83	0
3/26/2013	0	1	1690	N/A	N/A	N/A	205.89	0
2/25/2013	0	1	1920	N/A	N/A	N/A	227.25	0
1/23/2013	0	1	1860	N/A	N/A	N/A	170.13	0
12/26/2012	2	1	1900	N/A	N/A	N/A	181.41	0
TOTAL		7	11790	N/A	N/A	N/A	1240.84	0

Screenshot Verification:



Account Number: 5615-0511-00

Electric Usage History

Including On/Off Peak Consumption and KW Demand if Applicable

County	DUTCHESS
Municipality	TOWN OF POUGHKEEPSIE
Sales Tax Rate	.00000
Meter Number	92676432
Next Scheduled Meter Read Date	7/29/2014
Bill Cycle	17
Bill Frequency	MONTHLY
Rate Code	E230
Load Zone	
2014/2015 ICAP Tag	3.35
Load Profile / Usage Factor	ND3 / 1.27350
LHF History	NO AUTHORIZATION GIVEN
Payment History	NO AUTHORIZATION GIVEN

Meter Read Date	Read Code	Number of Months	Total Usage KWH	On Peak KWH	Off Peak KWH	Demand KW	Total Billed Amount	Sales Tax
6/24/2014	00	1.0	1460	N/A	N/A	N/A	153.58	.00
5/22/2014	00	1.0	1360	N/A	N/A	N/A	106.41	.00
4/23/2014	00	1.0	1520	N/A	N/A	N/A	227.31	.00
3/24/2014	00	1.0	1400	N/A	N/A	N/A	220.58	.00
2/26/2014	00	1.0	1590	N/A	N/A	N/A	323.41	.00
1/28/2014	00	1.0	1770	N/A	N/A	N/A	208.70	.00
12/27/2013	00	1.2	1880	N/A	N/A	N/A	183.88	.00
11/22/2013	00	1.0	1540	N/A	N/A	N/A	161.32	.00
10/22/2013	00	1.0	1370	N/A	N/A	N/A	151.75	.00
9/23/2013	00	1.0	1420	N/A	N/A	N/A	179.36	.00
8/21/2013	00	1.0	1350	N/A	N/A	N/A	200.14	.00

Account 5603026000
Meter 21260661
Address Duchess County DPW 22 Market St

Meter Read Date	Read Code	Number of Months	Total Usage KWH	On Peak KWH	Off Peak KWH	Demand KW	Total Billed Amount	Sales Tax
6/9/2014	1	1	44400	N/A	N/A	133.2	1971.78	0
5/8/2014	1	1	31680	N/A	N/A	103.2	1365.5	0
4/8/2014	1	1	31680	N/A	N/A	94.8	1198.92	0
3/10/2014	1	1	36240	N/A	N/A	99.6	1219.3	0
2/7/2014	1	2	67440	N/A	N/A	93.6	2803.15	0
1/7/2014	23	1	40440	N/A	N/A	104.4	1608.19	0
12/4/2013	1	2	53360	N/A	N/A	106.8	2891.62	0
11/1/2013	23	0.5	25560	N/A	N/A	156	1546.39	0
10/7/2013	1	1	42120	N/A	N/A	156	2108.93	0
9/4/2013	1	1	47400	N/A	N/A	132	1905	0
8/5/2013	1	1	53640	N/A	N/A	171.6	2392.07	0
7/8/2013	1	1	56160	N/A	N/A	165.6	2085.92	0
TOTAL		12	474120	N/A	N/A	N/A	19937.15	0
6/4/2013	1	1	40320	N/A	N/A	135.8	1812.9	0
5/3/2013	1	1	33360	N/A	N/A	105.6	1398.62	0
4/4/2013	1	1	38760	N/A	N/A	102	1122.65	0
3/4/2013	1	1	31200	N/A	N/A	105.6	1282.56	0
2/7/2013	1	1	43800	N/A	N/A	105.6	1588.51	0
1/4/2013	1	1	41520	N/A	N/A	104.4	1558.32	0
11/30/2012	1	1	31920	N/A	N/A	103.2	1426.91	0
10/31/2012	1	1	30600	N/A	N/A	109.2	1465.42	0
10/1/2012	1	1	45720	N/A	N/A	160.8	2127.89	0
8/28/2012	1	1	51000	N/A	N/A	164.4	2132.63	0
7/31/2012	1	1	57120	N/A	N/A	160.8	2181.18	0
6/28/2012	1	1	41160	N/A	N/A	165.2	1970.39	0
TOTAL		12	485480	N/A	N/A	N/A	20067.98	0

Screenshot Verification:

People, Power, Possibilities
Central Hudson
A FORTIS COMPANY

Account Number: 5603-0260-00

Electric Usage History
Including On/Off Peak Consumption and KW Demand, if Applicable

County	DUTCHESS
Municipality	POUGHKEEPSIE
Sales Tax Rate	.06000
Meter Number	21260661
Next Scheduled Meter Read Date	7/8/2014
Bill Cycle	03
Bill Frequency	MONTHLY
Rate Code	E201
Load Zone	LOAD ZONE = G
2014/2015 ICAP Tag	158.14
Load Profile / Usage Factor	SC3 / .87358
LRP History	NO AUTHORIZATION GIVEN
Payment History	NO AUTHORIZATION GIVEN

Meter Read Date	Read Code	Number of Months	Total Usage KWH	On Peak KWH	Off Peak KWH	Demand KW	Total Billed Amount	Sales Tax
6/9/2014	01	1.0	44400	N/A	N/A	133.20	1971.78	.00
5/8/2014	01	1.0	31680	N/A	N/A	103.20	1365.50	.00
4/8/2014	01	1.0	31680	N/A	N/A	94.80	1198.92	.00
3/10/2014	01	1.0	36240	N/A	N/A	99.60	1219.30	.00
2/7/2014	01	2.0	67440	N/A	N/A	93.60	2803.15	.00
1/7/2014	23	1.0	40440	N/A	N/A	104.40	1608.19	.00
12/4/2013	01	2.0	53360	N/A	N/A	106.80	2891.62	.00
11/1/2013	23	.5	25560	N/A	N/A	156.00	1546.39	.00
10/7/2013	01	1.0	42120	N/A	N/A	156.00	2108.93	.00
9/4/2013	01	1.0	47400	N/A	N/A	132.00	1905.00	.00
8/5/2013	01	1.0	53640	N/A	N/A	171.60	2392.07	.00

Account 5622051000
Meter 21260687
Address 230 North Road

Meter Read Date	Read Code	Number of Months	Total Usage KWH	On Peak KWH	Off Peak KWH	Demand KW	Total Billed Amount	Sales Tax
6/10/2014	1	1	49920	N/A	N/A	182.4	5421.95	0
5/13/2014	1	1	42240	N/A	N/A	199.2	2455.5	0
4/9/2014	1	1	43920	N/A	N/A	129.6	1751.21	0
3/11/2014	1	1	48240	N/A	N/A	132	1678.06	0
2/11/2014	1	2.2	106080	N/A	N/A	127.2	3875.1	0
1/13/2014	23	1.3	58560	N/A	N/A	129.6	2451.54	0
12/5/2013	1	1	42480	N/A	N/A	132	1847.41	0
11/4/2013	1	1	39360	N/A	N/A	146.4	1818.98	0
10/4/2013	1	1	47520	N/A	N/A	230.4	2820.71	0
9/5/2013	1	1	58560	N/A	N/A	230.4	2992.54	0
8/8/2013	1	1	70800	N/A	N/A	199.2	2820.37	0
7/10/2013	1	1	66720	N/A	N/A	199.2	2654.9	0
6/6/2013	1	1	45600	N/A	N/A	223.2	2449.51	0
5/10/2013	1	1	47280	N/A	N/A	220.8	2602.14	0
4/8/2013	1	1	45600	N/A	N/A	129.6	1760.93	0
3/8/2013	1	1	38640	N/A	N/A	134.4	1437.04	0
2/11/2013	6	1.1	55920	N/A	N/A	170.4	2225.54	0
2/11/2013	21	1	55920	N/A	N/A	136.8	1806.24	0
1/8/2013	1	1	49440	N/A	N/A	129.6	1866.06	0
12/6/2012	1	1	41520	N/A	N/A	120	1644.96	0
11/7/2012	1	1	48000	N/A	N/A	136.8	1954.16	0
10/8/2012	1	1	55200	N/A	N/A	184.8	2476.57	0
9/5/2012	1	1	66480	N/A	N/A	187.2	2588.48	0
8/6/2012	1	1	75600	N/A	N/A	189.6	2681.79	0
TOTAL		11.1	569280	N/A	N/A	N/A	23587.74	0

Screenshot Verification:

People. Power. Possibilities.
Central Hudson
A FORTIS Company

Account Number: 5622-0510-00

Electric Usage History

Including On/Off Peak Consumption and KW Demand, If Applicable.

County	DUTCHESS
Municipality	TOWN OF POUGHKEEPSIE
Sales Tax Rate	.00000
Meter Number	21260687
Next Scheduled Meter Read Date	7/14/2014
Bill Cycle	08
Bill Frequency	MONTHLY
Rate Code	E201
Load Zone	LOAD ZONE = G
2014/2015 ICAP Tag	207.39
Load Profile / Usage Factor	SD3 / 1.12927
LIHP History	NO AUTHORIZATION GIVEN
Payment History	NO AUTHORIZATION GIVEN

Meter Read Date	Read Code	Number of Months	Total Usage KWH	On Peak KWH	Off Peak KWH	Demand KW	Total Billed Amount	Sales Tax
6/10/2014	01	1.0	49920	N/A	N/A	182.40	5421.95	.00
5/13/2014	01	1.0	42240	N/A	N/A	199.20	2455.50	.00
4/9/2014	01	1.0	43920	N/A	N/A	129.60	1751.21	.00
3/11/2014	01	1.0	48240	N/A	N/A	132.00	1678.06	.00
2/11/2014	01	2.2	106080	N/A	N/A	127.20	3875.10	.00
1/13/2014	23	1.3	58560	N/A	N/A	129.60	2451.54	.00
12/5/2013	01	1.0	42480	N/A	N/A	132.00	1847.41	.00
11/4/2013	01	1.0	39360	N/A	N/A	146.40	1818.98	.00
10/4/2013	01	1.0	47520	N/A	N/A	230.40	2820.71	.00
9/5/2013	01	1.0	58560	N/A	N/A	230.40	2992.54	.00
8/8/2013	01	1.0	70800	N/A	N/A	199.20	2820.37	.00

Account 5603033600
Meter 21260660
Address Duchess Cour 50 Market Street

Bill Date	Oct-12	Nov-12	Dec-12	Jan-13	Feb-13	Mar-13	Apr-13	May-13	Jun-13	Jul-13	Aug-13	Sep-13	Oct-13	13-Nov	13-Dec	14-Jan	14-Feb	14-Mar	14-Apr	14-May
kwh	N/A	N/A	95,840	96,800	65,760	83,840	74,080	89,760	114,720	104,480	100,000	90,080	66,400		93,120	76,160				

****Temporary issue with online data access

DUTCHESS COUNTY AIRPORT

SYSTEM SIZE:	2,501.4 KW DC
SITE ADDRESS:	263 NEW HACKENSACK RD WAPPINGERS FALLS, NY 12590
DATE:	12/18/13
MODULE:	TRINA 300W
INVERTER:	(4) SOLECTRIA SGI 500KW

DESCRIPTION:

PV ARRAY

PILE DRIVEN GROUND MOUNT RACKING SYSTEM

STRINGS OF 11 PANELS

PRELIMINARY DRAWING – NOT FOR CONSTRUCTION

ARRAY INFORMATION

MOUNTING METHOD	MODULE COUNT	TILT	AZIMUTH	KW DC
GROUND MOUNT	8338	30	180	2501.4

GENERAL NOTES

1. THIS SYSTEM IS GRID-INTERTIED VIA A UL-LISTED POWER-CONDITIONING INVERTER.
2. THIS SYSTEM HAS NO BATTERIES, NO UPS.
3. ALL INVERTERS AND ARRAYS ARE ACCURATELY GROUNDED.
4. SOLAR MOUNTING FRAMES ARE TO BE GROUNDED.
5. ALL WORK TO BE DONE TO 2010 NEC
6. ALL ELECTRICAL WORK SHALL COMPLY WITH THE 2008 NATIONAL ELECTRIC CODE.

SHEET NOTES

1. INVERTER.
2. DEDICATED PV SYSTEM METER.
3. AC DISCONNECT.
4. UTILITY METER.
5. DC DISCONNECT.

LEGEND

- (E) UTILITY METER (4)
- INVERTER W/ INTEGRATED DC DISCO & WARNING LABELS. (3)(4),(5),(6)
- DC DISCONNECT (4),(5)
- AC DISCONNECT (3),(4),(5),(6)
- JUNCTION BOX
- DC COMBINER BOX (7),(8)
- DISTRIBUTION PANEL (1),(2)
- LOAD CENTER (1),(4),(5),(6)
- DEDICATED PV SYSTEM METER
- CONDUIT RUN ON EXTERIOR
- CONDUIT RUN ON INTERIOR
- GATE
- INTERIOR EQUIPMENT

3055 Clearview Way
San Mateo, CA 94402
(888)-SOL-CITY (765-2489)
www.solarcity.com

T:\Library\Common\SC_logo_Black.jpg

Estimated System Losses

Dutchess County

System Size (kWDC) 2,501.40

	Per kW		Total System	
	Actual Unshaded AC Energy ("as built")	Ideal Unshaded AC Energy	Actual Unshaded AC Energy ("as built")	Ideal Unshaded AC Energy
Tilt	30	41.6	30	41.6
Azimuth	180	180	180	180
Derate	0.7440	0.7440	0.7440	0.7440
Production	1,165	1158	2,914,131.00	2,896,621
% System Losses	-0.60%	**		

Source: PVWatts2

** SolarCity's methodology for determining shading losses from NREL's PVWatts2 compares the production output (in kWh/kW) of the actual system design relative to that of the "ideal system" as defined by NREL. Of particular note for the negative losses quantified above is PVWatts2's anticipated ideal tilt "The default value is a tilt angle equal to the station's latitude. This normally maximizes annual energy production. Increasing the tilt angle favors energy production in the winter, and decreasing the tilt angle favors energy production in the summer."

The above is an example of when latitude is not the ideal tilt, because greater summer production (resulting from a lower tilt when the sun is higher in the sky) outweighs winter production. Consequently, the actual system design will produce more than the ideal baseline. Below are PVWatts 2 outputs for the actual, ideal, and maximum outputs. In any case, the actual proposed system would have minimal losses, maximizing the value of NYSERDA's funds for this project.

ACTUAL

PVWatts — AC Energy & Cost Savings

Station Identification	
City:	[illegible]
State:	New York
Latitude:	41.6° N
Longitude:	74.1° W
PV System Specifications	
DC Rating:	1.00 kW
DC to AC Derate Factor:	0.744
AC Rating:	0.74 kW
Array Type:	Fixed Tilt
Array Tilt:	30.0°
Array Azimuth:	180.0°
Energy Specifications	
Cost of Electricity:	14.6 ¢/kWh

Results			
Month	Solar Radiation (kWh/m²/day)	AC Energy (kWh)	Energy Value ($)
1	2.93	79	10.37
2	3.11	80	11.85
3	4.84	111	16.40
4	5.07	110	16.30
5	5.72	120	18.23
6	5.89	120	17.78
7	5.77	120	17.74
8	5.51	114	16.89
9	4.98	102	15.11
10	4.16	91	13.63
11	2.87	63	9.34
12	2.61	61	9.04
Year	4.11	1165	172.43

IDEAL

PVWatts — AC Energy & Cost Savings

Station Identification	
City:	[illegible]
State:	New York
Latitude:	41.6° N
Longitude:	74.1° W
PV System Specifications	
DC Rating:	1.00 kW
DC to AC Derate Factor:	0.744
AC Rating:	0.74 kW
Array Type:	Fixed Tilt
Array Tilt:	41.6°
Array Azimuth:	180.0°
Energy Specifications	
Cost of Electricity:	14.6 ¢/kWh

Results			
Month	Solar Radiation (kWh/m²/day)	AC Energy (kWh)	Energy Value ($)
1	3.17	76	11.10
2	3.91	83	12.60
3	4.90	113	16.60
4	4.92	106	15.71
5	5.40	115	17.04
6	5.38	111	16.45
7	5.41	111	16.45
8	5.31	110	16.30
9	4.97	102	15.11
10	4.34	96	14.23
11	3.08	65	10.09
12	2.85	67	9.93
Year	4.18	1158	171.59

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.

Part 1 - Project and Sponsor Information
SolarCity Corporation

Name of Action or Project:
Dutchess County

Project Location (describe, and attach a location map):
Municipality: Wappingers Falls County: Dutchess Street Address: 263 New Hackensack Road

Brief Description of Proposed Action:
Installation of a 2,501.4 kW solar PV system on Dutchess County land. The solar PV system will be a ground mount. Total project will include approximately 150,000 square feet of panel footprint.

Name of Applicant or Sponsor:	Telephone: 650-963-5100
SolarCity Corporation	E-Mail: jjachym@solarcity.com

Address:
3055 Clearview Way

City/PO:	State:	Zip Code:
San Mateo	CA	94402

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Funding: PON 2956 Incentive, Agency: NYSERDA; Building Permit – AHJ; Funding: Federal ITC, Agency: Federal – IRS; Notice to Proceed – NYSERDA	☐	☑

3.a. Total acreage of the site of the proposed action? 3 acres
b. Total acreage to be physically disturbed? 3 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 3 acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☑ Commercial ☐ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☑	☐
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐
b. Are public transportation service(s) available at or near the site of the proposed action?	☑	☐
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☑	☐
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	☑	☐
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ No water is required to operate or maintain the solar system.	☑	☐
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ No wasterwater will be generated by the project.	☑	☐
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	☑	☐
b. Is the proposed action located in an archeological sensitive area?	☑	☐
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☑	☐
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☑	☐

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☐ Urban ☑ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	☑	☐
16. Is the project site located in the 100 year flood plain?	☑	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☑ NO ☐ YES	☑	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? ☑ NO ☐ YES If Yes, briefly describe: _____		

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size:	✓	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	✓	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	✓	

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: SolarCity Corporation Date:

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?	✓	
2. Will the proposed action result in a change in the use or intensity of use of land?	✓	
3. Will the proposed action impair the character or quality of the existing community?	✓	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	✓	
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	✓	
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	✓	
7. Will the proposed action impact existing: a. public / private water supplies?	✓	
b. public / private wastewater treatment utilities?	✓	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	✓	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	✓	

	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?	✓	
11. Will the proposed action create a hazard to environmental resources or human health?	✓	

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.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency	Date
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

SolarCity Corporation
Site Name: *Dutchess County*
Updated: *7/9/2014*

TASK	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15
CUSTOMER AGREEMENTS									
Projected: Sales/Contract Signed						12/15/2014			
Actual: Sales/Contract Signed									
PERMITTING									
Projected: All Permits Requested									3/1/2015
Projected: All Permits Obtained									
Actual: All Permits Obtained									
SEQRA									
Projected: application approval									3/1/2015
Actual: application approved									
ASHRAE Level 1 Audit									
Energy Audit schedule date									3/1/2015
Energy Audit report submission date (actual)									
Energy Efficiency Performance Bonus (if applicable):									
Projected: Energy efficiency project completion	NA	NA	NA	NA	NA	NA	NA	NA	NA
Actual: Energy efficiency project completion and report submittal	NA	NA	NA	NA	NA	NA	NA	NA	NA
Energy Storage Performance bonus (if applicable):									
Proposed Energy Storage/battery integration plan submission	NA	NA	NA	NA	NA	NA	NA	NA	NA
Final Energy Storage/battery integration plan submission	NA	NA	NA	NA	NA	NA	NA	NA	NA
INSTALLATION									
Projected: System Installation									
Actual: System Installation									
INTERCONNECTION									
Projected: Interconnection Application Request with Utility									
Actual: Interconnection Application Request with Utility									
Projected: Interconnection Inspection									
Actual: Interconnection Approval Received									
DATA TRANSMITTAL									
Projected: Transmitting Data to the Website									
Actual: Transmitting Data to the Website									

Notes:
Insert the full date (month,day, year) of the expected completion date for each project task milestone noted in the above table

Apr-15	May-15	Jun-15	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16
4/15/2015												
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
	5/1/2015	6/30/2015										
		6/30/2015										
			7/15/2015									
			7/30/2015		9/1/2015							

Applicant: SolarCity Corporation
NYSERDA PON 2956
Dutchess County

Required Permits and Approvals

Permit/Approval	Approving Party	Timing
Building Permit	Authority Having Jurisdiction	April 2015
Certificate of Compliance with building permit	Authority Having Jurisdiction	April 2015
Electrical Certificate of Compliance with NFPA 70-2008	3rd Party Electrical Inspection Agency	May 2015
Preliminary Approval/Permission to Install	Electric Utility	April 2015
Permission to Operate	Electric Utility	July 2015
NYSERDA Notice to Proceed	NYSERDA	November 2014

Morris, Carolyn

From: Morris, Carolyn
Sent: Thursday, October 4, 2018 12:23 PM
To: CountyLegislature
Subject: FW: Questions & Follow Up Needed for October's Resolutions
Attachments: 20181002125429496.pdf; 20181002125215397.pdf

Carolyn Morris
Clerk
Dutchess County Legislature
845.486.2100

From: Balkind, Robert
Sent: Thursday, October 4, 2018 12:02 PM
To: Morris, Carolyn <cmorris@dutchessny.gov>; Baiano, Chris <cbaiano@dutchessny.gov>
Cc: Wager, Leigh <lwager@dutchessny.gov>; Kristofer Munn <kmunn@munn.com>; Craig Brendli, District 8 <cpbrendli@gmail.com>; Jeter-Jackson, Barbara <jeterb@hvc.rr.com>; giancarlo llaverias <llaveriasgiancarlo@gmail.com>; Edwards, Rebecca <redutchess6@gmail.com>; Tyner, Joel <Joeltyner@earthlink.net>; Nicholas Page <pagenik@gmail.com>; Frits Zernike <fzernike@gmail.com>; ranjsweat <ranjsweat@aol.com>; Amparo, Francena <francena.amparo@gmail.com>; Black, Hannah <hblackdc4@gmail.com>; Surman, Alan <alansurman@optimum.net>; Donald Sagliano <donsagliano@gmail.com>; Roman, Kenneth <DCLKenRoman@yahoo.com>; Metzger, John D. <metzger4dc@gmail.com>
Subject: RE: Questions & Follow Up Needed for October's Resolutions

Carolyn,
Answers to the questions below:

1. What happens with the lease agreement if Tesla happens to go under? (answer fro the County Law Department)

In the contract, Exhibit no. 4, paragraphs 13(a)(5) on page 7 and paragraph 13(b) on page 8 deal with a variety of possibilities if Tesla does not perform its obligations under the lease, because of insolvency, bankruptcy, or otherwise. Generally speaking, the County could sue for damages or terminate the lease or both. Also, under paragraph 13(b)(3)(C) esla would be required to remove the array at its own cost if it defaulted. If there was a bankruptcy proceeding, these issues would be dealt with in bankruptcy court. While I know very little about bankruptcy law, paragraph 22(m) on page 17 of Exhibit 4 might provide the County with some additional protection to continue transacting business with Tesla in

the event of such a proceeding, but consultation with outside bankruptcy counsel will be necessary if you would like more information on this point.

2. Please send the NYSERDA RFP as background information.

Please see attached files about NYSERDA RFP

3. Are there disadvantages to locking into electric rate costs?

The County's agreement with Tesla calls for the County to purchase power from Tesla's solar array at the rate of $0.0855 per kWh (the "lock-in" rate). The county would typically purchase power from Central Hudson for $0.10 - $0.12 per kWh. The only risk to the County is if Central Hudson's rates were to go below $0.0855 per kWh over a 20 year contract period, which is extremely unlikely. This scenario was reviewed with the County's Energy Consultant and we are comfortable about this very minimal risk exposure.
Thanks.
-bob

Robert H. Balkind, P.E.
Commissioner
Dutchess County Department of Public Works
626 Dutchess Turnpike
Poughkeepsie, NY 12603
Phone: (845) 486-2085 Fax: (845) 486-6554
Email: rbalkind@dutchessny.gov

www.dutchessny.gov

From: Morris, Carolyn <cmorris@dutchessny.gov>
Sent: Tuesday, October 2, 2018 9:44 AM
To: Baiano, Chris <cbaiano@dutchessny.gov>
Cc: Wager, Leigh <lwager@dutchessny.gov>; Kristofer Munn <kmunn@munn.com>; Craig Brendli, District 8 <cpbrendli@gmail.com>; Jeter-Jackson, Barbara <jeterb@hvc.rr.com>; giancarlo llaverias <llaveriasgiancarlo@gmail.com>; Edwards, Rebecca <redutchess6@gmail.com>; Tyner, Joel <Joeltyner@earthlink.net>; Nicholas Page <pagenik@gmail.com>; Frits Zernike <fzernike@gmail.com>; ranjsweat <ranjsweat@aol.com>; Amparo, Francena <francena.amparo@gmail.com>; Balkind, Robert <rbalkind@dutchessny.gov>; Black, Hannah <hblackdc4@gmail.com>; Surman, Alan <alansurman@optimum.net>; Donald Sagliano <donsagliano@gmail.com>; Roman, Kenneth <DCLKenRoman@yahoo.com>; Metzger, John D. <metzger4dc@gmail.com>
Subject: RE: Questions & Follow Up Needed for October's Resolutions

Good morning Chris:

Please see email regarding the October agenda. Also Legislator Surman would like to know who would be responsible if and when the Solar Array is decommissioned.

Carolyn Morris
Clerk
Dutchess County Legislature
845.486.2100

From: Hannah Black <hblackdc4@gmail.com>
Sent: Tuesday, October 2, 2018 12:30 AM
To: Morris, Carolyn <cmorris@dutchessny.gov>; Balkind, Robert <rbalkind@dutchessny.gov>; O'Neil, William <woneil@dutchessny.gov>; Baiano, Chris <cbaiano@dutchessny.gov>
Cc: Wager, Leigh <lwager@dutchessny.gov>; Kristofer Munn <kmunn@munn.com>; Craig Brendli, District 8 <cpbrendli@gmail.com>; Jeter-Jackson, Barbara <jeterb@hvc.rr.com>; giancarlo llaverias <llaveriasgiancarlo@gmail.com>; Edwards, Rebecca <redutchess6@gmail.com>; Tyner, Joel <Joeltyner@earthlink.net>; Nicholas Page <pagenik@gmail.com>; Frits Zernike <fzernike@gmail.com>; ranjsweat <ranjsweat@aol.com>; Amparo, Francena <francena.amparo@gmail.com>
Subject: Questions & Follow Up Needed for October's Resolutions

Dear Carolyn,

Please see the below questions and concerns for follow up about this month's resolutions:

For Commissioner Balkind: Resolution 2018264/Tesla Lease Agreement- 1. What happens with the lease agreement if Tesla happens to go under? 2. Please send the NYSERDA RFP as background information. 3. Are there disadvantages to locking into electric rate costs?

Resolution 2018248/ Local Law Regulating Secondhand Dealers- 1. Please send a copy of the current local law to our emails by tomorrow so we can compare the current law with the proposed local law. Joel would like a printed copy of the current law. If the edits and updates for the new proposed law could be identified and shared, that would be greatly appreciated. Lastly, please have someone from the administration speak towards the changes in this local law, and explain why the changes are necessary for Thursday's committee meeting. Thank you!

Kindly,

Hannah Black
Minority Leader
Dutchess County Legislator
Town of Hyde Park & Staatsburg
(845) 674-2534

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 8 - City and Town of Poughkeepsie	Brendli		
District 12 - Town of East Fishkill	Metzger (C)		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato (VC)		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 11 **Resolution:** ✓ **Total :** 11 (Yes) 0 (No)

Absent: 1 **Motion:** ____ **Abstentions:** 0

Vacant: 0

2018264 AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE LEASE AGREEMENT BETWEEN THE COUNTY OF DUTCHESS AND TESLA ENERGY OPERATIONS, INC.

October 4, 2018

Roll Call Sheets

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

Present: 23 **Resolution:** ✓ **Total :** 23 0

Absent: 2 **Motion:** ____ Yes No

Vacant: 0 **Abstentions:** 0

2018264 AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE LEASE AGREEMENT BETWEEN THE COUNTY OF DUTCHESS AND TESLA ENERGY OPERATIONS, INC.

October 9, 2018

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2018265

RE: AUTHORIZING FILING OF SECTION 5307 and 5339 GRANT APPLICATIONS FOR FEDERAL FISCAL YEAR 2019 WITH FEDERAL TRANSIT ADMINISTRATION AND NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR MATCHING FUNDS FOR CAPITAL ASSISTANCE UNDER URBAN MASS TRANSPORTATION ACT OF 1964, AND ESTABLISHING A CAPITAL PROJECT ACCOUNT FOR BUS REPLACEMENT, OVERHAULS OF FLEET, AND FACILITY IMPROVEMENTS

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

WHEREAS, the Federal Transit Administration is authorized to make grants for mass transportation projects, and

WHEREAS, the contract for financial assistance will impose certain obligations upon Dutchess County, hereinafter referred to as "the County", including provision by it of the local share of project costs and the Commissioner of the Department of Public Works will be advised if and when the Federal Transit Administration will grant funds to the County under Section 5307 and 5339, and

WHEREAS, the Federal Transit Administration requires, in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as amended, the County give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the Federal Transit Administration requirements thereunder, and

WHEREAS, it is the goal of the County that minority business enterprises be utilized according to the goals of the disadvantaged business enterprises (DBE) program in connection with mass transportation projects and that definite procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring contracts for construction, supplies, equipment or consultant and other services, and

WHEREAS, grant applications will be filed with the Federal Transit Administration for capital assistance under Section 5307 and 5339 will be up to $2,445,720, all of which will be used to assist in funding Dutchess County Public Transit for the purchase of two (2) buses that have outlived their useful life; major vehicle system replacements (including, but not limited to, engines,

transmissions and hybrid batteries); and system amenities (including but not limited to, bus shelters, bus stop signs and ADA information panels), and

WHEREAS, the State matching portion of the grants for capital assistance under Section 5307 and 5339 will be up to $244,569, all of which will to be used to assist in funding Dutchess County Public Transit for the above described replacements, fleet overhauls and facility improvements, and

WHEREAS, State Mass Transportation Capital Aid is available to fund projects approved by the Commissioner of Transportation, and

WHEREAS, the Commissioner of Public Works has been advised by the Federal Transit Administration that the County has Pre-Award Authority in carrying out the above described projects covered under Section 5307 and 5339, and

WHEREAS, it is necessary to establish a capital account to provide for the receipt and expenditure of federal, state, and local funds for said transit capital projects, now, therefore, be it

RESOLVED, that the County Executive or his designee be and is hereby authorized to execute and file applications with the Federal Transit Administration for Sections 5307 and 5339 Capital project funds and under the Urban Mass Transportation Act of 1964, as amended and to furnish such additional information as the Federal Transit Administration may require in connection with the applications, and be it further

RESOLVED, that the County Executive or his designee be and is hereby authorized to execute such grant agreements arising from such applications on behalf of Dutchess County with the Federal Transit Administration to aid in the financing of capital projects pursuant to Section 5307 and 5339 of the Urban Mass Transportation Act of 1964, as amended, and be it further

RESOLVED, that the County Executive or his designee be and is hereby authorized to set forth and execute affirmative action minority business policies in connection with the projects' procurement needs, and be it further

RESOLVED, that the County Executive or his designee be and is hereby authorized to receive on behalf of the County, financial assistance for capital projects pursuant to Sections 5307 and 5339 of the Urban Mass Transportation Act of 1964, as amended, and be it further

RESOLVED, that the County Executive or his designee be and he is hereby authorized to execute any necessary agreements arising from such applications on behalf of Dutchess County with the New York State Department of Transportation to aid in the financing of capital projects, and be it further

RESOLVED, that the County is permitted to acquire project funding under Pre-Award Authority of the U.S. Department of Transportation, Federal Transit Administration in an amount not to exceed $2,445,720 of total funding of which $1,956,554 are Federal funds, $244,569 are state funds, and $244,597 are County funds, and be it further

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to establish the following capital project account:

APPROPRIATIONS
Increase

ET0523.5680.2500.10	Other Equipment 10 Year	$ 848,659
ET0523.5680.2300.10	Motor Vehicle 10 Year	$ 834,534
ET0523.5680.4750	Other Equipment	$ 762,527
A.9950.9801	Contribution to EA Capital	$ 244,597
		$2,690,317

Decrease

A.1990.4007	General Contingency	($244,597)
		($244,597)

REVENUES
Increase

ET0523.5680.35890.00	State-Other Transp. Capital Projects	$ 244,569
ET0523.5680.45890.00	Federal-Other Transp. Capital Projects	$1,956,554
ET0523.5680.50310	Interfund Transfer	$ 244,597
		$2,445,720

CA-174-18
G-1523-2018
AMS/MA/kvh
09/13/18
Fiscal Impact: See attached statement

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 10/13/18

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th day of October 2018, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of October 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 2,690,317

Total Current Year Revenue $ 2,445,720

and Source
$1,956,554 - Federal Funds
244,569 - State Funds
244,597 - County Funds

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

Identify Line Items(s):
ET0523.5680.50310 - $244,597

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): $244,597
Over Five Years: _____

Additional Comments/Explanation:
Grant applications will be filed with the Federal Transit Administration for capital assistance under Section 5307 and 5339 up to $1,956,554, all of which will be used to assist in funding Dutchess County Public Transit for the purchase of two (2) buses that have outlived their useful life as well as major vehicle system replacements (including, but not limited to, engines, transmissions and hybrid batteries), and system amenities (including, but not limited to, bus shelters, bus stop signs, and ADA information panels).

Of the total funding ($2,445,720), $1,956,554 will be federal funds, $244,569 state funds, and $244,597 County funds.

Prepared by: David Whalen DW Prepared On: 9/10/18

MARCUS J. MOLINARO
COUNTY EXECUTIVE

ROBERT H. BALKIND, P.E.
COMMISSIONER

DAVID C. WHALEN
DEPUTY COMMISSIONER

COUNTY OF DUTCHESS

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

To: W.F.X. O'Neil
Deputy County Executive

From: David C. Whalen, Deputy Commissioner DCW
Department of Public Works

Date: September 10, 2018

Re: AUTHORIZING FILING OF SECTION 5307 and 5339 GRANT APPLICATIONS FOR FEDERAL FISCAL YEAR 2019 WITH THE FEDERAL TRANSIT ADMINISTRATION AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR MATCHING FUNDS FOR CAPITAL ASSISTANCE UNDER URBAN MASS TRANSPORTATION ACT OF 1964 AND ESTABLISHING A CAPITAL PROJECT ACCOUNT FOR BUS REPLACEMENTS, SYSTEM OVERHAULS OF FLEET, AND SYSTEM AMENITIES

The attached Resolution Request is to provide Legislative authorization for the County Executive or his designee to file and execute applications and any necessary agreements on behalf of the County with the Federal Transit Administration and New York State Department of Transportation in relation to Section 5307 and 5339 funds, provide local/County funding of $244,597 and provide the Commissioner of Finance the authorization, empowerment and direction to establish a capital project account.

Grant applications will be filed with the Federal Transit Administration for capital assistance under Section 5307 and 5339 up to $1,956,554, all of which will be used to assist in funding Dutchess County Public Transit for the purchase of two (2) buses that have outlived their useful life as well as major vehicle system replacements (including, but not limited to, engines, transmissions and hybrid batteries), and system amenities (including, but not limited to, bus shelters, bus stop signs, and ADA information panels).

Of the total funding ($2,445,720), $1,956,554 will be federal funds, $244,569 state funds, and $244,597 County funds.

Please contact me if you have any questions or require additional information.

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 8 - City and Town of Poughkeepsie	Brendli		
District 12 - Town of East Fishkill	Metzger (C)		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato (VC)		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 11 **Resolution:** ✓ **Total :** 11 Yes 0 No

Absent: 1 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018265 AUTHORIZING FILING OF SECTION 5307 and 5339 GRANT APPLICATIONS FOR FEDERAL FISCAL YEAR 2019 WITH FEDERAL TRANSIT ADMINISTRATION AND NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR MATCHING FUNDS FOR CAPITAL ASSISTANCE UNDER URBAN MASS TRANSPORTATION ACT OF 1964, AND ESTABLISHING A CAPITAL PROJECT ACCOUNT FOR BUS REPLACEMENT, OVERHAULS OF FLEET, AND FACILITY IMPROVEMENTS

October 4, 2018

Roll Call Sheets

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

Present: 23 **Resolution:** ✓ **Total :** 23 (Yes) 0 (No)

Absent: 2 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018265 AUTHORIZING FILING OF SECTION 5307 and 5339 GRANT APPLICATIONS FOR FEDERAL FISCAL YEAR 2019 WITH FEDERAL TRANSIT ADMINISTRATION AND NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR MATCHING FUNDS FOR CAPITAL ASSISTANCE UNDER URBAN MASS TRANSPORTATION ACT OF 1964, AND ESTABLISHING A CAPITAL PROJECT ACCOUNT FOR BUS REPLACEMENT, OVERHAULS OF FLEET, AND FACILITY IMPROVEMENTS

October 9, 2018

Public Works & Capital Projects

RESOLUTION NO. 2018266

RE: AUTHORIZING A GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION OF AN ENVIRONMENTAL ASSESSMENT FOR RUNWAY SAFETY AREA (RSA), IMPROVEMENTS FOR RUNWAY 6-24, AND AMENDING THE 2018 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS-AIRPORT (EA.0485)

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

WHEREAS, in 2017, the Commissioner of the Department of Public Works (DPW), Airport Division, applied to the Federal Aviation Administration (FAA) for a grant of federal funds for the replacement of an Emergency Arresting System ("EMAS") and minor safety area improvements at the 24 end of Runway 6-24 at the Hudson Valley Regional Airport, and

WHEREAS, this Legislature supported the above grant offer agreement through its adoption of Resolution No. 2017152, and

WHEREAS, the Commissioner of the DPW, was advised earlier this year by the FAA that the need for an EMAS was no longer required and that the previously approved and accepted grant funding would not be needed for said project, and

WHEREAS, the Commissioner of DPW has now been advised by the FAA that it strongly recommends and agrees to fund a study of the County's Runway Safety Area (RSA) for Runway 6-24 though a grant allocation identified as FAA-AIP Grant Number 3-36-0100-051-2018, a copy of which is attached hereto, and

WHEREAS, in order for the County to receive the funds from this grant agreement, the FAA required that such grant agreement be executed and returned to the FAA by September 18, 2018, and

WHEREAS, because Legislative approval to execute such grant agreement would not be possible until the October 9th board meeting, the grant agreement was signed by the County and returned to the FAA, with notice that such agreement shall not be deemed fully executed and is contingent upon this Legislature's approval of same, and

WHEREAS, if approved, the FAA will provide 90% of project costs ($422,257), New York State Department of Transportation will provide 5% ($23,459), and Dutchess County will provide the remaining 5% ($23,459), and

WHEREAS, it is necessary for this Legislature to authorize and approve the execution of the grant agreement and to amend the 2018 Adopted County Budget to accept funds and provide for their receipt and expenditure, now, therefore, be it

RESOLVED, that this Legislature hereby authorizes the County Executive to accept the grant offer made by the FAA in connection with this Airport Project and further authorizes and empowers the County Executive or his designee to execute said grant agreement and any other agreements related to this project on behalf of the County of Dutchess when received, and be it further

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to amend the 2018 Adopted County Budget as follows:

APPROPRIATIONS

Increase

EA0525.4401.105	Professional Services Consultants	$469,175
A.9950.9801	Contribution to EA Capital	$23,459
		$492,634

REVENUES

Increase

EA0525.5610.35890.00	Other Trans. Capital Projects NYS	$ 23,459
EA0525.5610.45890.00	Other Trans. Capital Projects Federal	$422,257
A.9998.95990.01	Appropriated Fund Balance General	$ 23,459
EA0525.5610.50310	Interfund Transfers	$ 23,459
		$492,634

CA-178-18
AMS/kvh/G-0103-E
09/19/18
Fiscal Impact: See attached statement

APPROVED
MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 10/13/18

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th day of October 2018, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of October 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ _____

Total Current Year Revenue $ _____
and Source

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

Identify Line Items(s):

Related Expenses: Amount $ _____
Nature/Reason:

Anticipated Savings to County: _____

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

Additional Comments/Explanation:
The FAA has strongly recommended and funded a study of our RSA for Runway 6-24 through this most recent grant allocation. This resolution request asks for the Legislature to authorize the full execution of the grant agreement (FAA-AIP Grant Number 3-36-0100-051-2018) and create and fund a capital project to accept the grant funds and provide for their receipt and expenditure.

Of the total project funding of $469,175, $422,257 will be federal funds, $23,459 state funds, and $23,459 County funds.

Prepared by: David C. Whalen Prepared On: 9/17/18

EA0525 Airport Runway Safety Area

APPROPRIATIONS			
Increase			
	EA0525.5610.4401.105	Professional Services Consultants	$469,175
	A.9950.9801	Contribution to EA Capital	$23,459
			$492,634
REVENUE			
Increase			
	EA0525.5610.35890.00	Other Transp. Capital Projects - NYS	$23,459
	EA0525.5610.45890.00	Other Transp. Capital Projects - Federal	$422,257
	A.9998.95990.01	Appropriated Fund Balance General	$23,459
	EA0525.5610.50310	Interfund Transfers	$23,459
			$492,634

U.S. Department
of Transportation
Federal Aviation
Administration

GRANT AGREEMENT

PART I –OFFER

Date of Offer SEP 14 2018

Airport/Planning Area Hudson Valley Regional

AIP Grant Number 3-36-0100-051-2018

DUNS Number 098332430

TO: County of Dutchess
(herein called the "Sponsor")

FROM: **The United States of America**(acting through the Federal Aviation Administration, herein called the "FAA")

WHEREAS, the Sponsor has submitted to the FAA a Project Application dated , for a grant of Federal funds for a project at or associated with the Hudson Valley Regional Airport, which is included as part of this Grant Agreement; and

WHEREAS, the FAA has approved a project for the Hudson Valley Regional Airport (herein called the "Project") consisting of the following:

Conduct Environmental Study for RSA Improvements

which is more fully described in the Project Application.

NOW THEREFORE, According to the applicable provisions of the former Federal Aviation Act of 1958, as amended and recodified, 49 U.S.C. § 40101, et seq., and the former Airport and Airway Improvement Act of 1982 (AAIA), as amended and recodified, 49 U.S.C. § 47101, et seq., (herein the AAIA grant statute is referred to as "the Act"), the representations contained in the Project Application, and in consideration of (a) the Sponsor's adoption and ratification of the Grant Assurances dated March 2014,and the Sponsor's acceptance of this Offer; and, (b) the benefits to accrue to the United States and the public from the accomplishment of the Project and compliance with the Grant Assurances and conditions as herein provided.

THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay ninety (90) percent of the allowable costs incurred accomplishing the Project as the United States share of the Project.

This Offer is made on and **SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:**

CONDITIONS

1. **Maximum Obligation.** The maximum obligation of the United States payable under this Offer is $422,257.

The following amounts represent a breakdown of the maximum obligation for the purpose of establishing allowable amounts for any future grant amendment, which may increase the foregoing maximum

obligation of the United States under the provisions of 49 U.S.C. § 47108(b):
$422,257 for planning
$0 airport development or noise program implementation; and,
$0 for land acquisition.

2. **Period of Performance.** The period of performance begins on the date the Sponsor formally accepts this agreement. Unless explicitly stated otherwise in an amendment from the FAA, the end date of the period of performance is 4 years (1,460 calendar days) from the date of formal grant acceptance by the Sponsor.

   The Sponsor may only charge allowable costs for obligations incurred prior to the end date of the period of performance (2 CFR §200.309). Unless the FAA authorizes a written extension, the sponsor must submit all project closeout documentation and liquidate (pay off) all obligations incurred under this award no later than 90 calendar days after the end date of the period of performance (2 CFR §200.343).

   The period of performance end date does not relieve or reduce Sponsor obligations and assurances that extend beyond the closeout of a grant agreement.

3. **Ineligible or Unallowable Costs.** The Sponsor must not include any costs in the project that the FAA has determined to be ineligible or unallowable.

4. **Indirect Costs - Sponsor.** Sponsor may charge indirect costs under this award by applying the indirect cost rate identified in the project application as accepted by the FAA, to allowable costs for Sponsor direct salaries and wages.

5. **Determining the Final Federal Share of Costs.** The United States' share of allowable project costs will be made in accordance with the regulations, policies, and procedures of the Secretary. Final determination of the United States' share will be based upon the final audit of the total amount of allowable project costs and settlement will be made for any upward or downward adjustments to the Federal share of costs.

6. **Completing the Project Without Delay and in Conformance with Requirements.** The Sponsor must carry out and complete the project without undue delays and in accordance with this agreement, and the regulations, policies, and procedures of the Secretary. Per 2 CFR § 200.308, the Sponsor agrees to report to the FAA any disengagement from performing the project that exceeds three months. The report must include a reason for the project stoppage. The Sponsor also agrees to comply with the assurances which are part of this agreement.

7. **Amendments or Withdrawals before Grant Acceptance.** The FAA reserves the right to amend or withdraw this offer at any time prior to its acceptance by the Sponsor.

8. **Offer Expiration Date.** This offer will expire and the United States will not be obligated to pay any part of the costs of the project unless this offer has been accepted by the Sponsor on or before SEP 18 2018 or such subsequent date as may be prescribed in writing by the FAA.

9. **Improper Use of Federal Funds.** The Sponsor must take all steps, including litigation if necessary, to recover Federal funds spent fraudulently, wastefully, or in violation of Federal antitrust statutes, or misused in any other manner for any project upon which Federal funds have been expended. For the purposes of this grant agreement, the term "Federal funds" means funds however used or dispersed by the Sponsor, that were originally paid pursuant to this or any other Federal grant agreement. The Sponsor must obtain the approval of the Secretary as to any determination of the amount of the Federal share of such funds. The Sponsor must return the recovered Federal share, including funds recovered by settlement, order, or judgment, to the Secretary. The Sponsor must furnish to the Secretary, upon request, all documents and records pertaining to the determination of the amount of the Federal share or to any settlement, litigation, negotiation, or other efforts taken to recover such funds. All settlements or other final positions of the Sponsor, in court or otherwise, involving the recovery of such Federal share require advance approval by the Secretary.

10. **United States Not Liable for Damage or Injury.** The United States is not responsible or liable for damage to property or injury to persons which may arise from, or be incident to, compliance with this grant agreement.

11. **System for Award Management (SAM) Registration And Universal Identifier.**

    A. Requirement for System for Award Management (SAM): Unless the Sponsor is exempted from this requirement under 2 CFR 25.110, the Sponsor must maintain the currency of its information in the SAM until the Sponsor submits the final financial report required under this grant, or receives the final payment, whichever is later. This requires that the Sponsor review and update the information at least annually after the initial registration and more frequently if required by changes in information or another award term. Additional information about registration procedures may be found at the SAM website (currently at http://www.sam.gov).

    B. Data Universal Numbering System: DUNS number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D & B) to uniquely identify business entities. A DUNS number may be obtained from D & B by telephone (currently 866–705–5771) or on the web (currently at http://fedgov.dnb.com/webform).

12. **Electronic Grant Payment(s).** Unless otherwise directed by the FAA, the Sponsor must make each payment request under this agreement electronically via the Delphi eInvoicing System for Department of Transportation (DOT) Financial Assistance Awardees.

13. **Informal Letter Amendment of AIP Projects.** If, during the life of the project, the FAA determines that the maximum grant obligation of the United States exceeds the expected needs of the Sponsor by $25,000 or five percent (5%), whichever is greater, the FAA can issue a letter amendment to the Sponsor unilaterally reducing the maximum obligation.

    The FAA can also issue a letter to the Sponsor increasing the maximum obligation if there is an overrun in the total actual eligible and allowable project costs to cover the amount of the overrun provided it will not exceed the statutory limitations for grant amendments. The FAA's authority to increase the maximum obligation does not apply to the "planning" component of condition No. 1.

    The FAA can also issue an informal letter amendment that modifies the grant description to correct administrative errors or to delete work items if the FAA finds it advantageous and in the best interests of the United States.

    An informal letter amendment has the same force and effect as a formal grant amendment.

14. **Air and Water Quality.** The Sponsor is required to comply with all applicable air and water quality standards for all projects in this grant. If the Sponsor fails to comply with this requirement, the FAA may suspend, cancel, or terminate this agreement.

15. **Financial Reporting and Payment Requirements.** The Sponsor will comply with all federal financial reporting requirements and payment requirements, including submittal of timely and accurate reports.

16. **Buy American.** Unless otherwise approved in advance by the FAA, the Sponsor will not acquire or permit any contractor or subcontractor to acquire any steel or manufactured products produced outside the United States to be used for any project for which funds are provided under this grant. The Sponsor will include a provision implementing Buy American in every contract.

17. **Maximum Obligation Increase For Nonprimary Airports.** In accordance with 49 U.S.C. § 47108(b), as amended, the maximum obligation of the United States, as stated in Condition No. 1 of this Grant Offer:

    A. May not be increased for a planning project;

    B. May be increased by not more than 15 percent for development projects;

C. May be increased by not more than 15 percent or by an amount not to exceed 25 percent of the total increase in allowable costs attributable to the acquisition of land or interests in land, whichever is greater, based on current credible appraisals or a court award in a condemnation proceeding.

18. Suspension or Debarment. When entering into a "covered transaction" as defined by 2 CFR §180.200, the Sponsor must:

A. Verify the non-federal entity is eligible to participate in this Federal program by:

1. Checking the excluded parties list system (EPLS) as maintained within the System for Award Management (SAM) to determine if the non-federal entity is excluded or disqualified; or
2. Collecting a certification statement from the non-federal entity attesting they are not excluded or disqualified from participating; or
3. Adding a clause or condition to covered transactions attesting individual or firm are not excluded or disqualified from participating.

B. Require prime contractors to comply with 2 CFR §180.330 when entering into lower-tier transactions (e.g. Sub-contracts).

C. Immediately disclose to the FAA whenever the Sponsor (1) learns they have entered into a covered transaction with an ineligible entity or (2) suspends or debars a contractor, person, or entity.

19. Ban on Texting While Driving.

A. In accordance with Executive Order 13513, Federal Leadership on Reducing Text Messaging While Driving, October 1, 2009, and DOT Order 3902.10, Text Messaging While Driving, December 30, 2009, the Sponsor is encouraged to:

1. Adopt and enforce workplace safety policies to decrease crashes caused by distracted drivers including policies to ban text messaging while driving when performing any work for, or on behalf of, the Federal government, including work relating to a grant or subgrant.
2. Conduct workplace safety initiatives in a manner commensurate with the size of the business, such as:
   a. Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and
   b. Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

B. The Sponsor must insert the substance of this clause on banning texting while driving in all subgrants, contracts and subcontracts.

20. AIP Funded Work Included in a PFC Application.

Within 90 days of acceptance of this award, Sponsor must submit to the Federal Aviation Administration an amendment to any approved Passenger Facility Charge (PFC) application that contains an approved PFC project also covered under this grant award. The airport sponsor may not make any expenditure under this award until project work addressed under this award is removed from an approved PFC application by amendment.

21. Exhibit "A" Property Map. The Exhibit "A" Property Map dated September 2000, is incorporated herein by reference or is submitted with the project application and made part of this grant agreement.

22. Employee Protection from Reprisal.

A. Prohibition of Reprisals –

1. In accordance with 41 U.S.C. § 4712, an employee of a grantee or subgrantee may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or body described in sub-paragraph (A)(2), information that the employee reasonably believes is evidence of:
   i. Gross mismanagement of a Federal grant;
   ii. Gross waste of Federal funds;
   iii. An abuse of authority relating to implementation or use of Federal funds;
   iv. A substantial and specific danger to public health or safety; or
   v. A violation of law, rule, or regulation related to a Federal grant.
2. Persons and bodies covered: The persons and bodies to which a disclosure by an employee is covered are as follows:
   i. A member of Congress or a representative of a committee of Congress;
   ii. An Inspector General;
   iii. The Government Accountability Office;
   iv. A Federal office or employee responsible for oversight of a grant program;
   v. A court or grand jury;
   vi. A management office of the grantee or subgrantee; or
   vii. A Federal or State regulatory enforcement agency.
3. Submission of Complaint – A person who believes that they have been subjected to a reprisal prohibited by paragraph A of this grant term may submit a complaint regarding the reprisal to the Office of Inspector General (OIG) for the U.S. Department of Transportation.
4. Time Limitation for Submittal of a Complaint - A complaint may not be brought under this subsection more than three years after the date on which the alleged reprisal took place.
5. Required Actions of the Inspector General – Actions, limitations and exceptions of the Inspector General's office are established under 41 U.S.C. § 4712(b)
6. Assumption of Rights to Civil Remedy - Upon receipt of an explanation of a decision not to conduct or continue an investigation by the Office of Inspector General, the person submitting a complaint assumes the right to a civil remedy under41 U.S.C. § 4712(c).

The Sponsor's acceptance of this Offer and ratification and adoption of the Project Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as hereinafter provided, and this Offer and Acceptance shall comprise a Grant Agreement, as provided by the Act, constituting the contractual obligations and rights of the United States and the Sponsor with respect to the accomplishment of the Project and compliance with the assurances and conditions as provided herein. Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer.

UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION

(Signature)

For Evelyn Martinez
(Typed Name)

Manager, New York Airport District Office
(Title of FAA Official)

PART II - ACCEPTANCE

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer, and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Project Application.

I declare under penalty of perjury that the foregoing is true and correct.[1]

Executed this 17th day of September, 2018.

County of Dutchess
(Name of Sponsor)

(Signature of Sponsor's Authorized Official)

By: William F.X. O'Neil
(Typed Name of Sponsor's Authorized Official)

Title: Deputy County Executive
(Title of Sponsor's Authorized Official

CERTIFICATE OF SPONSOR'S ATTORNEY

I, James M. Fedorchak, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of NY. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the Act. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at Poughkeepsie (location) this 17th day of September 2018.

By: _____
(Signature of Sponsor's Attorney)

[1]Knowingly and willfully providing false information to the Federal government is a violation of 18 U.S.C. Section 1001 (False Statements) and could subject you to fines, imprisonment, or both.

ASSURANCES

AIRPORT SPONSORS

A. General.

a. These assurances shall be complied with in the performance of grant agreements for airport development, airport planning, and noise compatibility program grants for airport sponsors.

b. These assurances are required to be submitted as part of the project application by sponsors requesting funds under the provisions of Title 49, U.S.C., subtitle VII, as amended. As used herein, the term "public agency sponsor" means a public agency with control of a public-use airport; the term "private sponsor" means a private owner of a public-use airport; and the term "sponsor" includes both public agency sponsors and private sponsors.

c. Upon acceptance of this grant offer by the sponsor, these assurances are incorporated in and become part of this grant agreement.

B. Duration and Applicability.

1. **Airport development or Noise Compatibility Program Projects Undertaken by a Public Agency Sponsor.**

The terms, conditions and assurances of this grant agreement shall remain in full force and effect throughout the useful life of the facilities developed or equipment acquired for an airport development or noise compatibility program project, or throughout the useful life of the project items installed within a facility under a noise compatibility program project, but in any event not to exceed twenty (20) years from the date of acceptance of a grant offer of Federal funds for the project. However, there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport. There shall be no limit on the duration of the terms, conditions, and assurances with respect to real property acquired with federal funds. Furthermore, the duration of the Civil Rights assurance shall be specified in the assurances.

2. **Airport Development or Noise Compatibility Projects Undertaken by a Private Sponsor.**

The preceding paragraph 1 also applies to a private sponsor except that the useful life of project items installed within a facility or the useful life of the facilities developed or equipment acquired under an airport development or noise compatibility program project shall be no less than ten (10) years from the date of acceptance of Federal aid for the project.

3. **Airport Planning Undertaken by a Sponsor.**

Unless otherwise specified in this grant agreement, only Assurances 1, 2, 3, 5, 6, 13, 18, 25, 30, 32, 33, and 34 in Section C apply to planning projects. The terms, conditions, and assurances of this grant agreement shall remain in full force and effect during the life of the project; there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport.

C. Sponsor Certification.

The sponsor hereby assures and certifies, with respect to this grant that:

1. **General Federal Requirements.**

It will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance and use of Federal funds for this project including but not limited to the following:

FEDERAL LEGISLATION

a. Title 49, U.S.C., subtitle VII, as amended.

b. Davis-Bacon Act - 40 U.S.C. 276(a), et seq.[1]

c. Federal Fair Labor Standards Act - 29 U.S.C. 201, et seq.

d. Hatch Act – 5 U.S.C. 1501, et seq.[2]

e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Title 42 U.S.C. 4601, et seq.[1 2]

f. National Historic Preservation Act of 1966 - Section 106 - 16 U.S.C. 470(f).[1]

g. Archeological and Historic Preservation Act of 1974 - 16 U.S.C. 469 through 469c.[1]

h. Native Americans Grave Repatriation Act - 25 U.S.C. Section 3001, et seq.

i. Clean Air Act, P.L. 90-148, as amended.

j. Coastal Zone Management Act, P.L. 93-205, as amended.

k. Flood Disaster Protection Act of 1973 - Section 102(a) - 42 U.S.C. 4012a.[1]

l. Title 49, U.S.C., Section 303, (formerly known as Section 4(f))

m. Rehabilitation Act of 1973 - 29 U.S.C. 794.

n. Title Viof the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin);

o. Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 et seq.), prohibits discrimination on the basis of disability).

p. Age Discrimination Act of 1975 - 42 U.S.C. 6101, et seq.

q. American Indian Religious Freedom Act, P.L. 95-341, as amended.

r. Architectural Barriers Act of 1968 -42 U.S.C. 4151, et seq.[1]

s. Power plant and Industrial Fuel Use Act of 1978 - Section 403- 2 U.S.C. 8373.[1]

t. Contract Work Hours and Safety Standards Act - 40 U.S.C. 327, et seq.[1]

u. Copeland Anti-kickback Act - 18 U.S.C. 874.1

v. National Environmental Policy Act of 1969 - 42 U.S.C. 4321, et seq.[1]

w. Wild and Scenic Rivers Act, P.L. 90-542, as amended.

x. Single Audit Act of 1984 - 31 U.S.C. 7501, et seq.[2]

y. Drug-Free Workplace Act of 1988 - 41 U.S.C. 702 through 706.

z. The Federal Funding Accountability and Transparency Act of 2006, as amended (Pub. L. 109-282, as amended by section 6202 of Pub. L. 110-252).

EXECUTIVE ORDERS

a. Executive Order 11246 - Equal Employment Opportunity[1]

b. Executive Order 11990 - Protection of Wetlands

c. Executive Order 11998 –Flood Plain Management

d. Executive Order 12372 - Intergovernmental Review of Federal Programs

e. Executive Order 12699 - Seismic Safety of Federal and Federally Assisted New Building Construction[1]

f. Executive Order 12898 - Environmental Justice

FEDERAL REGULATIONS

a. 2 CFR Part180 - OMBGuidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement).

b. 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. [OMB Circular A-87 Cost Principles Applicable to Grants and Contracts with State and Local Governments, and OMB Circular A-133 - Audits of States, Local Governments, and Non-Profit Organizations].[4,5,6]

c. 2 CFR Part 1200 – Nonprocurement Suspension and Debarment

d. 14 CFR Part 13 - Investigative and Enforcement Procedures14 CFR Part 16 - Rules of Practice For Federally Assisted Airport Enforcement Proceedings.

e. 14 CFR Part 150 - Airport noise compatibility planning.

f. 28 CFR Part 35- Discrimination on the Basis of Disability in State and Local Government Services.

g. 28 CFR § 50.3 - U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964.

h. 29 CFR Part 1 - Procedures for predetermination of wage rates.[1]

i. 29 CFR Part 3 - Contractors and subcontractors on public building or public work financed in whole or part by loans or grants from the United States.[1]

j. 29 CFR Part 5 - Labor standards provisions applicable to contracts covering federally financed and assisted construction (also labor standards provisions applicable to non-construction contracts subject to the Contract Work Hours and Safety Standards Act).[1]

k. 41 CFR Part 60 - Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and federally assisted contracting requirements).[1]

l. 49 CFR Part 18 - Uniform administrative requirements for grants and cooperative agreements to state and local governments.[3]

m. 49 CFR Part 20 - New restrictions on lobbying.

n. 49 CFR Part 21 – Nondiscrimination in federally-assisted programs of the Department of Transportation - effectuation of Title VI of the Civil Rights Act of 1964.

o. 49 CFR Part 23 - Participation by Disadvantage Business Enterprise in Airport Concessions.

p. 49 CFR Part 24 – Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs.[1 2]

q. 49 CFR Part 26 – Participation by Disadvantaged Business Enterprises in Department of Transportation Programs.

r. 49 CFR Part 27 – Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance.[1]

s. 49 CFR Part 28 –Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities conducted by the Department of Transportation.

t. 49 CFR Part 30 - Denial of public works contracts to suppliers of goods and services of countries that deny procurement market access to U.S. contractors.

u. 49 CFR Part 32 –Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)

v. 49 CFR Part 37 –Transportation Services for Individuals with Disabilities (ADA).

w. 49 CFR Part 41 - Seismic safety of Federal and federally assisted or regulated new building construction.

SPECIFIC ASSURANCES

Specific assurances required to be included in grant agreements by any of the above laws, regulations or circulars are incorporated by reference in this grant agreement.

FOOTNOTES TO ASSURANCE C.1.

1 These laws do not apply to airport planning sponsors.

2 These laws do not apply to private sponsors.

3 49 CFR Part 18 and 2 CFR Part 200 contain requirements for State and Local Governments receiving Federal assistance. Any requirement levied upon State and Local Governments by this regulation and circular shall also be applicable to private sponsors receiving Federal assistance under Title 49, United States Code.

4 On December 26, 2013 at 78 FR 78590, the Office of Management and Budget (OMB) issued the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR Part 200. 2 CFR Part 200 replaces and combines the former Uniform Administrative Requirements for Grants (OMB Circular A-102 and Circular A-110 or 2 CFR Part 215 or Circular) as well as the Cost Principles (Circulars A-21 or 2 CFR part 220; Circular A-87 or 2 CFR part 225; and A-122, 2 CFR part 230). Additionally it replaces Circular A-133 guidance on the Single Annual Audit. In accordance with 2 CFR section 200.110, the standards set forth in Part 200 which affect administration of Federal awards issued by Federal agencies become effective once implemented by Federal agencies or when any future amendment to this Part becomes final. Federal agencies, including the Department of Transportation, must implement the policies and procedures applicable to Federal awards by promulgating a regulation to be effective by December 26, 2014 unless different provisions are required by statute or approved by OMB.

5 Cost principles established in 2 CFR part 200 subpart E must be used as guidelines for determining the eligibility of specific types of expenses.

6 Audit requirements established in 2 CFR part 200 subpart F are the guidelines for audits.

2. **Responsibility and Authority of the Sponsor.**

a. Public Agency Sponsor:

It has legal authority to apply for this grant, and to finance and carry out the proposed project; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

b. Private Sponsor:

It has legal authority to apply for this grant and to finance and carry out the proposed project and comply with all terms, conditions, and assurances of this grant agreement. It shall designate an official representative and shall in writing direct and authorize that person to file this application, including all understandings and assurances contained therein; to act in connection with this application; and to provide such additional information as may be required.

3. **Sponsor Fund Availability.**

   It has sufficient funds available for that portion of the project costs which are not to be paid by the United States. It has sufficient funds available to assure operation and maintenance of items funded under this grant agreement which it will own or control.

4. **Good Title.**

   a. It, a public agency or the Federal government, holds good title, satisfactory to the Secretary, to the landing area of the airport or site thereof, or will give assurance satisfactory to the Secretary that good title will be acquired.

   b. For noise compatibility program projects to be carried out on the property of the sponsor, it holds good title satisfactory to the Secretary to that portion of the property upon which Federal funds will be expended or will give assurance to the Secretary that good title will be obtained.

5. **Preserving Rights and Powers.**

   a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in this grant agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish or modify any outstanding rights or claims of right of others which would interfere with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.

   b. It will not sell, lease, encumber, or otherwise transfer or dispose of any part of its title or other interests in the property shown on Exhibit A to this application or, for a noise compatibility program project, that portion of the property upon which Federal funds have been expended, for the duration of the terms, conditions, and assurances in this grant agreement without approval by the Secretary. If the transferee is found by the Secretary to be eligible under Title 49, United States Code, to assume the obligations of this grant agreement and to have the power, authority, and financial resources to carry out all such obligations, the sponsor shall insert in the contract or document transferring or disposing of the sponsor's interest, and make binding upon the transferee all of the terms, conditions, and assurances contained in this grant agreement.

   c. For all noise compatibility program projects which are to be carried out by another unit of local government or are on property owned by a unit of local government other than the sponsor, it will enter into an agreement with that government. Except as otherwise specified by the Secretary, that agreement shall obligate that government to the same terms, conditions, and assurances that would be applicable to it if it applied directly to the FAA for a grant to undertake the noise compatibility program project. That agreement and changes thereto must be satisfactory to the Secretary. It will take steps to enforce this agreement against the local government if there is substantial non-compliance with the terms of the agreement.

d. For noise compatibility program projects to be carried out on privately owned property, it will enter into an agreement with the owner of that property which includes provisions specified by the Secretary. It will take steps to enforce this agreement against the property owner whenever there is substantial non-compliance with the terms of the agreement.

e. If the sponsor is a private sponsor, it will take steps satisfactory to the Secretary to ensure that the airport will continue to function as a public-use airport in accordance with these assurances for the duration of these assurances.

f. If an arrangement is made for management and operation of the airport by any agency or person other than the sponsor or an employee of the sponsor, the sponsor will reserve sufficient rights and authority to insure that the airport will be operated and maintained in accordance Title 49, United States Code, the regulations and the terms, conditions and assurances in this grant agreement and shall insure that such arrangement also requires compliance therewith.

g. Sponsors of commercial service airports will not permit or enter into any arrangement that results in permission for the owner or tenant of a property used as a residence, or zoned for residential use, to taxi an aircraft between that property and any location on airport. Sponsors of general aviation airports entering into any arrangement that results in permission for the owner of residential real property adjacent to or near the airport must comply with the requirements of Sec. 136 of Public Law 112-95 and the sponsor assurances.

6. **Consistency with Local Plans.**

The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

7. **Consideration of Local Interest.**

It has given fair consideration to the interest of communities in or near where the project may be located.

8. **Consultation with Users.**

In making a decision to undertake any airport development project under Title 49, United States Code, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed.

9. **Public Hearings.**

In projects involving the location of an airport, an airport runway, or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

10. **Metropolitan Planning Organization.**

In projects involving the location of an airport, an airport runway, or a major runway extension at a medium or large hub airport, the sponsor has made available to and has provided upon request to the metropolitan planning organization in the area in which the airport is located, if any, a copy

of the proposed amendment to the airport layout plan to depict the project and a copy of any airport master plan in which the project is described or depicted.

11. **Pavement Preventive Maintenance.**

With respect to a project approved after January 1, 1995, for the replacement or reconstruction of pavement at the airport, it assures or certifies that it has implemented an effective airport pavement maintenance-management program and it assures that it will use such program for the useful life of any pavement constructed, reconstructed or repaired with Federal financial assistance at the airport. It will provide such reports on pavement condition and pavement management programs as the Secretary determines may be useful.

12. **Terminal Development Prerequisites.**

For projects which include terminal development at a public use airport, as defined in Title 49, it has, on the date of submittal of the project grant application, all the safety equipment required for certification of such airport under section 44706 of Title 49, United States Code, and all the security equipment required by rule or regulation, and has provided for access to the passenger enplaning and deplaning area of such airport to passengers enplaning and deplaning from aircraft other than air carrier aircraft.

13. **Accounting System, Audit, and Record Keeping Requirements.**

a. It shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of this grant, the total cost of the project in connection with which this grant is given or used, and the amount or nature of that portion of the cost of the project supplied by other sources, and such other financial records pertinent to the project. The accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1984.

b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to this grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a grant or relating to the project in connection with which this grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than six (6) months following the close of the fiscal year for which the audit was made.

14. **Minimum Wage Rates.**

It shall include, in all contracts in excess of $2,000 for work on any projects funded under this grant agreement which involve labor, provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

15. **Veteran's Preference.**

It shall include in all contracts for work on any project funded under this grant agreement which involve labor, such provisions as are necessary to insure that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to Vietnam era veterans, Persian Gulf veterans, Afghanistan-Iraq war veterans, disabled veterans, and small business concerns owned and controlled by disabled veterans as defined in Section 47112 of Title

49, United States Code. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.

16. **Conformity to Plans and Specifications.**

It will execute the project subject to plans, specifications, and schedules approved by the Secretary. Such plans, specifications, and schedules shall be submitted to the Secretary prior to commencement of site preparation, construction, or other performance under this grant agreement, and, upon approval of the Secretary, shall be incorporated into this grant agreement. Any modification to the approved plans, specifications, and schedules shall also be subject to approval of the Secretary, and incorporated into this grant agreement.

17. **Construction Inspection and Approval.**

It will provide and maintain competent technical supervision at the construction site throughout the project to assure that the work conforms to the plans, specifications, and schedules approved by the Secretary for the project. It shall subject the construction work on any project contained in an approved project application to inspection and approval by the Secretary and such work shall be in accordance with regulations and procedures prescribed by the Secretary. Such regulations and procedures shall require such cost and progress reporting by the sponsor or sponsors of such project as the Secretary shall deem necessary.

18. **Planning Projects.**

In carrying out planning projects:

a. It will execute the project in accordance with the approved program narrative contained in the project application or with the modifications similarly approved.

b. It will furnish the Secretary with such periodic reports as required pertaining to the planning project and planning work activities.

c. It will include in all published material prepared in connection with the planning project a notice that the material was prepared under a grant provided by the United States.

d. It will make such material available for examination by the public, and agrees that no material prepared with funds under this project shall be subject to copyright in the United States or any other country.

e. It will give the Secretary unrestricted authority to publish, disclose, distribute, and otherwise use any of the material prepared in connection with this grant.

f. It will grant the Secretary the right to disapprove the sponsor's employment of specific consultants and their subcontractors to do all or any part of this project as well as the right to disapprove the proposed scope and cost of professional services.

g. It will grant the Secretary the right to disapprove the use of the sponsor's employees to do all or any part of the project.

h. It understands and agrees that the Secretary's approval of this project grant or the Secretary's approval of any planning material developed as part of this grant does not constitute or imply any assurance or commitment on the part of the Secretary to approve any pending or future application for a Federal airport grant.

19. **Operation and Maintenance.**

a. The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be

required or prescribed by applicable Federal, state and local agencies for maintenance and operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes. It will suitably operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. Any proposal to temporarily close the airport for non-aeronautical purposes must first be approved by the Secretary. In furtherance of this assurance, the sponsor will have in effect arrangements for-

1) Operating the airport's aeronautical facilities whenever required;

2) Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and

3) Promptly notifying airmen of any condition affecting aeronautical use of the airport. Nothing contained herein shall be construed to require that the airport be operated for aeronautical use during temporary periods when snow, flood or other climatic conditions interfere with such operation and maintenance. Further, nothing herein shall be construed as requiring the maintenance, repair, restoration, or replacement of any structure or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the sponsor.

b. It will suitably operate and maintain noise compatibility program items that it owns or controls upon which Federal funds have been expended.

20. **Hazard Removal and Mitigation.**

It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

21. **Compatible Land Use.**

It will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.

22. **Economic Nondiscrimination.**

a. It will make the airport available as an airport for public use on reasonable terms and without unjust discrimination to all types, kinds and classes of aeronautical activities, including commercial aeronautical activities offering services to the public at the airport.

b. In any agreement, contract, lease, or other arrangement under which a right or privilege at the airport is granted to any person, firm, or corporation to conduct or to engage in any aeronautical activity for furnishing services to the public at the airport, the sponsor will insert and enforce provisions requiring the contractor to-

1) furnish said services on a reasonable, and not unjustly discriminatory, basis to all users thereof, and

2) charge reasonable, and not unjustly discriminatory, prices for each unit or service,

provided that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.

a.) Each fixed-based operator at the airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed-based operators making the same or similar uses of such airport and utilizing the same or similar facilities.

b.) Each air carrier using such airport shall have the right to service itself or to use any fixed-based operator that is authorized or permitted by the airport to serve any air carrier at such airport.

c.) Each air carrier using such airport (whether as a tenant, non-tenant, or subtenant of another air carrier tenant) shall be subject to such nondiscriminatory and substantially comparable rules, regulations, conditions, rates, fees, rentals, and other charges with respect to facilities directly and substantially related to providing air transportation as are applicable to all such air carriers which make similar use of such airport and utilize similar facilities, subject to reasonable classifications such as tenants or non-tenants and signatory carriers and non-signatory carriers. Classification or status as tenant or signatory shall not be unreasonably withheld by any airport provided an air carrier assumes obligations substantially similar to those already imposed on air carriers in such classification or status.

d.) It will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport from performing any services on its own aircraft with its own employees [including, but not limited to maintenance, repair, and fueling] that it may choose to perform.

e.) In the event the sponsor itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by commercial aeronautical service providers authorized by the sponsor under these provisions.

f.) The sponsor may establish such reasonable, and not unjustly discriminatory, conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.

g.) The sponsor may prohibit or limit any given type, kind or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.

23. **Exclusive Rights.**

It will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services to the public. For purposes of this paragraph, the providing of the services at an airport by a single fixed-based operator shall not be construed as an exclusive right if both of the following apply:

a. It would be unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide such services, and

b. If allowing more than one fixed-based operator to provide such services would require the reduction of space leased pursuant to an existing agreement between such single fixed-based operator and such airport. It further agrees that it will not, either directly or indirectly, grant or permit any person, firm, or corporation, the exclusive right at the airport to conduct any aeronautical activities, including, but not limited to charter flights, pilot training, aircraft rental

and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity, and that it will terminate any exclusive right to conduct an aeronautical activity now existing at such an airport before the grant of any assistance under Title 49, United States Code.

24. **Fee and Rental Structure.**

It will maintain a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection. No part of the Federal share of an airport development, airport planning or noise compatibility project for which a grant is made under Title 49, United States Code, the Airport and Airway Improvement Act of 1982, the Federal Airport Act or the Airport and Airway Development Act of 1970 shall be included in the rate basis in establishing fees, rates, and charges for users of that airport.

25. **Airport Revenues.**

a. All revenues generated by the airport and any local taxes on aviation fuel established after December 30, 1987, will be expended by it for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport and which are directly and substantially related to the actual air transportation of passengers or property; or for noise mitigation purposes on or off the airport. The following exceptions apply to this paragraph:

1) If covenants or assurances in debt obligations issued before September 3, 1982, by the owner or operator of the airport, or provisions enacted before September 3, 1982, in governing statutes controlling the owner or operator's financing, provide for the use of the revenues from any of the airport owner or operator's facilities, including the airport, to support not only the airport but also the airport owner or operator's general debt obligations or other facilities, then this limitation on the use of all revenues generated by the airport (and, in the case of a public airport, local taxes on aviation fuel) shall not apply.

2) If the Secretary approves the sale of a privately owned airport to a public sponsor and provides funding for any portion of the public sponsor's acquisition of land, this limitation on the use of all revenues generated by the sale shall not apply to certain proceeds from the sale. This is conditioned on repayment to the Secretary by the private owner of an amount equal to the remaining unamortized portion (amortized over a 20-year period) of any airport improvement grant made to the private owner for any purpose other than land acquisition on or after October 1, 1996, plus an amount equal to the federal share of the current fair market value of any land acquired with an airport improvement grant made to that airport on or after October 1, 1996.

3) Certain revenue derived from or generated by mineral extraction, production, lease, or other means at a general aviation airport (as defined at Section 47102 of title 49 United States Code), if the FAA determines the airport sponsor meets the requirements set forth in Sec. 813 of Public Law 112-95.

a.) As part of the annual audit required under the Single Audit Act of 1984, the sponsor will direct that the audit will review, and the resulting audit report will provide an opinion concerning, the use of airport revenue and taxes in paragraph (a), and indicating whether funds paid or transferred to the owner or operator are paid or transferred in a

manner consistent with Title 49, United States Code and any other applicable provision of law, including any regulation promulgated by the Secretary or Administrator.

b.) Any civil penalties or other sanctions will be imposed for violation of this assurance in accordance with the provisions of Section 47107 of Title 49, United States Code.

26. **Reports and Inspections.**

It will:

a. submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request and make such reports available to the public; make available to the public at reasonable times and places a report of the airport budget in a format prescribed by the Secretary;

b. for airport development projects, make the airport and all airport records and documents affecting the airport, including deeds, leases, operation and use agreements, regulations and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request;

c. for noise compatibility program projects, make records and documents relating to the project and continued compliance with the terms, conditions, and assurances of this grant agreement including deeds, leases, agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request; and

d. in a format and time prescribed by the Secretary, provide to the Secretary and make available to the public following each of its fiscal years, an annual report listing in detail:
   1) all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made; and
   2) all services and property provided by the airport to other units of government and the amount of compensation received for provision of each such service and property.

27. **Use by Government Aircraft.**

It will make available all of the facilities of the airport developed with Federal financial assistance and all those usable for landing and takeoff of aircraft to the United States for use by Government aircraft in common with other aircraft at all times without charge, except, if the use by Government aircraft is substantial, charge may be made for a reasonable share, proportional to such use, for the cost of operating and maintaining the facilities used. Unless otherwise determined by the Secretary, or otherwise agreed to by the sponsor and the using agency, substantial use of an airport by Government aircraft will be considered to exist when operations of such aircraft are in excess of those which, in the opinion of the Secretary, would unduly interfere with use of the landing areas by other authorized aircraft, or during any calendar month that –

a. by gross weights of such aircraft) is in excess of five million pounds Five (5) or more Government aircraft are regularly based at the airport or on land adjacent thereto; or

b. The total number of movements (counting each landing as a movement) of Government aircraft is 300 or more, or the gross accumulative weight of Government aircraft using the airport (the total movement of Government aircraft multiplied.

28. **Land for Federal Facilities.**

It will furnish without cost to the Federal Government for use in connection with any air traffic control or air navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein, or rights in buildings of the sponsor as the Secretary considers necessary or desirable for construction, operation, and maintenance at

Federal expense of space or facilities for such purposes. Such areas or any portion thereof will be made available as provided herein within four months after receipt of a written request from the Secretary.

29. **Airport Layout Plan.**

a. It will keep up to date at all times an airport layout plan of the airport showing:

1) boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the sponsor for airport purposes and proposed additions thereto;

2) the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars and roads), including all proposed extensions and reductions of existing airport facilities;

3) the location of all existing and proposed nonaviation areas and of all existing improvements thereon; and

4) all proposed and existing access points used to taxi aircraft across the airport's property boundary. Such airport layout plans and each amendment, revision, or modification thereof, shall be subject to the approval of the Secretary which approval shall be evidenced by the signature of a duly authorized representative of the Secretary on the face of the airport layout plan. The sponsor will not make or permit any changes or alterations in the airport or any of its facilities which are not in conformity with the airport layout plan as approved by the Secretary and which might, in the opinion of the Secretary, adversely affect the safety, utility or efficiency of the airport.

a.) If a change or alteration in the airport or the facilities is made which the Secretary determines adversely affects the safety, utility, or efficiency of any federally owned, leased, or funded property on or off the airport and which is not in conformity with the airport layout plan as approved by the Secretary, the owner or operator will, if requested, by the Secretary (1) eliminate such adverse effect in a manner approved by the Secretary; or (2) bear all costs of relocating such property (or replacement thereof) to a site acceptable to the Secretary and all costs of restoring such property (or replacement thereof) to the level of safety, utility, efficiency, and cost of operation existing before the unapproved change in the airport or its facilities except in the case of a relocation or replacement of an existing airport facility due to a change in the Secretary's design standards beyond the control of the airport sponsor.

30. **Civil Rights.**

It will promptly take any measures necessary to ensure that no person in the United States shall, on the grounds of race, creed, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any activity conducted with, or benefiting from, funds received from this grant.

a. Using the definitions of activity, facility and program as found and defined in §§ 21.23 (b) and 21.23 (e) of 49 CFR § 21, the sponsor will facilitate all programs, operate all facilities, or conduct all programs in compliance with all non-discrimination requirements imposed by, or pursuant to these assurances.

b. Applicability

1) Programs and Activities. If the sponsor has received a grant (or other federal assistance) for any of the sponsor's program or activities, these requirements extend to all of the

sponsor's programs and activities.

2) Facilities. Where it receives a grant or other federal financial assistance to construct, expand, renovate, remodel, alter or acquire a facility, or part of a facility, the assurance extends to the entire facility and facilities operated in connection therewith.

3) Real Property. Where the sponsor receives a grant or other Federal financial assistance in the form of, or for the acquisition of real property or an interest in real property, the assurance will extend to rights to space on, over, or under such property.

c. Duration.

The sponsor agrees that it is obligated to this assurance for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the assurance obligates the sponsor, or any transferee for the longer of the following periods:

1) So long as the airport is used as an airport, or for another purpose involving the provision of similar services or benefits; or

2) So long as the sponsor retains ownership or possession of the property.

d. Required Solicitation Language. It will include the following notification in all solicitations for bids, Requests For Proposals for work, or material under this grant agreement and in all proposals for agreements, including airport concessions, regardless of funding source:

"The **(Name of Sponsor)**, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises and airport concession disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

e. Required Contract Provisions.

1) It will insert the non-discrimination contract clauses requiring compliance with the acts and regulations relative to non-discrimination in Federally-assisted programs of the DOT, and incorporating the acts and regulations into the contracts by reference in every contract or agreement subject to the non-discrimination in Federally-assisted programs of the DOT acts and regulations.

2) It will include a list of the pertinent non-discrimination authorities in every contract that is subject to the non-discrimination acts and regulations.

3) It will insert non-discrimination contract clauses as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a sponsor.

4) It will insert non-discrimination contract clauses prohibiting discrimination on the basis of race, color, national origin, creed, sex, age, or handicap as a covenant running with the land, in any future deeds, leases, license, permits, or similar instruments entered into by the sponsor with other parties:

a.) For the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and

b.) For the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.

f. It will provide for such methods of administration for the program as are found by the Secretary to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the acts, the regulations, and this assurance.

g. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the acts, the regulations, and this assurance.

31. **Disposal of Land.**

a. For land purchased under a grant for airport noise compatibility purposes, including land serving as a noise buffer, it will dispose of the land, when the land is no longer needed for such purposes, at fair market value, at the earliest practicable time. That portion of the proceeds of such disposition which is proportionate to the United States' share of acquisition of such land will be, at the discretion of the Secretary, (1) reinvested in another project at the airport, or (2) transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order, (1) reinvestment in an approved noise compatibility project, (2) reinvestment in an approved project that is eligible for grant funding under Section 47117(e) of title 49 United States Code, (3) reinvestment in an approved airport development project that is eligible for grant funding under Sections 47114, 47115, or 47117 of title 49 United States Code, (4) transferred to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport, and (5) paid to the Secretary for deposit in the Airport and Airway Trust Fund. If land acquired under a grant for noise compatibility purposes is leased at fair market value and consistent with noise buffering purposes, the lease will not be considered a disposal of the land. Revenues derived from such a lease may be used for an approved airport development project that would otherwise be eligible for grant funding or any permitted use of airport revenue.

b. For land purchased under a grant for airport development purposes (other than noise compatibility), it will, when the land is no longer needed for airport purposes, dispose of such land at fair market value or make available to the Secretary an amount equal to the United States' proportionate share of the fair market value of the land. That portion of the proceeds of such disposition which is proportionate to the United States' share of the cost of acquisition of such land will, (1) upon application to the Secretary, be reinvested or transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order: (1) reinvestment in an approved noise compatibility project, (2) reinvestment in an approved project that is eligible for grant funding under Section 47117(e) of title 49 United States Code, (3) reinvestment in an approved airport development project that is eligible for grant funding under Sections 47114, 47115, or 47117 of title 49 United States Code, (4) transferred to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport, and (5) paid to the Secretary for deposit in the Airport and Airway Trust Fund.

c. Land shall be considered to be needed for airport purposes under this assurance if (1) it may be needed for aeronautical purposes (including runway protection zones) or serve as noise buffer land, and (2) the revenue from interim uses of such land contributes to the financial self-sufficiency of the airport. Further, land purchased with a grant received by an airport operator or owner before December 31, 1987, will be considered to be needed for airport purposes if the Secretary or Federal agency making such grant before December 31, 1987, was

notified by the operator or owner of the uses of such land, did not object to such use, and the land continues to be used for that purpose, such use having commenced no later than December 15, 1989.

d. Disposition of such land under (a) (b) or (c) will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the airport.

32. **Engineering and Design Services.**

It will award each contract, or sub-contract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services with respect to the project in the same manner as a contract for architectural and engineering services is negotiated under Title IX of the Federal Property and Administrative Services Act of 1949 or an equivalent qualifications-based requirement prescribed for or by the sponsor of the airport.

33. **Foreign Market Restrictions.**

It will not allow funds provided under this grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

34. **Policies, Standards, and Specifications.**

It will carry out the project in accordance with policies, standards, and specifications approved by the Secretary including, but not limited to, the advisory circulars listed in the Current FAA Advisory Circulars for AIP projects, dated January 24, 2017 and included in this grant, and in accordance with applicable state policies, standards, and specifications approved by the Secretary.

35. **Relocation and Real Property Acquisition.**

a. It will be guided in acquiring real property, to the greatest extent practicable under State law, by the land acquisition policies in Subpart B of 49 CFR Part 24 and will pay or reimburse property owners for necessary expenses as specified in Subpart B.

b. It will provide a relocation assistance program offering the services described in Subpart C and fair and reasonable relocation payments and assistance to displaced persons as required in Subpart D and E of 49 CFR Part 24.

c. It will make available within a reasonable period of time prior to displacement, comparable replacement dwellings to displaced persons in accordance with Subpart E of 49 CFR Part 24.

36. **Access By Intercity Buses.**

The airport owner or operator will permit, to the maximum extent practicable, intercity buses or other modes of transportation to have access to the airport; however, it has no obligation to fund special facilities for intercity buses or for other modes of transportation.

37. **Disadvantaged Business Enterprises.**

The sponsor shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract covered by 49 CFR Part 26, or in the award and performance of any concession activity contract covered by 49 CFR Part 23. In addition, the sponsor shall not discriminate on the basis of race, color, national origin or sex in the administration of its DBE and ACDBE programs or the requirements of 49 CFR Parts 23 and 26. The sponsor shall take all necessary and reasonable steps under 49 CFR Parts 23 and 26 to ensure

nondiscrimination in the award and administration of DOT-assisted contracts, and/or concession contracts. The sponsor's DBE and ACDBE programs, as required by 49 CFR Parts 26 and 23, and as approved by DOT, are incorporated by reference in this agreement. Implementation of these programs is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the sponsor of its failure to carry out its approved program, the Department may impose sanctions as provided for under Parts 26 and 23 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1936 (31 U.S.C. 3801).

38. **Hangar Construction.**

If the airport owner or operator and a person who owns an aircraft agree that a hangar is to be constructed at the airport for the aircraft at the aircraft owner's expense, the airport owner or operator will grant to the aircraft owner for the hangar a long term lease that is subject to such terms and conditions on the hangar as the airport owner or operator may impose.

39. **Competitive Access.**

a. If the airport owner or operator of a medium or large hub airport (as defined in section 47102 of title 49, U.S.C.) has been unable to accommodate one or more requests by an air carrier for access to gates or other facilities at that airport in order to allow the air carrier to provide service to the airport or to expand service at the airport, the airport owner or operator shall transmit a report to the Secretary that-

   1) Describes the requests;

   2) Provides an explanation as to why the requests could not be accommodated; and

   3) Provides a time frame within which, if any, the airport will be able to accommodate the requests.

b. Such report shall be due on either February 1 or August 1 of each year if the airport has been unable to accommodate the request(s) in the six month period prior to the applicable due date.

FAA
Airports

Current FAA Advisory Circulars Required for Use in AIP Funded and PFC Approved Projects

Updated: 2/20/2018

View the most current versions of these ACs and any associated changes at:
http://www.faa.gov/airports/resources/advisory_circularsand
http://www.faa.gov/regulations_policies/advisory_circulars/

NUMBER	TITLE
70/7460-1L Change 1	Obstruction Marking and Lighting
150/5020-1	Noise Control and Compatibility Planning for Airports
150/5070-6B Changes 1- 2	Airport Master Plans
150/5070-7 Change 1	The Airport System Planning Process
150/5100-13B	Development of State Standards for Nonprimary Airports
150/5200-28F	Notices to Airmen (NOTAMS) for Airport Operators
150/5200-30D Change 1	Airport Field Condition Assessments and Winter Operations Safety
150/5200-31C Changes 1-2	Airport Emergency Plan
150/5210-5D	Painting, Marking, and Lighting of Vehicles Used on an Airport
150/5210-7D	Aircraft Rescue and Fire Fighting Communications
150/5210-13C	Airport Water Rescue Plans and Equipment
150/5210-14B	Aircraft Rescue Fire Fighting Equipment, Tools and Clothing
150/5210-15A	Aircraft Rescue and Firefighting Station Building Design

NUMBER	TITLE
150/5210-18A	Systems for Interactive Training of Airport Personnel
150/5210-19A	Driver's Enhanced Vision System (DEVS)
150/5220-10E	Guide Specification for Aircraft Rescue and Fire Fighting (ARFF) Vehicles
150/5220-16E	Automated Weather Observing Systems (AWOS) for Non-Federal Applications
150/5220-17B	Aircraft Rescue and Fire Fighting (ARFF) Training Facilities
150/5220-18A	Buildings for Storage and Maintenance of Airport Snow and Ice Control Equipment and Materials
150/5220-20A	Airport Snow and Ice Control Equipment
150/5220-21C	Aircraft Boarding Equipment
150/5220-22B	Engineered Materials Arresting Systems (EMAS) for Aircraft Overruns
150/5220-23	Frangible Connections
150/5220-24	Foreign Object Debris Detection Equipment
150/5220-25	Airport Avian Radar Systems
150/5220-26 Changes 1-2	Airport Ground Vehicle Automatic Dependent Surveillance - Broadcast (ADS-B) Out Squitter Equipment
150/5300-7B	FAA Policy on Facility Relocations Occasioned by Airport Improvements of Changes
150/5300-13A Change 1	Airport Design
150/5300-14C	Design of Aircraft Deicing Facilities
150/5300-16A	General Guidance and Specifications for Aeronautical Surveys: Establishment of Geodetic Control and Submission to the National Geodetic Survey
150/5300-17C Change 1	Standards for Using Remote Sensing Technologies in Airport Surveys
150/5300-18B Change 1	General Guidance and Specifications for Submission of Aeronautical Surveys to NGS: Field Data Collection and Geographic Information System (GIS) Standards
150/5320-5D	Airport Drainage Design
150/5320-6F	Airport Pavement Design and Evaluation

NUMBER	TITLE
150/5320-12C Changes 1-8	Measurement, Construction, and Maintenance of Skid Resistant Airport Pavement Surfaces
150/5320-15A	Management of Airport Industrial Waste
150/5235-4B	Runway Length Requirements for Airport Design
150/5335-5C	Standardized Method of Reporting Airport Pavement Strength - PCN
150/5340-1L	Standards for Airport Markings
150/5340-5D	Segmented Circle Airport Marker System
150/5340-18F	Standards for Airport Sign Systems
150/5340-26C	Maintenance of Airport Visual Aid Facilities
150/5340-30J	Design and Installation Details for Airport Visual Aids
150/5345-3G	Specification for L-821, Panels for the Control of Airport Lighting
150/5345-5B	Circuit Selector Switch
150/5345-7F	Specification for L-824 Underground Electrical Cable for Airport Lighting Circuits
150/5345-10H	Specification for Constant Current Regulators and Regulator Monitors
150/5345-12F	Specification for Airport and Heliport Beacons
150/5345-13B	Specification for L-841 Auxiliary Relay Cabinet Assembly for Pilot Control of Airport Lighting Circuits
150/5345-26D	FAA Specification For L-823 Plug and Receptacle, Cable Connectors
150/5345-27E	Specification for Wind Cone Assemblies
150/5345-28G	Precision Approach Path Indicator (PAPI) Systems
150/5345-39D	Specification for L-853, Runway and Taxiway Retro reflective Markers
150/5345-42H	Specification for Airport Light Bases, Transformer Housings, Junction Boxes, and Accessories
150/5345-43H	Specification for Obstruction Lighting Equipment
150/5345-44K	Specification for Runway and Taxiway Signs
150/5345-45C	Low-Impact Resistant (LIR) Structures

NUMBER	TITLE
150/5345-46E	Specification for Runway and Taxiway Light Fixtures
150/5345-47C	Specification for Series to Series Isolation Transformers for Airport Lighting Systems
150/5345-49D	Specification L-854, Radio Control Equipment
150/5345-50B	Specification for Portable Runway and Taxiway Lights
150/5345-51B	Specification for Discharge-Type Flashing Light Equipment
150/5345-52A	Generic Visual Glideslope Indicators (GVGI)
150/5345-53D	Airport Lighting Equipment Certification Program
150/5345-54B	Specification for L-884, Power and Control Unit for Land and Hold Short Lighting Systems
150/5345-55A	Specification for L-893, Lighted Visual Aid to Indicate Temporary Runway Closure
150/5345-56B	Specification for L-890 Airport Lighting Control and Monitoring System (ALCMS)
150/5360-12F	Airport Signing and Graphics
150/5360-13 Change 1	Planning and Design Guidelines for Airport Terminal Facilities
150/5360-14A	Access to Airports By Individuals With Disabilities
150/5370-2G	Operational Safety on Airports During Construction
150/5370-10G	Standards for Specifying Construction of Airports
150/5370-11B	Use of Nondestructive Testing in the Evaluation of Airport Pavements
150/5370-13A	Off-Peak Construction of Airport Pavements Using Hot-Mix Asphalt
150/5370-15B	Airside Applications for Artificial Turf
150/5370-16	Rapid Construction of Rigid (Portland Cement Concrete) Airfield Pavements
150/5370-17	Airside Use of Heated Pavement Systems
150/5390-2C	Heliport Design
150/5395-1A	Seaplane Bases

THE FOLLOWING ADDITIONAL APPLY TO AIP PROJECTS ONLY

Updated: 2/20/2018

NUMBER	TITLE
150/5100-14E Change 1	Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects
150/5100-17 Changes 1 - 7	Land Acquisition and Relocation Assistance for Airport Improvement Program Assisted Projects
150/5300-15A	Use of Value Engineering for Engineering Design of Airport Grant Projects
150/5320-17A	Airfield Pavement Surface Evaluation and Rating Manuals
150/5370-12B	Quality Management for Federally Funded Airport Construction Projects
150/5380-6C	Guidelines and Procedures for Maintenance of Airport Pavements
150/5380-7B	Airport Pavement Management Program
150/5380-9	Guidelines and Procedures for Measuring Airfield Pavement Roughness

MARCUS J. MOLINARO
COUNTY EXECUTIVE

ROBERT H. BALKIND, P.E.
COMMISSIONER

DAVID C. WHALEN
DEPUTY COMMISSIONER

COUNTY OF DUTCHESS

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

To: W.F.X. O'Neil
Deputy County Executive

From: David C. Whalen, Deputy Commissioner DCW
Department of Public Works

Date: September 17, 2018

Re: RESOLUTION REQUEST – AUTHORIZING A GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR AN ENVIRONMENTAL ASSESSMENT FOR RUNWAY SAFETY AREA (RSA) IMPROVEMENTS FOR RUNWAY 6-24 AND AMENDING THE 2018 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS – AIRPORT (ea.0485)

Please find attached a Resolution Request form and Fiscal Impact Statement regarding the execution of a grant offer agreement with the Federal Aviation Administration (FAA).

In 2017, the DC Legislature supported a grant offer agreement (Resolution No. 2017152) with the FAA for the replacement of the EMAS (Emergency Arresting System) at the 24 end of Runway 6-24 at Hudson Valley Regional Airport. Earlier this year, the FAA indicated that a need for an EMAS was no longer required, and that the previously approved and accepted grant funding would not be needed for this project.

Instead, the FAA has strongly recommended and funded a study of our RSA for Runway 6-24 through this most recent grant allocation. This resolution request asks for the Legislature to authorize the full execution of the grant agreement (FAA-AIP Grant Number 3-36-0100-051-2018) and amend the 2018 Adopted County Budget to accept funds and provide for their receipt and expenditure.

Of the total project funding amount of $469,175, $422,257 will be federal funds, $23,459 state funds, and $23,459 County funds.

Please contact me if you have any questions or require additional information.

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 8 - City and Town of Poughkeepsie	Brendli		
District 12 - Town of East Fishkill	Metzger (C)		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato (VC)		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 11 **Resolution:** ✓ **Total :** 11 Yes 0 No

Absent: 1 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018266 AUTHORIZING A GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION OF AN ENVIRONMENTAL ASSESSMENT FOR RUNWAY SAFETY AREA (RSA), IMPROVEMENTS FOR RUNWAY 6-24, AND AMENDING THE 2018 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS-AIRPORT (EA.0485)

October 4, 2018

Roll Call Sheets

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

Present: 23 **Resolution:** ✓ **Total :** 23 (Yes) 0 (No)

Absent: 2 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018266 AUTHORIZING A GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION OF AN ENVIRONMENTAL ASSESSMENT FOR RUNWAY SAFETY AREA (RSA), IMPROVEMENTS FOR RUNWAY 6-24, AND AMENDING THE 2018 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS-AIRPORT (EA.0485)

October 9, 2018

PUBLIC WORKS & CAPITAL PROJECTS

FOR DISCUSSION ONLY 10-4-18

RESOLUTION NO. 2018267

BOND RESOLUTION DATED NOVEMBER 13, 2018.

A RESOLUTION AUTHORIZING THE ISSUANCE OF $5,388,350 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY A PORTION OF THE COST OF THE CONSTRUCTION OF THE HARLEM VALLEY RAIL TRAIL (PHASE IV), IN AND FOR SAID COUNTY.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which it has been determined will not have a significant adverse impact on the environment; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described have been performed; NOW, THEREFORE,

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

Section 1. Construction of the Harlem Valley Rail Trail (Phase IV), in and for the County of Dutchess, New York, including design costs, and original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of $14,753,350.

Section 2. It is hereby determined that the plan for the financing of the aforesaid specific object or purpose is as follows:

a) by the issuance of $5,388,350 serial bonds of the County hereby authorized to be issued therefor, pursuant to the provisions of the Local Finance Law **PROVIDED, HOWEVER**, that to the extent that any Federal or State grants-in-aid are received for such specific object or purpose (except such grants hereinafter noted), the amount of bonds to be issued pursuant to this resolution shall be reduced dollar for dollar; and

b) by the appropriation of $9,365,000 Federal grants-in-aid monies to be received therefor, which monies are hereby authorized to be expended therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is 15 years, pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Dutchess, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 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. Bond resolution No. 206327 of December 6, 2006 has been repealed by operation of law pursuant to Section 41.00 of the Local Finance Law. The County hereby relinquishes the balance of unspent appropriation authorization as of December 31, 2018, in the amount of approximately $1,805,075, as determined by the Dutchess County Department of Public Works, which is the remaining balance included in Resolution No. 206327 adopted pursuant to said bond resolution.

Section 10. 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 11. 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 12. 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-175-18
G-0145-B
09/18/18

Harlem Valley Rail Trail (Phase IV)

Year	PRIN O/S	PRIN PAYMENT	INTEREST	TOTAL
1	$5,388,350	$359,223	$175,121	$534,345
2	5,029,127	$359,223	163,447	522,670
3	4,669,903	$359,223	151,772	510,995
4	4,310,680	$359,223	140,097	499,320
5	3,951,457	$359,223	128,422	487,646
6	3,592,233	$359,223	116,748	475,971
7	3,233,010	$359,223	105,073	464,296
8	2,873,787	$359,223	93,398	452,621
9	2,514,563	$359,223	81,723	440,947
10	2,155,340	$359,223	70,049	429,272
11	1,796,117	$359,223	58,374	417,597
12	1,436,893	$359,223	46,699	405,922
13	1,077,670	$359,223	35,024	394,248
14	718,447	$359,223	23,350	382,573
15	359,223	$359,223	11,675	370,898
TOTAL		$5,388,350	$1,400,971	$6,789,321
AVG. PER YEAR		$359,223	$93,398	$452,621

FISCAL IMPACT STATEMENT

TOTAL PRINCIPAL	$5,388,350	
ANTICIPATED INTEREST RATE		3.25%
TERM 15 YEARS. ANTICIPATED FEES:		$53,350
ANTICIPATED ANNUAL COST (PRIN + INT):		$452,621
TOTAL PAYBACK (ANNUAL COST x TERMS):		$6,789,321

PREPARED BY HEIDI SEELBACH

H0524 2018 Harlem Valley Rail Trail Construction

APPROPRIATIONS

Increase

H0524.7110.4401.105	Professional Services Consultants	$1,900,000
H0524.7110.3500	Rail Trail	$12,800,000
H0524.7710.3900	Bond Issuing Costs	$53,350
		$14,753,350

REVENUE

Increase

H0524.7110.45970.00	Transp Capital Project Highway	$9,365,000
H0524.7110.57100	Serial Bonds	$5,388,350
		$14,753,350

MARCUS J. MOLINARO
COUNTY EXECUTIVE

ROBERT H. BALKIND, P.E.
COMMISSIONER

DAVID C. WHALEN
DEPUTY COMMISSIONER

COUNTY OF DUTCHESS
DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

TO: W.F.X. O'Neil, Deputy County Executive

FROM: Robert H. Balkind, P.E., Commissioner

DATE: September 12, 2018

SUBJECT: RESOLUTION REQUEST – FUNDING FOR CONSTRUCTION RELATED ACTIVITIES FOR THE HARLEM VALLEY RAIL TRAIL – PHASE IV

Since 2005 the Department of Public Works has been working to design the final section of Dutchess County's Harlem Valley Rail Trail. This section of the trail extends from the current trail terminus in the Village of Millerton northerly for approximately 8 miles to Undermountain Road in the Town of Ancram in Columbia County. In 2006 Dutchess County entered into an inter-municipal agreement with NYS Parks and Columbia County to fund the 1.5 mile portion of the trail that extends into Columbia County (Resolution No. 206250.) Under this agreement, Columbia County will pay up to $500,000 (80% reimbursed by federal funding, 20% local funding) to Dutchess County for expenses related to design, permitting and construction of the trail. The agreement calls for NYS Parks to pay up to $100,000 (80% federal/state funding, 20% paid from NYS Parks) to Dutchess County for project expenses. NYS Parks also agreed to maintain and operate the 1.5 mile section within Columbia County upon completion of construction.

In 2006 the Dutchess County Legislature adopted a funding resolution to provide $3.15M for design and construction of the trail. Resolution No. 206327 identified $2.52M in federal funding reimbursement and $0.63 county funding for the project.

In October 2014 the Legislature adopted the SEQR Determination of No Significant Environmental Impact via Resolution No. 2014273. In May 2017 a Final Design Report was approved by Dutchess County DPW, NYSDOT and Federal Highway Administration. The approved report serves as the environmental and design documentation for the trail project. The report includes extensive environmental protections required by NYS DEC, US Army Corps of Engineers, and the US Fish and Wildlife Service.

Since 2017, DPW has been working with the design consultant to prepare bid documents and obtain the necessary environmental permits from both NYSDEC and US Army Corps of Engineers. The County has also secured the land rights needed for the project.

The design consultant has prepared a detailed construction phase estimate. The total project cost is $14.7M, which includes contractor costs, construction management costs and other construction-related expenses. The Dutchess County Transportation Council's latest Transportation Improvement Plan (August 10, 2018) identifies $11.306M for Harlem Valley Rail Trail construction phase funding which includes $9.045M of federal funding and $2.261 of local funding. An additional $0.320M of federal funding is available for preparation of construction plans and specifications.

This resolution request seeks the following:

1. Establish a capital project to fund construction of the Harlem Valley Rail Trail – Phase IV at a total project cost of $14.7M in accordance with the attached budget amendments.
2. Authorize the County Executive to sign the attached Supplemental Agreement No. 3 which will allow the County to spend and accept $9.045M federal funding reimbursement, and spend $2.261 of local funding for the project.
3. Relinquish funding authorization in the amount of $1.8M from Capital Project No. H0372.

The total request for county funding is $5.335M. The Department of Public Works is seeking to relinquish $1.8M of unspent authorization that was adopted under Resolution No. 206327. $360,000 (20%) of the $1.8M is local share. Therefore, although the total request is for $5.335M in county share, this represents $4.975M in county funding that was not previously authorized for this project.

Resolution No. 2018267, A RESOLUTION AUTHORIZING THE ISSUANCE OF $5,388,350 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY A PORTION OF THE COST OF THE CONSTRUCTION OF THE HARLEM VALLEY RAIL TRAIL (PHASE IV), IN AND FOR SAID COUNTY, was offered for discussion only at the October 4, 2018, Public Works and Capital Projects Committee Meeting, and considered at the November 13, 2018, Board Meeting.

Roll call vote on the foregoing resolution at that time resulted as follows:

AYES:	22	Pulver, Sagliano, Bolner, Munn, Borchert, Keith, Edwards, Truitt, Brendli, Johnson, Jeter-Jackson, Tyner, Metzger, Amparo, Incoronato, Zernike, Miccio, Page, Garito, Thomes, Surman, Houston
NAYS:	0	
ABSENT:	3	Black, Llaverias, Horton

Resolution adopted.

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 4 - Town of Hyde Park	Black*		
District 20 - Town of Red Hook/Tivoli	Munn*		
District 8 - City and Town of Poughkeepsie	Brendli		
District 12 - Town of East Fishkill	Metzger		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato (VC)		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 17 - Town and Village of Fishkill	Miccio (C)		
District 24 - Towns of Dover and Union Vale	Surman		

Present: 12 **Resolution:** ✓ **Total :** 12 Yes 0 No

Absent: 0 **Motion:** ___

Vacant: 0 **Abstentions:** 0

2018267 A RESOLUTION AUTHORIZING THE ISSUANCE OF $5,388,350 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY A PORTION OF THE COST OF THE CONSTRUCTION OF THE HARLEM VALLEY RAIL TRAIL (PHASE IV), IN AND FOR SAID COUNTY.

November 8, 2018

Roll Call Sheets

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

Present: 22 **Resolution:** ✓ **Total :** 22 (Yes) 0 (No)

Absent: 3 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018267 A RESOLUTION AUTHORIZING THE ISSUANCE OF $5,388,350 SERIAL BONDS OF THE COUNTY OF DUTCHESS, NEW YORK, TO PAY A PORTION OF THE COST OF THE CONSTRUCTION OF THE HARLEM VALLEY RAIL TRAIL (PHASE IV), IN AND FOR SAID COUNTY.

November 13, 2018

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2018268

RE: AMENDING THE 2018 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS, DIVISIONS OF AUTO SERVICE CENTER (A.1640), HIGHWAY (E.5130), AND PUBLIC TRANSIT (ET.5680)

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

WHEREAS, the Commissioner of the Department of Public Works has advised that certain appropriation lines within certain of its divisions are seeking additional funding as outlined below, and

WHEREAS, the Auto Service Center is seeking an additional $60,000 of funds to supplement its Parts & Supplies, Automotive Equipment line due to higher than anticipated expenses in excess of the 2018 Adopted Budget, and

WHEREAS, the Auto Service Center is seeking an additional $100,000 of funds to supplement its Gasoline/Diesel line due to higher than anticipated fuel prices, and

WHEREAS, the Division of Highway is seeking an additional $230,000 of funds to supplement its Parts & Supplies, Automotive Equipment line due to higher than anticipated expenses in excess of the 2018 Adopted Budget, and

WHEREAS, the Division of Public Transit is seeking an additional $100,000 of funds to supplement its Gasoline/Diesel line due to higher than anticipated fuel prices, and

WHEREAS, it is necessary to amend the 2018 Adopted County Budget to provide funds to meet these expenses detailed herein, now therefore, be it

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to amend the 2018 Adopted County Budget as follows:

APPROPRIATIONS

Increase

A.1640.4102	Parts & Supplies, Automotive Equipment	$ 60,000
A.1640.4130	Gasoline/Diesel	$100,000
E.5130.4102	Parts & Supplies, Automotive Equipment	$230,000
ET.5680.4130	Gasoline/Diesel	$100,000
A.9901.63.9850	ET Fund Contribution	$100,000
A.9901.65.9000	Interfund	$230,000
		$820,000

Decrease

A.1990.4007	General Contingency	($330,000)
		($330,000)

REVENUE

Increase

ET.5680.50310	Interfund Transfers	$100,000
E.5130.50310	Interfund Transfers	$230,000
A.9998.95990.01	Appropriated Fund Balance General	$160,000
		$490,000

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 10/13/18

CA-179-18
AMS/sc/G-0188
09/24/18
Fiscal Impact: See attached statement

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th day of October 2018, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of October 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 490,000

Total Current Year Revenue and Source $ 0

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

Identify Line Items(s):

Related Expenses: Amount $ 0

Nature/Reason:

Anticipated Savings to County: $0

Net County Cost (this year): $490,000

Over Five Years:

Additional Comments/Explanation:

Request to modify the DPW operating budget for the following three budget sub-departments per the attached cover memo.

1. Automotive Service Center A.1640 - increase $160,000 for repair parts and fuel
2. Highway Construction & Maintenance Division E.5130 - increase $230,000 for repair parts
3. Public Transit ET.5680 - increase $100,000 for fuel

Prepared by: R. Balkind, P.E.

Prepared On: 9/17/18

MARCUS J. MOLINARO
COUNTY EXECUTIVE

ROBERT H. BALKIND, P.E.
COMMISSIONER

DAVID C. WHALEN
DEPUTY COMMISSIONER

COUNTY OF DUTCHESS

DEPARTMENT OF PUBLIC WORKS

TO: W.F.X. O'Neil, Deputy County Executive

FROM: Robert H. Balkind, P.E., Commissioner

DATE: September 14, 2018

SUBJECT: Resolution Request – Amending the 2018 Operating Budget as it pertains to Department of Public Works

The Department is seeking to modify the 2018 operating budget for the following three Divisions. Each Division's amendment request is explained in detail below:

Automotive Service Center

Line A.1640.4102 – Parts & Supplies, Automotive Equipment

This line is used to fund the purchase of repair parts for the county's passenger vehicle fleet including law enforcement vehicles, all-terrain vehicles, prisoner vans and trucks under 1 ton GVW. The original appropriation for this line was $210,000. Bills have been paid through the end of July and 70% of the funding has been spent. The Auto Service Center has been averaging approximately $21,500 per month in expenses. This trend is expected to continue and will result in an estimated total expense of $258,000. The Department is requesting an increase of $60,000 in this line.

Line A.1640.4130 – Gasoline/Diesel

This line is used to purchase gasoline and diesel for the entire county fleet of cars, trucks and heavy equipment. The original appropriation for this line was $765,620. Bills have been paid through the end of July and 67% of the funding has been spent. The Auto Service Center has been averaging approximately $73,00 per month in expenses. Assuming fuel costs remain stable through the remainder of 2018, this trend is expected to continue and will result in a shortfall of $100,000 in this area. The 2018 adopted budget reflected a unit price of $2.00 per gallon based on the year-to-date price during budget development of $1.74/gal and the estimated 14% increase as advised by our energy consultant. The actual price per gallon for 2018 has been $2.26 per gallon. The Department is requesting an increase of $100,000 in this line.

Highway construction & Maintenance Division

Line E5130.4102 - Parts & Supplies, Automotive Equipment

This line is used to fund the purchase of repair parts for the county's heavy trucks and construction equipment. The original appropriation for this line was $320,000. Bills have been paid through the end of July and 95% of the funding has been spent. The Highway repair garage has been averaging approximately $44,000 per month in expenses. High cost repairs have included 3 trucks that required front end suspension replacements at $7,000 each, three trucks that needed major frame repairs at $5,000 each, five trucks that needed new dump truck cylinders at $3,000 each and two excavators that needed hydraulic cylinder repairs at $3,000 each. It is anticipated that the monthly spending will increase over the remaining months of 2018 due to repairs anticipated during the winter months of October through December. The Department anticipates a total expense of approximately $550,000. The Department is requesting an increase of $230,000 in this line.

Public Transit

Line ET.5680.4130 – Gasoline/Diesel

This line is used to purchase diesel fuel for the bus fleet. The original appropriation for this line was $482,682. Bills have been paid through the end of July and 76% of the funding has been spent. Assuming fuel costs remain stable through the remainder of 2018, resulting in a shortfall of $100,000 in this area. The 2018 adopted budget reflected a unit price of $1.95 per gallon based on the Year-to-Date price during budget development of $1.71/gal and the estimated 14% increase as advised by our energy consultant. The actual price per gallon for 2018 has been $2.26 per gallon. The Department is requesting an increase of $100,000 in line 5680.4130.

MARCUS J. MOLINARO
COUNTY EXECUTIVE

JESSICA A. WHITE
BUDGET DIRECTOR

COUNTY OF DUTCHESS
BUDGET OFFICE

Memo

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

From: Jessica White, Budget Director

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

Date: September 6, 2018

As of September 6, 2018, the **General Contingency-A1990.4007** reflects a balance of **$574,597.**

Contingency – Adopted		**$1,500,000**
Approved Resolutions		
2018067	Authorizing the Department of Behavioral and Community Health to establish a competitive grant program for the establishment of prescription drop off boxes and amending the 2018 Adopted County Budget as it pertains to the General Contingency Fund (A.1990.4007)	(5,760)
2018122	Amending the 2018 Adopted County Budget as it pertains to the Dutchess County Sheriff	(54,000)
2018136	Amending the Adopted County Budget as it pertains to the Dutchess County Clerk	(85,400)
2018210	Amending the 2018 Adopted County Budget as it pertains to the Department of Public Works-Parks Division.	(250,000)
2018211	Authorizing a Grant Agreement with the Federal Aviation Administration for construction of a new aircraft rescue/firefighting and snow removal equipment building and amending the 2018 Adopted County Budget as it pertains to the Department of Public Works – Hudson Valley Regional Airport.	(335,243)

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

Dutchess County

Contingency Memo

Through Date: 9/6/2018

Prior Fiscal Year Activity Included

Organization	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% Used/ Rec'd	Prior Year Total
Expenditures									
Account: 4007 - General Contingency									
A.1990 - General Fund,Contingency & Vac Fctr	$1,500,000.00	($925,403.00)	$574,597.00	$0.00	$0.00	$0.00	$574,597.00	0%	$0.00
4007 - General Contingency	$1,500,000.00	($925,403.00)	$574,597.00	$0.00	$0.00	$0.00	$574,597.00	0%	$0.00
Expenditure Grand Totals:	$1,500,000.00	($925,403.00)	$574,597.00	$0.00	$0.00	$0.00	$574,597.00	0%	$0.00
Grand Totals:	($1,500,000.00)	$925,403.00	($574,597.00)	$0.00	$0.00	$0.00	($574,597.00)		$0.00

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 8 - City and Town of Poughkeepsie	Brendli		
District 12 - Town of East Fishkill	Metzger (C)		
District 14 - Town of Wappinger	Amparo		
District 15 - Town of Wappinger	Incoronato (VC)		
District 16 - Town of Fishkill and City of Beacon	Zernike		
District 24 - Towns of Dover and Union Vale	Surman		
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston		

Present: 11 **Resolution:** ✓ **Total :** 11 Yes 0 No

Absent: 1 **Motion:** ____ **Abstentions:** 0

Vacant: 0

2018268 AMENDING THE 2018 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS, DIVISIONS OF AUTO SERVICE CENTER (A.1640), HIGHWAY (E.5130), AND PUBLIC TRANSIT (ET.5680)

October 4, 2018

Roll Call Sheets

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

Present: 23 **Resolution:** ✓ **Total :** 23 0

Absent: 2 **Motion:** ___ **Yes** **No**

Vacant: 0 **Abstentions:** 0

2018268 AMENDING THE 2018 ADOPTED COUNTY BUDGET AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS, DIVISIONS OF AUTO SERVICE CENTER (A.1640), HIGHWAY (E.5130), AND PUBLIC TRANSIT (ET.5680)

October 9, 2018

Public Safety

RESOLUTION NO. 2018269

RE: AUTHORIZING EXECUTION OF AN INTERMUNICIPAL AGREEMENT BETWEEN MILLBROOK CENTRAL SCHOOL DISTRICT, DUTCHESS COUNTY SHERIFF, AND COUNTY OF DUTCHESS TO PROVIDE SCHOOL RESOURCE OFFICERS

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

WHEREAS, municipal corporations are authorized, pursuant to Article 9, § 1 of the State Constitution and Article 5-G of the General Municipal Law to enter into intermunicipal agreements, and

WHEREAS, the Millbrook Central School District, the Dutchess County Sheriff, and the County of Dutchess find that it is in their mutual best interests to enter into an agreement for the placement of a Deputy Sheriff in the School District, who will serve as a School Resource Officer, and

WHEREAS, it is the understanding of the parties that the School Resource Officer will work during the school years to help maintain a safe campus environment that is conducive to learning, and to foster a relationship based upon cooperation and mutual support between law enforcement and school officials in the District, now, therefore be it

RESOLVED, the Dutchess County Executive or his designee is hereby authorized to execute the agreement in substantially the same form attached hereto and made a part hereof.

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 10/13/18

CA-169-18
TJL/kvh G-0224
09/120/18
Fiscal Impact: Attached

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th day of October 2018, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of October 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ _____

Total Current Year Revenue $ _____
and Source

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

Identify Line Items(s):
A.3110.71.1010
A.3110.71.15100.07

Related Expenses: Amount $ _____

Nature/Reason:
New Agreement for School Resource Officer(s)

Anticipated Savings to County: _____

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

Additional Comments/Explanation:
Authorizing an intermunicpal agreement between the Dutchess County Sheriff's Office and Millbrook Central School District. Agreement is for the placement of Deputy Sheriff's in the School Districts, to serve as School Resource Officers. The rate for the 2018-2019 school year is $89,000. The contract will begin in October and shall be pro-rated accordingly.

Prepared by: Maureen Sariglanis Prepared On: 8/9/2018

INTERMUNICIPAL AGREEMENT

THIS AGREEMENT, bearing the date set forth on the signature page, by and between the COUNTY OF DUTCHESS, a municipal corporation with offices at 22 Market Street, Poughkeepsie, New York 12601 (hereinafter referred to as the "COUNTY"), the MILLBROOK CENTRAL SCHOOL DISTRICT, a municipal corporation whose address is 43 Alden Place, Millbrook, New York 12545 (hereinafter referred to as the "SCHOOL DISTRICT"), and ADRIAN H. ANDERSON, Sheriff of Dutchess County, whose address is 150 N. Hamilton Street, Poughkeepsie, New York 12601 (hereinafter referred to as the "SHERIFF").

WITNESSETH:

WHEREAS, municipal corporations are authorized, pursuant to both Article 9, Section 1 of the State Constitution and Article 5-G of the General Municipal Law to enter into intergovernmental agreements; and

WHEREAS, Article 5-G of the General Municipal Law specifically authorizes and encourages municipal corporations to enter into agreements with each other in order to provide cooperatively, jointly, or by contract any facility, service, activity, or undertaking which each participating municipal corporation has the power to provide separately; and

WHEREAS, the respective governing boards of the Millbrook Central School District, the Sheriff, and the County of Dutchess have determined that it is in their mutual best interests to enter into this Agreement for the following purposes: for the placement of one (1) School Resource Officer (SRO) in the School District and other services as may be agreed to between the parties in writing;

NOW THERFORE, in furtherance of their mutual interests and in consideration of the mutual covenants and agreements herein contained, and compliance with the terms and conditions specified herein, the School District and the County hereby agree to the following:

1. The County agrees to provide the School District with one (1) Deputy Sheriff to serve as a School Resource Officer (SRO) in the School District for the 2018/2019 school year, to maintain a safe campus environment that is conducive to learning, to create a relationship based upon cooperation and mutual support between law enforcement and school officials, to improve relationships between law enforcement, school, community and youth of the school, to serve as consultants to school staff, parents and youth on safety matters and other matters which will provide a better environment for the students and teachers to pursue their respective tasks, and to serve as a role model to students:

   (i) The SRO shall be an employee of and shall be subject to the administration, supervision and control of the County Sheriff at all times

and subject to the School District's policies and procedures when performing functions at the School District's schools, unless otherwise provided in this Agreement.

(ii) The Deputy Sheriff assigned as an SRO will be selected by the Sheriff based upon the Sheriff's judgment and discretion, taking into consideration among other criteria the Deputy Sheriff's training, qualifications, experience, interest in the position and the Deputy Sheriff's ability to effectuate the goals and objectives set forth herein.

(iii) The School District shall evaluate the SRO program and the performance of the SRO. Such evaluation by the School District shall be performed in order to evaluate the performance of the SRO in accordance with the County Sheriff's rules and regulations and also to ascertain what, if anything, can be done to improve the SRO program.

(iv) The School District shall have the right to request the removal of any SRO where there is a demonstrated inability to effectuate the goals and objectives of this Agreement, whereupon the Sheriff shall conduct an investigation pursuant to the School District's request for removal. Notice of dissatisfaction must be communicated in writing by the Superintendent of Schools to County Sheriff at any time during the school year. A request for replacement shall be honored unless the same are insubstantial and lacks substance in fact.

(v) The County agrees to provide and pay the SRO's salary and employment benefits in accordance with County personnel policies or the applicable collective bargaining agreement, if one exists. The Sheriff will bill the School District in nine (9) monthly installments for the cost of the one (1) SRO at the annual rate of $80,100.00 (or $8,900 per month), with the School District paying such costs after audit by the School District's Claims Auditor, within 45 days of receipt of the bill from the Sheriff. There shall be no charges made by the Sheriff beyond the monthly payments referenced above.

(vi) It is understood and agreed that the Sheriff, in its sole discretion, shall have the authority to discharge and discipline a Deputy Sheriff assigned as an SRO as provided under the terms of any applicable collective bargaining agreement and/or by law. Any issues or reports relating to the conduct of the SROs by the School District shall be directed to the Sheriff. The County shall indemnify and hold harmless the School District from any claims, suits or causes arising out of allegations of unfair or unlawful employment practice brought by a Deputy Sheriff assigned as an SRO.

(vii) It is understood and agreed that the School District shall be responsible for any overtime pay earned by a Deputy Sheriff serving as an SRO where the School District desires the SRO to remain on duty beyond an eight (8) hour day.

(viii) It is understood and agreed that, should an SRO become unable to perform his or her duties as a result of illness or injury that causes the Deputy Sheriff to be absent, the School District may request that the Sheriff assign another Deputy Sheriff to fill the SRO position, where one is available, and the request will not be unreasonably refused.

(ix) The duties of the SRO shall be those described on Attachment A to this Agreement.

(x) The SRO shall report to the Main Office at the start of each work day and shall sign in on a log provided by the School for those hours that cover the regular hours of the school program at the school and a total of eight (8) hours per day. The SRO shall sign out at the end of each work day using the same log.

(xi) The Sheriff's Office shall provide the appropriate in service training for the SRO, to enable the SRO to function efficiently. The School District shall also provide training in school policies, regulations and procedures, or additional training in school policies, regulations and procedures, or additional training in other matters relating to students and their safety.

(xii) In consideration for the service provided herein, the School District hereby agrees to participate in the Department of Behavioral & Community

Health's school prevention program, if any, which includes but is not limited to, an annual survey of all students in the Districts' eighth, tenth, and twelfth grades which measures risk and protective factors to prevent problem behaviors and promote healthy development. The School District also agrees to participate in other prevention programming, the costs of which will be paid by the Department of Behavioral & Community Health.

2. Pursuant to NY Education Law 2-d, the parties agree to the following provisions related to use of student data:

Exclusive Purposes for which Student Data Will Be Used. Use of student data under this Agreement will be limited to that necessary for County and Sheriff to perform the services referenced in the Agreement between the School District, the County and the Sheriff. Such services include, but are not limited to, the necessary review of student educational records and student medical records.

Protective Measures Regarding Third Parties. The County and Sheriff will ensure that any subcontractor or other person or entity with whom the County and Sheriff shares student data is directed to consult the Parents' Bill of Rights for Data Privacy and Security posted on the School District's website.

Storage of Data. County and Sheriff will maintain reasonable safeguards to protect the security, confidentiality, and integrity of personally identifiable information, as applied to student data, within its custody, including password protection and email archiving (for information stored digitally) and manual lock and key (for physical copies of such information).

Expiration of Agreement. This Agreement expires on June 30, 2019, unless extended by the parties by mutual agreement in accordance with Paragraph 9 of this Agreement. Upon expiration of this Agreement, County and Sheriff will ensure that all student data, including student medical records, are returned to the School District unless otherwise provided by law or collected for law enforcement purposes. County and Sheriff will also ensure that all emails containing personally identifiable student information are returned to the School District and deleted from the County's and Sheriff's email accounts.

Parental Challenge to Accuracy of Data. In the event a parent, student, or eligible student wishes to challenge the accuracy of the student data collected by the County and Sheriff, such parent, student, or eligible student shall have an opportunity for a hearing to challenge the content of the school records, in accordance with the Millbrook School District's Student Records Policy.

The County and Sheriff acknowledge that they have received the Parents' Bill of Rights and understand their legal obligations as provided therein.

3. The School District and the County shall each procure and maintain at their own cost and expense, during the term of this Agreement, comprehensive general liability insurance

to the effect that both parties are insured against any liability in connection with the services provided under this Agreement.

4. The County shall defend, indemnify, and hold the School District herein named harmless from all losses, claims, demands and causes of action for injury or death to persons or damage to property caused by the negligent acts of any employees of the Sheriff arising out of the performance of this Agreement. This indemnification shall survive the expiration or termination of this Agreement.

5. The School District shall defend, indemnify, and hold the County harmless from all losses, claims, demands and causes of action for injury or death to persons or damage to property caused by the negligent acts of any employees, agents, or servants of the School District arising out of the performance of this Agreement. This indemnification shall survive the expiration or termination of this Agreement.

6. All Deputy Sheriffs performing services under this Agreement shall be deemed employees of the County for purposes of the Workers' Compensation Law and the School District shall not be responsible for the payment of any benefits thereunder. The School District shall provide to the Sheriff proof that they hold valid Workers' Compensation Insurance.

7. Neither the School District nor the County may assign this Agreement.

8. It is expressly understood and agreed that the School District and County shall not be responsible for the payment of any debts or obligations incurred by the other party in connection with the services rendered under this Agreement.

9. This Agreement shall remain in effect for the period of October 1, 2018 through June 30, 2019, and may be renewed upon mutual agreement of the School District, the Sheriff, and the County. This Agreement may be extended for additional periods of one (1) year each, not exceeding in total five (5) years, upon such terms and conditions as may be agreed between the parties. The School District, the Sheriff and the County may also terminate this Agreement upon at least 30 days written notice to the other party. Any notice will be sent by certified mail, return receipt requested, by personal delivery or overnight service.

10. This Agreement may only be modified, amended or terminated by an instrument in writing, duly executed and acknowledged by the authorized representative of each party, after approval by the governing body of each party.

11. In the event a dispute arises as to the responsibilities of the parties under the terms of this Agreement or as to the performance or nonperformance of the parties of the terms conditions and covenants of this Agreement, the parties' sole remedy shall be upon application to a court of competent jurisdiction in Dutchess County, New York.

12. If any provision of this Agreement is deemed to be invalid or inoperative for any reason, that part shall be deemed modified to the extent necessary to make it valid or operative, or if it cannot be so modified, then severed and the remainder of the contract shall continue in full force and effect as if the contract had been signed or filed with the designated filing agent with the invalid portion so modified or eliminated.

13. ENTIRE AGREEMENT. The terms of this Agreement, including its attachments and exhibits, represent the final intent of the parties. Any modification, rescission or waiver of the terms of this Agreement must be in writing and executed and acknowledged by the parties with the same formalities accorded this basic Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement made this ____ day of _____, 2018.

APPROVED AS TO FORM:

_____

Tracy J. Lindauer
Senior Assistant County Attorney

APPROVED AS TO CONTENT:

_____

ADRIAN H. ANDERSON, Sheriff

ACCEPTED: COUNTY OF DUTCHESS

By _____
Marcus J. Molinaro, County Executive

MILLBROOK CENTRAL SCHOOL DISTRICT

By _____
Philip D. D'Angelo, Jr., Superintendent

ATTACHMENT A

SRO JUB DUTIES

1. Consult with and coordinate activities as requested by a school principal including but not limited to peer medication for students to resolve conflicts, safety instruction for students and parents in areas such as sexual harassment, bicycle safety, school bus safety, substance abuse prevention, internet and computer safety and bullying.
2. Abide by School board policies to the extent that such compliance does not interfere with or impede the SRO in the performance of his or her duties as a law enforcement officer;
3. The SRO shall provide presentations on various subjects including Federal and State mandates in drug abuse prevention education at the request of school personnel.
4. Encourage group discussions about law enforcement with students, faculty and parents;
5. Under no circumstances shall the SRO be a school disciplinarian. The SRO will not be involved in the enforcement of disciplinary infractions that do not constitute violations of law, but will assist in maintain the chain of custody with respect to contraband and controlled substances that would constitute evidence in student disciplinary proceedings.
6. Attend meetings with parents and faculty groups to solicit their support and understanding of the SRO school program and to promote awareness of law enforcement functions during the school day;
7. Attend meetings with school personnel to assist regarding law enforcement and crime prevention issues during the school day;
8. To confer with the principal of the school to which the SRO is assigned to develop plans and strategies to attempt to prevent and/or minimize dangerous situations on or near campus or involving students at school related activities;
9. All persons employed by the Sheriff in providing services as an SRO pursuant to this Agreement shall be County officers or employees, and they shall not have any benefit, status, or right of School District employment, nor shall the SRO be assigned any duties normally performed by School District personnel, such as lunchroom duty or hall duty. Nothing herein shall preclude the SRO from being available in areas where interaction with students is expected.

10. The SRO shall familiarize himself/herself with and shall abide by School District policy, where not inconsistent with applicable law, concerning interviews with students should it become necessary to conduct formal law enforcement interviews with students or staff on school property.
11. Initiate law enforcement action as necessary and notify the school principal as soon as possible after requesting additional law enforcement assistance on campus and undertake all additional law enforcement responsibilities as required by standard policy practices.
12. The SRO shall act as a liaison between the School Districts and local police agencies in law enforcement matters occurring while on school grounds;
13. The SRO shall wear the Dutchess County Sheriff's Office uniform;
14. The SRO in pursuing the performance of his/her duties shall coordinate and communicate with the school principal or the principal's designee.

Majority Leader Roman, duly seconded by Assistant Majority Leader Sagliano, moved the foregoing resolution. Discussion on Resolution No. 2018269 proceeded as follows:

Legislator Houston requested to abstain because she is a member of the Millbrook School Board.

Chair Pulver granted permission to abstain.

Roll call vote on the foregoing resolution resulted as follows:

AYES:	20	Pulver, Roman, Sagliano, Black, Munn, Amparo, Surman, Llaverias, Borchert, Edwards, Truitt, Brendli, Jeter-Jackson, Tyner, Metzger, Bolner, Incoronato, Garito, Thomes, Johnson
NAYS:	2	Zernike, Page
ABSTAIN:	1	Houston
ABSENT:	2	Horton, Miccio

Resolution adopted.

Public Safety Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*		
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 6 - Town of Poughkeepsie	Edwards		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt		
District 8 - City and Town of Poughkeepsie	Brendli		
District 9 - City of Poughkeepsie	Johnson		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner (VC)		
District 21 - Town of East Fishkill	Horton (C)		
District 23 - Towns of Pawling, Beekman and East Fishkill	Thomes	absent	

Present: 10 **Resolution:** ✓ **Total :** 10 (Yes) 0 (No)

Absent: 2 **Motion:** ____ **Abstentions:** 0

Vacant: 0

2018269 AUTHORIZING EXECUTION OF AN INTERMUNICIPAL AGREEMENT BETWEEN MILLBROOK CENTRAL SCHOOL DISTRICT, DUTCHESS COUNTY SHERIFF, AND COUNTY OF DUTCHESS TO PROVIDE SCHOOL RESOURCE OFFICERS

October 4, 2018

Roll Call Sheets

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

Present: 23 **Resolution:** ✓ **Total :** 20 (Yes) 2 (No)

Absent: 2 **Motion:** ____

Vacant: 0 **Abstentions:** 1

2018269 AUTHORIZING EXECUTION OF AN INTERMUNICIPAL AGREEMENT BETWEEN MILLBROOK CENTRAL SCHOOL DISTRICT, DUTCHESS COUNTY SHERIFF, AND COUNTY OF DUTCHESS TO PROVIDE SCHOOL RESOURCE OFFICERS

October 9, 2018

Budget, Finance, & Personnel

RESOLUTION NO. 2018270

RE: APPROVING CAPITAL PROJECT FOR DUTCHESS COMMUNITY COLLEGE

Legislators BOLNER, PULVER, ROMAN, SAGLIANO, and HOUSTON offer the following and move its adoption:

WHEREAS, upon approval by the SUNY Board of Trustees, the project will be submitted for inclusion in the State Budget as a new capital appropriation in the 2019-2020 budget cycle, and

WHEREAS, the State funds would cover the state share of 50% of this project, and

WHEREAS, the sponsor share of this capital project, $1,593,400, would be funded with $680,000 from the capital chargeback funds and $913,400 would be bonded in accordance with SUNY funding policy and procedures for capital projects, and

WHEREAS, Dutchess County's share of this capital project is, $913,400 would be bonded in accordance with SUNY funding policy and procedures for capital projects, now therefore, be it

RESOLVED, that the following capital projects are hereby authorized and approved in the amounts indicated below:

Project Name	Estimated Total Cost	State's Share (Appropriation)	Sponsor's Share
Roof Replacements Construction Phase 2	$3,186,800	$1,593,400	$1,593,400

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 10/13/18

STATE OF NEW YORK
ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th day of October 2018, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of October 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

RESOLUTION NO. 2019-01 Board of Trustees, Dutchess Community College
September 25, 2018

Mr. Kuffner offers the following resolution and moves its adoption:

WHEREAS, Dutchess Community College has submitted a new funding request for a capital project for the Roof Replacement Phase 2, with a total estimated cost of $3,186,800, to the SUNY Office for Capital Facilities, and

WHEREAS, upon approval by the SUNY Board of Trustees, the project will be submitted for inclusion in the State Budget as a new capital appropriation in the 2019-2020 budget cycle, and

WHEREAS, the State funds would cover the state share of 50% of this project, and

WHEREAS, the sponsor share of this capital project, $1,593,400, would be funded with $680,000 from the capital chargeback funds and $913,400 would be bonded in accordance with SUNY funding policy and procedures for capital projects, and

WHEREAS, after a SEQRA review, the College administration has determined that the work involves either (1) maintenance or repair involving no substantial changes in an existing structure or facility or (2) the replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, now, therefore, be it

RESOLVED, that it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 NYECL Section 0101 et seq., and its implementing regulations, Part 617 of 6 NYCRR, that this project is a "Type II" Action within the meaning of Section 617.5(c)(1) & (2) of 6 NYCRR, and, accordingly, is of a class of actions which do not have a significant impact on the environment and no further review is required, and be it further

RESOLVED, that the following capital project is hereby authorized and approved in the amount indicated below:

Project Name	Estimated Total Cost	State's Share (Appropriation)	Sponsor's Share
Roof Replacements Construction Phase 2	3,186,800.00	1,593,400.00	1,593,400.00

And, be it

FURTHER RESOLVED, that this resolution be forwarded to the Dutchess County Legislature for its consideration.

* * * * *

Seconded by Ms. Brown

Resolution adopted unanimously

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt (VC)		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner (C)		
District 15 - Town of Wappinger	Incoronato		
District 18 - City of Beacon and Town of Fishkill	Page		

Present: 11 **Resolution:** ✓ **Total :** 11 (Yes) 0 (No)

Absent: 1 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018270 APPROVING CAPITAL PROJECTS FOR DUTCHESS COMMUNITY COLLEGE

October 4, 2018

Roll Call Sheets

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

Present: 23 **Resolution:** ✓ **Total :** 23 0

Absent: 2 **Motion:** ___ **Yes** **No**

Vacant: 0 **Abstentions:** 0

2018270 APPROVING CAPITAL PROJECTS FOR DUTCHESS COMMUNITY COLLEGE

October 9, 2018

BUDGET, FINANCE, & PERSONNEL
DISCUSSION ONLY
10-4-18

RESOLUTION NO. 2018271

BOND RESOLUTION DATED NOVEMBER 13, 2018.

A RESOLUTION AUTHORIZING THE REPLACEMENT OF ROOFS (PHASE II) AT THE DUTCHESS COUNTY COMMUNITY COLLEGE, IN AND FOR THE COUNTY OF DUTCHESS, NEW YORK, AT A MAXIMUM ESTIMATED COST TO THE COUNTY OF $3,186,800 AND AUTHORIZING THE ISSUANCE OF $913,400 BONDS TO PAY A PORTION OF THE COUNTY'S SHARE OF THE COST THEREOF.

WHEREAS, after a SEQRA review the college administration has determined that the work involves either (1) maintenance or repair involving no substantial changes in an existing structure or facility or (2) the replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, now, therefore, be it

WHEREAS, it is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 NYECL Section 0101 et seq., and its implementing regulations, Part 617 of 6 NYCRR, that this project is a "Type II" Action within the meaning of Section 617.5(c)(1) & (2) of 6 NYCRR, and, accordingly, is of a class of actions which do not have a significant impact on the environment and no further review is required, and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described have been performed; NOW, THEREFORE,

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

Section 1. The replacement of roofs (Phase II) at the Dutchess County Community College, in and for the County of Dutchess, New York, including incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of $3,186,000.

Section 2. It is hereby determined that the plan for the financing of the maximum estimated cost of the aforesaid class of objects or purposes is as follows:

a) by the issuance of $913,400 serial bonds of the County hereby authorized to be issued therefor, pursuant to the provisions of the Local Finance Law;

b) by the expenditure of $680,000 College Capital Fund monies, which monies are hereby authorized to be expended therefor; and

c) by the application of $1,593,400 State grants-in-aid monies, which monies of said County are hereby authorized to be expended therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is 25 years, pursuant to subdivision 12(a) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Dutchess, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 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-177-18
G-0113-B
9/18/18

DCC Roofs Phase II

Year	PRIN O/S	PRIN PAYMENT	INTEREST	TOTAL
1	$913,400	$36,536	$31,969	$68,505
2	876,864	36,536	30,690	67,226
3	840,328	36,536	29,411	65,947
4	803,792	36,536	28,133	64,669
5	767,256	36,536	26,854	63,390
6	730,720	36,536	25,575	62,111
7	694,184	36,536	24,296	60,832
8	657,648	36,536	23,018	59,554
9	621,112	36,536	21,739	58,275
10	584,576	36,536	20,460	56,996
11	548,040	36,536	19,181	55,717
12	511,504	36,536	17,903	54,439
13	474,968	36,536	16,624	53,160
14	438,432	36,536	15,345	51,881
15	401,896	36,536	14,066	50,602
16	365,360	36,536	12,788	49,324
17	328,824	36,536	11,509	48,045
18	292,288	36,536	10,230	46,766
19	255,752	36,536	8,951	45,487
20	219,216	36,536	7,673	44,209
21	182,680	36,536	6,394	42,930
22	146,144	36,536	5,115	41,651
23	109,608	36,536	3,836	40,372
24	73,072	36,536	2,558	39,094
25	36,536	36,536	1,279	37,815
TOTAL		$913,400	$415,597	$1,328,997
AVG. PER YEAR		$36,536	$16,624	$53,160

FISCAL IMPACT STATEMENT

TOTAL PRINCIPAL		$913,400	
ANTICIPATED INTEREST RATE			3.50%
TERM	25 YEARS	ANTICIPATED FEES:	$0
ANTICIPATED ANNUAL COST (PRIN + INT):			$53,160
TOTAL PAYBACK (ANNUAL COST x TERMS):			$1,328,997

PREPARED BY HEIDI SEELBACH

Budget Amendments

	Line No.	Description	Increase	Decrease
Appropriations:				
	HC0522.2490.3150	Building Improvements	3,186,800	
			3,186,800	
Revenue:				
	HC0522.2490.57100	Serial Bonds	913,400	
	HC0522.2490.22400	DCC Capital Costs	680,000	
	HC0522.2490.32850	Community College State Aid	1,593,400	
			3,186,800	

Project Description

This is the construction of Phase 2 of the roof replacements for Drumlin, Dutchess and Falcon Halls.

Drumlin Hall

Drumlin Hall was constructed in 1976 and houses the cafeteria and dining halls. The roof is a ballasted built up roof system that was installed in 1996 with anodized aluminum flashings, field painted copings and related accessories. The roof is in poor condition and is deteriorating. The roof is bubbling and leaking, flashing is damaged and in some areas rusting. The roof has inadequate drainage and there is an exposed tar which is deteriorating and coming through the ballast. After 20 years of service the roof is at the end of its useful life and is in need of replacement.

Dutchess Hall

Built in 1963, the building accommodates the theater, bookstore, classrooms, and lounges. In 1996 a modified bitumen membrane roof was installed. The roof, which consists of four different levels and connections to two other buildings (CBI and Drumlin), and the flashing are showing signs of deterioration. After 20 years in service the roof is in poor condition and is in need of replacement.

Falcon Hall

The original portion of the building was built in 1966 and an addition was put on in 2005. Falcon Hall is the campus Physical Education Department and Athletics. It houses the gymnasium, weight room, dance studios and classrooms. The roof was last replaced in 1996 with a multiple ply, built-up roof with gravel ballast. The addition has an adhered EPDM membrane roof. The EPDM roof on the addition was poorly detailed/installed at its perimeter which is resulting in leaks and there are leaks at the intersection of the addition and the original building. The built up roof system installed in 1996 is in fair condition but is approaching the end of its useful life of 20 years.

Lisa Keto
Associate for Capital Finance and Administration
Office of the Vice President of Administration
Dutchess Community College
(845) 431-8960 Phone
(845) 431-8506 Fax
keto@sunydutchess.edu E-Mail

Resolution No. 2018271, A RESOLUTION AUTHORIZING THE REPLACEMENT OF ROOFS (PHASE II) AT THE DUTCHESS COUNTY COMMUNITY COLLEGE, IN AND FOR THE COUNTY OF DUTCHESS, NEW YORK, AT A MAXIMUM ESTIMATED COST TO THE COUNTY OF $3,186,800 AND AUTHORIZING THE ISSUANCE OF $913,400 BONDS TO PAY A PORTION OF THE COUNTY'S SHARE OF THE COST THEREOF, was offered for discussion only at the October 4, 2018, Public Works and Capital Projects Committee Meeting, and considered at the November 13, 2018, Board Meeting.

Legislator Tyner stated that the Legislature authorized the cost of design of construction for new classrooms and a hangar building at the Airport operated by the Dutchess Community College within the aviation program. He added that the architectural firm received $2,700,000 in contracts and had contributed to the County Executive.

Legislator Miccio called Point of Order because this resolution referred to roofs.

Roll call vote on the foregoing resolution at that time resulted as follows:

AYES:	22	Pulver, Sagliano, Bolner, Munn, Borchert, Keith, Edwards, Truitt, Brendli, Johnson, Jeter-Jackson, Tyner, Metzger, Amparo, Incoronato, Zernike, Miccio, Page, Garito, Thomes, Surman, Houston
NAYS:	0	
ABSENT:	3	Black, Llaverias, Horton

Resolution adopted.

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*		
District 4 - Town of Hyde Park	Black*		
District 20 - Town of Red Hook/Tivoli	Munn*		
District 5 - Town of Poughkeepsie	Keith		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt (VC)		
District 9 - City of Poughkeepsie	Johnson	absent	
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 12 - Town of East Fishkill	Metzger (C)		
District 15 - Town of Wappinger	Incoronato		
District 18 - City of Beacon and Town of Fishkill	Page		

Present: 11 **Resolution:** ✓ **Total :** 11 0

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

Vacant: 0 **Abstentions:** 0

2018271 A RESOLUTION AUTHORIZING THE REPLACEMENT OF ROOFS (PHASE II) AT THE DUTCHESS COUNTY COMMUNITY COLLEGE, IN AND FOR THE COUNTY OF DUTCHESS, NEW YORK, AT A MAXIMUM ESTIMATED COST TO THE COUNTY OF $3,186,800 AND AUTHORIZING THE ISSUANCE OF $913,400 BONDS TO PAY A PORTION OF THE COUNTY'S SHARE OF THE COST THEREOF

November 8, 2018

Roll Call Sheets

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

Present: 22 **Resolution:** ✓ **Total :** 22 (Yes) 0 (No)

Absent: 3 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018271 A RESOLUTION AUTHORIZING THE REPLACEMENT OF ROOFS (PHASE II) AT THE DUTCHESS COUNTY COMMUNITY COLLEGE, IN AND FOR THE COUNTY OF DUTCHESS, NEW YORK, AT A MAXIMUM ESTIMATED COST TO THE COUNTY OF $3,186,800 AND AUTHORIZING THE ISSUANCE OF $913,400 BONDS TO PAY A PORTION OF THE COUNTY'S SHARE OF THE COST THEREOF

November 13, 2018

Budget, Finance and Personnel

RESOLUTION NO. 2018272

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

Legislators PULVER, SAGLIANO,HOUSTON, MUNN, BOLNER, HORTON, GARITO, JETER-JACKSON, PAGE, EDWARDS, ZERNIKE, and LLAVARIAS offer the following and move its adoption:

WHEREAS, there exists a vacancy on the Board of Trustees of Dutchess Community College by reason of the resignation of Thomas LeGrand, now, therefore, be it

RESOLVED, that the Dutchess County Legislature does hereby appoint Angela E. Flesland as a member of the Board of Trustees of the Dutchess Community College for a term which will expire June 30, 2025.

APPOINTMENT	TERM ENDING
Angela E. Flesland 15 Locust Road Poughkeepsie, New York 12603	June 30, 2025

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE

Date 10/13/18

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th day of October 2018, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of October 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

ANGELA E. FLESLAND

15 Locust Rd. Poughkeepsie, NY 12603

Cell 845-464-6379 AngelaFlesland@yahoo.com

EDUCATION:

RN to MSN in Nursing Leadership July 2017-Present Western Governors University- Salt Lake City, UT

Associates of Science, Nursing December 2016 Cochran School of Nursing- Yonkers, NY 3.3 GPA

Associate of Science, Science May 2006 Dutchess Community College- Poughkeepsie, NY

LEADERSHIP and WORK EXPERIENCE:

Westchester Medical Center May 2017-Present

General Staff Nurse, 7NE Cardiothoracic Stepdown Unit

Responsible for nursing care of cardiothoracic surgery patients in a preoperative and postoperative environment including heart transplant and LVAD patients

Care for ventilator dependent patients, patients on vasopressors, patients with multiple chest tubes, patients with central lines and patients on multiple IV drips including Heparin and Lasix

Work collaboratively with other team members towards best patient outcomes

Telemetry trained and Essentials of Critical Care Orientation (ECCO) training allowing floating to any ICU, stepdown or medical surgical unit within the hospital

Critical thinking skills to manage highly complex patients in a fast paced environment with precise documentation in an electronic medical record

Work well under pressure including emergency situations and the recognition of patient changes to prevent emergency situations

Excellent prioritization, assessment and IV skills

Preceptor for new nurses

Dutchess County Legislator 2008-2017

Chair, Budget Finance and Personnel Committee

Responsible for negotiating and passing a County budget over $450 million; this includes a workforce of approximately 1700 employees and provides mandated and non-mandated services to the nearly 300,000 residents of Dutchess County

Search and interview committee member for new Commissioner of the Department of Behavioral and Community Health

Oversight of Dutchess Community College, one of the largest community colleges in the region

Leader in the efforts against opioid abuse: Spearheaded prescription drug disposal program that established permanent medication collection sites throughout Dutchess County, collecting thousands of pounds of medication since implementation. Founding member of Opioid Task Force collaborating with healthcare providers, educators, nonprofits, law enforcement and government to address the epidemic of opioid addiction in our community

Expert at building consensus to pass legislation in a bipartisan manner

Superb verbal and written communication skills frequently used during media appearances including television, radio and newspaper

CERTIFICATIONS AND NOTABLES:

New York State Registered Professional Nurse 726971

American Heart Association ACLS and BLS current through June 2020. PALS through June 2018

New York State Notary Public

Dutchess County Regional Chamber of Commerce 40 under 40 award recipient

2018 Dutchess Community College Hall of Fame Inductee

Member Dutchess County STOP-DWI, Board Member

Hudson River Housing, volunteer for veteran services

Dutchess County Industrial Development Agency and Local Development Corporation, former member

Boston Children's Hospital Miles for Miracles Marathon Team, former member

Active volunteer for animal rescue organizations

Budget, Finance, and Personnel Sub-Committee
Roll Call

District	*Name*	*Yes*	*No*
District 4 – Hyde Park	Black*		
District 7 – Hyde Park/ Town of Poughkeepsie	Truitt	✓	
District 20-Red Hook/ Tivoli	Munn*		
District 19 – North East/Stanford/Pine Plains	Pulver*		
District 5 – Town of Poughkeepsie	Roman*		
District 2 – Pleasant Valley/ Town of Poughkeepsie	Sagliano*		
District 10- City of Poughkeepsie	Jeter-Jackson	✓	
District 12- East Fishkill	Metzger	✓	
* = Ex Officio	**Total:**	3	0

Recommendations: Angela Flesland To Be appointed to The Dutchess County Community College Board of Trustees

Date: 10/4/18

Budget, Finance, and Personnel Committee Roll Call

District	*Name*	*Yes*	*No*
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	✓	
District 5 - Town of Poughkeepsie	Roman*		
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*		
District 4 - Town of Hyde Park	Black*	absent	
District 20 - Town of Red Hook/Tivoli	Munn*		
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt (VC)		
District 9 - City of Poughkeepsie	Johnson		
District 10 - City of Poughkeepsie	Jeter-Jackson		
District 12 - Town of East Fishkill	Metzger		
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner (C)		
District 15 - Town of Wappinger	Incoronato		
District 18 - City of Beacon and Town of Fishkill	Page		

Present: 11 **Resolution:** ✓ **Total :** 11 0

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

Vacant: 0 **Abstentions:** 0

2018272 APPOINTMENT TO THE BOARD OF TRUSTEES OF DUTCHESS COMMUNITY COLLEGE

October 4, 2018

Roll Call Sheets

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

Present: 23 **Resolution:** ✓ **Total :** 23 Yes 0 No

Absent: 2 **Motion:** ____

Vacant: 0 **Abstentions:** 0

2018272 APPOINTMENT TO THE BOARD OF TRUSTEES OF DUTCHESS COMMUNITY COLLEGE

October 9, 2018

Commendation: Kenneth Roman

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

WHEREAS, the Dutchess County Legislature seeks to commend those individuals whose conduct and actions serve to enhance the quality of life in Dutchess County, and

WHEREAS, Kenneth Roman was an elected member of this body for nearly nine years, and

WHEREAS, Kenneth Roman, was elected in 2009 to represent District 5, Town of Poughkeepsie as a County Legislator and took office on January 1, 2010, and

WHEREAS, Kenneth Roman, will be leaving his position as a Dutchess County Legislator on October 9, 2018, and

WHEREAS, Kenneth Roman, served the Legislature on the Public Works and Capital Projects Committee, the Public Safety Committee (Chairman), the Criminal Justice Council, the E-911 Maintenance Board, the Airport Advisory Committee, the Architect Selection Committee, the Dutchess County Justice and Transition Center Advisory Committee, the Hudson Valley Regional Council and a Liaison for the Resource Recovery Agency, and

WHEREAS, Kenneth Roman was elected by the Republican Caucus and served as Majority Leader in 2018 and, as a result, served as an Ex-Officio member of all Legislative Committees in 2018, and

WHEREAS, Kenneth Roman has served Dutchess County in many other civic endeavors including more than 32 years of service to the Town of Poughkeepsie Police Department, having just retired on August 30, 2018, as a Captain, and

WHEREAS, Kenneth Roman's retirement will be short-lived as he will become Deputy Commissioner of the Dutchess County Department of Emergency Response, being the first law enforcement veteran to serve in such a capacity, now, therefore, be it

RESOLVED, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby commend and congratulate, Kenneth Roman, on his nearly nine years of service and dedication to Dutchess County and extends its deepest and sincere appreciation, and, be it further

RESOLVED, that the Dutchess County Legislature does hereby extend to Kenneth Roman its best wishes in all of his future endeavors.

Resolution No. 2018273

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th day of October 2018, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of October 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LAID ON DESKS 10/9/18
GOVERNMENT SERVICES & ADMINISTRATION
TABLED IN GOVERNMENT SERVICES & ADMINISTRATION 11/8/18

RESOLUTION NO. 2018274

RE: LOCAL LAW NO. ____ of 2018, A LOCAL LAW ENCOURAGING THE USE OF REUSABLE BAGS VIA THE IMPLEMENTATION OF A SURCHARGE ON CARRYOUT DISPOSABLE BAGS

Legislators PAGE, ZERNIKE, EDWARDS, LLAVERIAS, JETER-JACKSON, and TYNER offer the following and move its adoption:

RESOLVED, that the Legislature of the County of Dutchess adopt Local Law No. _____ of 2018 which has been submitted this day for consideration by said Legislature.

NO FURTHER ACTION TAKEN IN 2018

~~STATE OF NEW YORK~~
~~ss:~~
~~COUNTY OF DUTCHESS~~

~~This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of November 2018, and that the same is a true and correct transcript of said original resolution and of the whole thereof.~~

~~IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of November 2018.~~

~~CAROLYN MORRIS, CLERK OF THE LEGISLATURE~~

LOCAL LAW NO. ____ of 2018

RE: A LOCAL LAW ENCOURAGING THE USE OF REUSABLE BAGS VIA THE IMPLEMENTATION OF A SURCHARGE ON CARRYOUT DISPOSABLE BAGS

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

SECTION 1. Legislative Findings and Intent.

The Dutchess County Legislature hereby finds as follows:

A. Data released by the United States Environmental Protection Agency shows that between five hundred billion and one trillion plastic bags are consumed worldwide each year; and
B. Plastic bags do not biodegrade; over time, the bags break down into smaller, more toxic petro-polymers which eventually contaminate soils, waterways, plant, and animal life; and
C. Plastic bags can have a devastating effect on wildlife; birds can become entangled in the bags and different species of sea life can die from ingesting plastic bags which they mistake for food; and
D. Plastic shopping bags are made from polyethylene, a thermoplastic made from oil. Accordingly, reducing the use of plastic bags will decrease our dependence on fossil fuels; and
E. Less than ten percent of plastic bags are recycled, in part, due to the fact that it costs more to recycle a bag than to produce a new one; and
F. Recycling plants face significant costs associated with plastic bags, with related costs at the Republic recycling plant located in the City of Beacon running well above one hundred thousand dollars annually; and
G. Americans consume more than ten billion paper bags each year and fourteen million trees are cut down yearly for the manufacturing of paper; and
H. Paper production requires large amounts of water, energy, and chemicals and can emit toxic and hazardous chemicals into the air and water; and
I. The nation's paper industry generates more than twelve million tons of solid waste every year; and
J. The following municipalities in New York have already passed legislation aimed at limiting the use of disposable bags: Village of East Hampton, Town of East Hampton, Village of Southampton, Town of Southampton, City of Rye, Village of Larchmont, Village of Mamaroneck, Hastings on Hudson, Village of New Paltz, Town of New Castle, Village of Patchogue, New York City, City of Long Beach, Suffolk County, Town of Bedford, Town of Lewisboro, Village of Pleasantville; and

K. The first survey conducted in Suffolk County, NY after their January 1, 2018, introduction of a five cent fee on all carryout bags found a thirty-seven percent increase in the use of reusable bags (from six percent of those surveyed before the introduction of the fee to forty-three percent of those surveyed after its introduction), and a forty-one percent reduction in shoppers choosing to use plastic bags (from seventy-one percent pre-fee to thirty percent post-fee); and

L. There is evidence that a larger fee on disposable bags has a greater impact on reducing their use. For example, Ireland's twenty-two European cent levy has resulted in a ninety-five percent reduction in plastic bag use;

THEREFORE, this Legislature concludes that in lieu of enacting a total ban of plastic bags, the County of Dutchess should instead require stores to charge a ten cent ($0.10) fee on all carryout bags. If this approach fails to reduce the use of plastic bags by at least seventy percent, the idea of an outright ban may be revisited at a later date; and

THEREFORE, the purpose of this local law is to encourage consumers in Dutchess County to use their own reusable bags for shopping by requiring not less than a ten cent ($0.10) charge on carryout bags that are provided at retail stores.

SECTION 2. Definitions.

As used in this law, the following terms shall have the meanings indicated:

"CARRYOUT BAG" shall mean any bag that is provided by a covered store to a customer at the point of sale and is used to carry goods from such store, provided, however, that such term shall not include any of the following: (i) a bag without handles used to carry produce, meats, poultry, fish, dairy, dry goods or other non-prepackaged food items to the point of sale within a covered store or to prevent such food items from coming into direct contact with other purchased items; (ii) a bag provided by a pharmacy to carry prescription drugs; (iii) a garment bag; or (iv) any other bag exempted from the provisions of this local law.

"COVERED STORE" shall mean an establishment engaged in the retail sale of personal, consumer, or household items including but not limited to drug stores, pharmacies, grocery stores, supermarkets, convenience stores, foodmarts, apparel stores, home center and hardware stores, stationery and office supply stores, and food service establishments located within grocery stores, supermarkets, convenience stores, or foodmarts, that provide carryout bags to customers in which to place purchased items. This term does not include food service establishments located outside of grocery stores, supermarkets, convenience stores, or foodmarts.

"FOOD SERVICE ESTABLISHMENT" shall mean a place where prepared food is provided for individual portion service directly to a consumer whether consumption occurs on or off the premises.

"PERSON" shall mean any natural person, firm, corporation, partnership, or other organization or group however organized.

"RETAIL SALES" shall mean the transfer to a customer of goods in exchange for payment occurring in retail stores, sidewalk sales, farmers' markets, and flea markets. The term "retail sales" does not include sales of goods at yard sales, tag sales, and other sales by residents at their homes.

"REUSABLE CARRYOUT BAG" shall mean a bag with handles that is specifically designed and manufactured for multiple reuse and is either: (1) made of cloth or other machine washable material, but not film plastic; or (2) made of durable plastic that is at least 2.25 mils thick. Reusable carryout bags provided to customers pursuant to this local law shall be conspicuously labeled as reusable.

SECTION 3. Carryout bag fee.

A. Covered stores shall charge a fee of not less than ten cents for each carryout bag provided to any customer. All fees collected by a covered store under this local law shall be retained by the store. Covered stores shall separately itemize the fee charged pursuant to this local law on the standard receipt provided to customers.

B. No covered store shall charge a fee for, or prevent a customer from using, any carryout bag brought by the customer to such store to carry purchased goods from such store.

SECTION 4. Additional obligations of covered stores.

A. Paper carryout bags provided by covered stores to customers shall contain a minimum of forty percent post-consumer recycled content and be conspicuously labeled with the amount of post-consumer recycled content.

B. Plastic carryout bags provided by covered stores to customers labeled as "compostable" must be certified as compliant with the ASTM D6400-12 standard specification for labeling of plastics designed to be aerobically composted in municipal or industrial facilities or other standard determined by the Dutchess County Department of Behavioral and Community Health. Plastic carryout bags provided by covered stores to customers shall not be labeled as "biodegradable," "degradable," or "decomposable."

C. Covered stores may provide their customers with reusable carryout bags free of charge for a two-week period from December 1, 2019, to December 31, 2019. In addition, covered stores may provide their customers with reusable carryout bags free of charge for a two-week period each year from December 1 to December 15.

SECTION 5. Reporting.

No later than March 1, 2021, and annually thereafter, the Commissioner of the Dutchess County Department of Behavioral and Community Health and the head of any other department or office designated by the Legislature, shall prepare an annual recycling report that includes information on the progress of single-use carryout bag reduction including but not limited to: (1) the general effectiveness of this local law in reducing the use of single-use carryout bags in the county and increasing the use of reusable carryout bags; (2) the waste and litter reduction benefits of this local law, including, where practicable, the amount of single-use plastic bags in the waste stream; (3) the number of notices of violation issued pursuant to this local law; and (4) any cost savings for the county attributable to single-use carryout bag reduction such as reduced contamination of local waterways or reduction in flooding or combined sewer overflows.

SECTION 6. Deduction from Employee Wages Prohibited.

Covered stores are prohibited from making a charge against, or deduction from, the wages of an employee to offset any penalty addressed against the covered store pursuant to this law.

SECTION 7. Enforcement.

This law shall be enforced by the Dutchess County Department of Behavioral and Community Health in accordance with the provisions of Article II, Section 2.1 et seq., of the DUTCHESS COUNTY SANITARY CODE.

SECTION 8. Rules and Regulations.

The Commissioner of the Department of Behavioral and Community Health is hereby authorized and empowered to promulgate rules and regulations necessary to enforce this law.

SECTION 9. Penalties for Offences.

Any violation of this law shall be punishable by a civil fine of Five Hundred ($500.00) dollars for each.

SECTION 10. Effect of other Laws, Regulations.

This law will not impair or supersede any ordinance, resolution or local law enacted by a village or town within the County of Dutchess which prohibits retail stores operating within their jurisdiction from distributing or providing plastic and/or paper bags to their customers.

SECTION 11. 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 are 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 purposes of triggering the provisions of this section.

SECTION 12. Applicability.

This law shall apply to all actions occurring on or after the effective date of this law.

SECTION 13. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 15. Effective Date.

This law shall take effect on January 1, 2020.

FISCAL IMPACT STATEMENT

☐ NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost $ 0

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):

Related Expenses: Amount $ 0
Nature/Reason:

Anticipated Savings to County: n/a

Net County Cost (this year): $0
Over Five Years: indeterminate, small net positive

Additional Comments/Explanation:

Enforcement of this law to be performed on a complaint and response basis. It can be assumed that fines will offset enforcement costs and generate a small but indeterminate amount of revenue. The bag fee is considered taxable by the New York State Department of Taxation and Finance and will generate a small amount of sales tax revenue for the County (est <$1000/yr).

Prepared by: Nick Page Prepared On: 9/29/2018

The foregoing Resolution No. 2018274, A LOCAL LAW ENCOURAGING THE USE OF REUSABLE BAGS VIA THE IMPLEMENTATION OF A SURCHARGE ON CARRYOUT DISPOSABLE BAGS, was laid on desks on October 9, 2018, and tabled at the Government Services and Administration Committee on November 8, 2018.

No further action was taken on Resolution 2018274 in 2018.

Government Services and Administration Roll Call

District	Name	Yes	No
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Pulver*	1	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Sagliano*	2	
District 13 - Towns of LaGrange, East Fishkill, and Wappinger	Bolner*	3	
District 4 - Town of Hyde Park	Black*		1
District 20 - Town of Red Hook/Tivoli	Munn*		2
District 1 - Town of Poughkeepsie	Llaverias		3
District 3 - Town of LaGrange	Borchert	4	
District 7 - Towns of Hyde Park and Poughkeepsie	Truitt (C)	5	
District 11 - Towns of Rhinebeck and Clinton	Tyner		4
District 14 - Town of Wappinger	Amparo		5
District 22 - Towns of Beekman and Union Vale	Garito	6	
District 25 - Towns of Amenia, Washington, Pleasant Valley	Houston (VC)	7	

Present: 12 **Resolution:** ✓ **Total :** 7 5

Absent: 0 **Motion:** ___ Yes No

Vacant: 0 **Abstentions:** 0

DH moved to "Table" DB

2018274 A LOCAL LAW ENCOURAGING THE USE OF REUSABLE BAGS VIA THE IMPLEMENTATION OF A SURCHARGE ON CARRYOUT DISPOSABLE BAGS

November 8, 2018

Dutchess County Legislature

Condolence: Iris Kano-Wilson

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

WHEREAS, the Dutchess County Legislature has learned with sadness and regret of the recent death of Iris Kano-Wilson, on September 12, 2018, at the age of 55, and

WHEREAS, Iris Kano-Wilson, was born on June 9, 1963, in the Bronx, NY, to Rose and Arno Kano and is survived by her husband, Herbert Wilson; her daughter, Amber Wilson; and stepsons, James (Ishia) and Michael Wilson, and

WHEREAS, Iris began her career as a Motor Vehicle Clerk on January 5, 1998, she was promoted to a permanent position on January 17, 2001 and was promoted to Principal Motor Vehicle Clerk in March of 2008, and was again promoted to Supervising Motor Vehicle Clerk in June of 2012, in charge of the Beacon Office, setting an example as a leader, a mentor, and a public servant, serving until her retirement on September 10, 2018, after 20 years, and

WHEREAS, Iris will be remembered by all her coworkers as one of her early appraisals so aptly stated "She always has a friendly smile and a cheerful hello for her customers. She handles all customers with impartiality and sincerity. The customers always appreciate her professionalism and affable manner. She treats her co-workers with respect and gets along with everyone", and

WHEREAS, Iris' main passion was spending time with her family, she loved camping, skiing, and vacationing with her daughter Amber and sister Michele. She also loved celebrating family events and holidays in her home. She was proud of her German heritage and the traditions that it possessed, which she made sure the family carried on, and

WHEREAS, Iris was an inspiring and powerful woman and will be remembered as the fighter she was. She taught her family many unforgettable, valuable lessons and had a heart of gold and will be truly missed, but her memory will live on forever, and

WHEREAS, her passing will be mourned by her family, friends, and colleagues throughout Dutchess County, now, therefore, be it

RESOLVED, that the Dutchess County Legislature, on behalf of all the people of Dutchess County, does hereby extend its deep sympathy and sincere condolences to the family and friends of the late Iris Kano-Wilson, and, be it further

RESOLVED, that the meeting of the Dutchess County Legislature be adjourned in memory of the late Iris Kano-Wilson.

Resolution No. 2018275

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th day of October 2018, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of October 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

On motion by Assistant Majority Leader Sagliano, duly seconded by Legislator Bolner and carried, the Rules were suspended to allow the public to address the Legislature on agenda and non-agenda items.

Merna Ross, Town of Poughkeepsie, spoke in favor of campaign finance.

Joan Mandal, City of Poughkeepsie, spoke in favor of campaign finance reform.

Daminica Quackenbush, Hyde Park, submitted the attached petition in favor of campaign finance reform.

Dave Heller, Rhinebeck, spoke in favor of campaign finance reform and rank choice voting.

Pam Kingsley, Town of Poughkeepsie, spoke regarding the Comptroller's audit of the Industrial Development Agency and Local Development Corporation.

Constantine Kazolias, City of Poughkeepsie, spoke regarding the Local Development Agency and a mobile cat neutering vehicle.

Robert Balkind, Pleasant Valley, spoke regarding the procurement policy for construction commodities. He stated he is the procurement contractor for construction projects and added that he only awards construction projects to the lowest responsible bidder.

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

There being no further business, the Chair adjourned the meeting at 8:08 p.m. in memory of Iris Kano Wilson.

Submitted 10/9/18

PETITION TO DUTCHESS COUNTY LEGISLATURE

We, the undersigned residents of Dutchess County, New York, urge our Dutchess County legislators to establish a voluntary small-donor public campaign financing system for candidates running for public office in Dutchess County. Democracy works best when all qualified candidates can run for office, when voters have more choice, and when representatives are responsive to their constituents.

NAME	ADDRESS	EMAIL ADDRESS	SIGNATURE
Ms. Melody R. Ware	22 Mont Gomery St. Apt 1 Poughkeepsie, NY 12601	[illegible]@gmail.com	Ms. Melody R. Ware
Mr. Jack McElduff	Marist College Poughkeepsie, NY 3399 North Rd. 12601	jamceldoff@gmail.com	[illegible]
Briana Bozkurt	marist college poughkeepsie, NY 3399 North Rd. 12601	Briana.Bozkurt1@marist.edu	[illegible]
Kristiana Bowman	Vassar College 124 Raymond Ave. Poughkeepsie NY 12604	krbowman@vassar.edu	K Bowman
Jim Kane	27 Cunningham dr Lagrangeville, NY	rentanjutsoshi@gmail.com	[illegible]
Dominica Quackenbush	7 Franklin Rd. Hyde Park, NY 12538	MYDCPAA@gmail.com	Dominica Quackenbush
MICHAEL QUACKENBUSH	7 FRANKLIN ROAD HYDE PARK, NY 12538	mjq214@gmail.com	Michael Quackenbush
ELIZABETH SOTO	8 TOWER HILL RD PAWLING, NY 12564	beansoto@gmail.com	[illegible]
LALITA MALIK	61 Patrick Drive LaGrangeville, NY 12540	LalitaMalik@aol.com	Lalita Malik
PATRICIA K. TESSLER	131 MOUNTAIN Ck Rd POUGHQUAG NY 12570	pktessler@verizon.net	[illegible]
Nancy Redkey	73 W Clove Mtn. Rd. LaGrangeville, NY 12540	nredkey@aol.com	Nancy Redkey
Susan Kilcrease	84 Darren Rd LaGrangeville, NY 12540	suekilcrease@optimum.net	Susan Kilcrease
Sally C Nogg	39 Van Scoy Rd Poughquag NY 12570	snoggiesal@gmail.com	Sally C Nogg

Submitted 10/9/18

PETITION TO DUTCHESS COUNTY LEGISLATURE

We, the undersigned residents of Dutchess County, New York, urge our Dutchess County legislators to establish a voluntary small-donor public campaign financing system for candidates running for public office in Dutchess County. Democracy works best when all qualified candidates can run for office, when voters have more choice, and when representatives are responsive to their constituents.

NAME	ADDRESS	EMAIL ADDRESS	SIGNATURE
Christine Eidel	34 Schyler Dr. Poughkeepsie, NY	cansorge@hotmail.com	Chris Eidel
Steve Enselhardt	224 Manchester Rd Poughkeepsie N.Y. 12603	Highway 1869@gmail.com	[illegible]
Alice Bunnell	8 MacCracken La. Poughkeepsie, 12604	alicebunnell@gmail.com	Alice E Bunnell
Marilyn Dahle	160 Hooker Ave	mhdahle@aol.com	Marilyn Dahle
[illegible]	114 Bedell Rd. POR.		[illegible]
Elizabeth J Oktay	2807 Mulberry Court Poughkeepsie	oktay@vassar.edu	Elizabeth J Oktay
Samantha Mitchell	78 Ferris lane POK		[illegible]
Robert Romero	56A Janet Dr Pok NY, 12603		[illegible]
Herb Stoller	27 Brentwood Dr POK, 12603		H. Stoller
David Bengel	17 Pattison Rd. Pok. 12603		[illegible]
Sandra Goldberg	40 Wildwood Dr Wapp Falls NY		[illegible]
Susan Stoller	27 Brentwood Dr Poughkeepsie 12603		[illegible]
Lorraine Johnson	147 Mansion St Poughkeepsie N.Y. 12601		Lorraine Johnson

Submitted 10/9/18

PETITION TO DUTCHESS COUNTY LEGISLATURE

We, the undersigned residents of Dutchess County, New York, urge our Dutchess County legislators to establish a voluntary small-donor public campaign financing system for candidates running for public office in Dutchess County. Democracy works best when all qualified candidates can run for office, when voters have more choice, and when representatives are responsive to their constituents.

NAME	ADDRESS	EMAIL ADDRESS	SIGNATURE
Kathy Barbas	17 Lorraine Blvd	treehugger13304 gmail.com	
Pete Godzi	17 Lorraine Blvd	PBGodzilla@gmail.com	
Linda A. Haas Manley	2633 S. Rd., E5, Poughkeepsie NY	lhaasmanley66@gmail.com	
Darrelyn Brennan	32 Spring, Poughkeepsie, NY 12601	Lcjmk200@gmail.com	
Jessica Cohen	14 Saddle Rock Drive Poughkeepsie NY 12603	jesszhc@gmail.com	
Michael Dupree	30 Cherry Lane Hyde Park	michaelsdf@aol.com	
Regina Klein	52 Pasture Lane Pok. 12603	rklarkklein@gmail.com	
Oscar Valencia	14 Earlwood Dr Pk, NY 12603	OVALENCIA14@GMAIL.COM	
Gretchen Lieb	157 College Ave #2 Pok NY 12603	widgery@gmail.com	
Margaret O. Kelland	13 Susan Lane Poughkeepsie 12603	SMKell45@aol.com	
Kelly Lappan	2 Regency Dr. Poughkeepsie NY 12603	klappan54@aol.com	
Steve Engelhardt	224 Manchester Rd	Highway1869@gmail.com	
Patricia Fallon	24 Reed Road WF	Ddrodma@Gmail.com	

submitted 10/9/18

PETITION TO DUTCHESS COUNTY LEGISLATURE

We, the undersigned residents of Dutchess County, New York, urge our Dutchess County legislators to establish a voluntary small-donor public campaign financing system for candidates running for public office in Dutchess County. Democracy works best when all qualified candidates can run for office, when voters have more choice, and when representatives are responsive to their constituents.

NAME	ADDRESS	EMAIL ADDRESS	SIGNATURE
JOHN A. MIDGLEY	276 WATERBURY HILL RD LAGRANGEVILLE NY 12540		J.A. Midgley
Patricia A. Midgley	276 Waterbury Hill Rd. LaGrangeville, N.Y. 12540		Patricia A. Midgley
ANNE M. McCabe	81 DARREN RD. LAGRANGEVILLE NY 12540		Anne M. McCabe
RICK R. PPA	327 WATERBURY HILL RD LAGRANGEVILLE NY 12540		[illegible]
Jim Kane	27 Cunningham dr Lagrangeville NY		[illegible]
Nancy Redkey	73 W. Clove Mtn Rd. LaGrangeville, NY		Nancy Redkey
Faye Sullivan	505 PLEASANT RIDGE RD POUGHQUAG, NY 12570		[illegible]
Brendan Sullivan	505 PLEASANT RIDGE RD POUGHQUAG, NY 12570		[illegible]
Stephen Ashton	108 HIGHVIEW RD. DOVER PLAINS 12522		[illegible]
SARAH MCCROHAN	126 HIGHVIEW RD DOVER PLAINS 12522		Sarah McCrohan
Joann Pulsford	221 HIGHVIEW RD. DOVER PLAINS, NY 12522		[illegible]
Todd Robinson	221 HIGHVIEW RD DOVER PLAINS, NY 12522		[illegible]
PATRICK M MCCRAHAN	126 HIGHVIEW RD DOVER PLAINS NY		[illegible]

LOCAL 608 UNION AMALGAMATED LITHOGRAPHERS LABEL NEW YORK x1201

Submitted 10/9/18

PETITION TO DUTCHESS COUNTY LEGISLATURE

We, the undersigned residents of Dutchess County, New York, urge our Dutchess County legislators to establish a voluntary small-donor public campaign financing system for candidates running for public office in Dutchess County. Democracy works best when all qualified candidates can run for office, when voters have more choice, and when representatives are responsive to their constituents.

NAME	ADDRESS	EMAIL ADDRESS	SIGNATURE
MEREDITH NOHAI	715 Waterbury Hill Rd		Meredith Nohai
MICHAEL Estremera	487 Waterbury Hill Rd		[illegible]
[illegible]	24 Galle		[illegible]
PAT SANTOMASINO	24 Galle Road		Pat Santomasino
DAVID B. McMann	317 Waterbury Hill		[illegible]
Helga Weiss	315 Barmore Rd		Helga Weiss
CHARLES Wellcome	131 OSWEGO RD		[illegible]
Kathleen Wellcome	131 Oswego Rd		Kathleen Wellcome
Joy Poskitt	18 Grangevale Rd		Joy Poskitt
MARIA T. DelCampo	19 Cooper Dr		[illegible]
Chris Cabral	36 South Smith Road		Chris Cabral
Mary Cabral	365 Smith Road		Mary Cabral
[illegible]	64 Cunningham Dr.		

LOCAL OHR AMALGAMATED LITHOGRAPHERS LABEL NEW YORK x1201

Submitted 10/9/18

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NAME	ADDRESS	EMAIL ADDRESS	SIGNATURE
Linda Ferguson-Salazar	276 Mennella Rd NY Poughquag 12570		Linda Ferguson-Salazar
William Harach	112 Still Rd Poughquag NY		William Harach
Carrie Caldiero	112 Still Rd, Poughquag, NY		Carrie Caldiero
Mariah Camp	2226 Clove Rd. Lagrangeville, NY		Mariah Camp
Diane Bandler	2060 Clove Rd LaGrangeville NY		Diane Bandler
Betty Renner	137 Old Cambry Rd Verbank		Betty Renner
JEFF RENNER	137 OLD CAMBY RD VERBANK		Jeff Renner
BILL COX	272 WEST CLOVE MTN. ROAD LAGRANGEVILLE		William E. Cox
James Cox	272 W Clove MTN RD Lagrangeville		James Cox
Olivia Psaras	332 W. Clove Mtn Union Valley		[illegible]
Thomas St. Onge	23 Bloomer Rd. LaGrangeville		Thomas St Onge
Maeve St Onge	23 Bloomer Rd LaGrangeville		Maeve St Onge
Sheila St. Onge	23 Bloomer Rd LaGrangeville		Sheila E St Onge

LOCAL ONE UNION AMALGAMATED LITHOGRAPHERS LABEL NEW YORK x1201

Submitted 10/9/18

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NAME	ADDRESS	EMAIL ADDRESS	SIGNATURE
Myrna Ross	2 SUN LA POK NY 12601	myrnaross@juno.com	MRoss
CAMILO GUILLEN	6 PAM LA POK NY 12601	cam_guillen@yahoo.com	[illegible]
Bobby Grace	278 Lye Lane WF NY 12590	[illegible]	[illegible]
Barbara Corona	7 Sherrywood Rd WF, NY 12590	barbarajcorona@gmail.com	Barbara J. Corona
Cindy Shumaker	249 OLD CASTLE PT W/F 12590	Roscoe0298@aol.com	[illegible]
PAMELA KANDEL	249 old Castle pt. Rd. WF, NY 12590	pkandel1003@aol.com	[illegible]
Donald PRZYTLER	10 ARBOR CT WAPPINGERS Falls NY 12590	Careerman070@HOTMAIL.COM	[illegible]
PAM PORATH	36 Shadowood Dr Hopewell Jct. 12533	pporath@optonline.net	[illegible]
MIKE PORATH	36 SHADOWOOD HOPEWELL JCT 12533	PPORATH@OPTONLINE.NET	[illegible]
Darrelyn Brennan	32 Spring Rd Poughkeepsie, NY 12601	darrelyn.topdems@gmail.com	Darrelyn Brennan
JAYA SRIKRISHNAN	33 SHERWOOD HEIGHTS WAPPINGERS FALLS NY	ERMABOM@GMAIL.COM	Jaya Srikrishnan
Linda Rappaport	201 Pine Ridge Dr. Wappingers Falls, NY 12590	alderlind@yahoo.com	Linda Rappaport
Samantha Iyengar	Swillow Ln Fishkill, NY	samantha.r.iyengar@gmail.com	[illegible]

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NAME	ADDRESS	EMAIL ADDRESS	SIGNATURE
William F. McCabe	81 Darren Rd, La Grangeville NY 12540	wmc1226@optonline.net	[signature]
Jennifer Morris	7 Bridge Street Beacon NY 12508	jennifermorrisgrows@gmail.com	[signature]
Sean Dague	33 Schyler Dr Poughkeepsie NY 12603	sean@dague.net	[signature]
Kevin Schwartzbach	7 Bridge Street Beacon, NY 12508	kjschwartzbach@gmail.com	[signature]
Linda Krug	12 Legion Rd. Poughkeepsie, NY 12601	lkrug@dutchessny.gov	[signature]
Caroline Fenner	42 Croft Rd. Poughkeepsie, NY 12603	mscarolinefenner@gmail.com	[signature]
Anne McCabe	81 Darren Rd. La Grangeville, NY 12540	amamc26@gmail.com	[signature]
Susan Hecht	6 Robin Lane Poughkeepsie NY 12603	skarneshecht@gmail.com	[signature]
Bintou Hinds	14 Hudson Heights Dr Poughkeepsie 12601	bintoudiouf@hotmail.com	[signature]
Cathy Schmiz	42 Ridgeview Rd Pok NY 12603	sectnet@hotmail.com	[signature]
Chris Goodwin	33 Schuyler Pkwy	goodwin@gmail.com	[signature]
Claudia Bertoli	167 Union St #2 Pok.	claudbertoli@gmail.com	[signature]
Hannah Long	48 Marshall St. Apt. 3 Poughkeepsie, NY 12601	HMLong7@gmail.com	Hannah Long

BEING A POUGHKEEPSIE BORN AND RAISED AND HAS NEVER LEFT THE KID IN ME THANKS TO ALL THE PARKS WHICH ARE PART OF MY UPBRINGING AND THEY ARE SLOWLY BEING ENCROACHED ELLIMINATED, WITH THE PUSH BY THE POWERS TO ACCOMMADATE THEIR POLITICAL FRIENDS!!! THIS BRINGS ME TO THIS FAST SHUFFLE WITH ALL THE BIG HITTERS AND THEN SOME STACKING C.C...CHAMBERS, AT SPECIAL MEETING, REGARDING TINKLEMAN WHEATON PARK. I SWAM, USED ITS PLAYGROUND, AND MY SISTER PLACED HER CHILD WHEN SHE WAS EMPLOYED AT IBM.AS MY UKRANIAN FRIEND SAID, AMERICA IS ONE OF THE MOST IMMORAL COUNTRIES OF THE WORLD, BUT IT DOES EVERYTHING LEGALLY. THIS BRINGS ME TO THJIS AMMIILIEOTIN ON WHEATON PARK TAKEN, IN LAYMAN TERMS, TAKEN PARK LARK FOR FRIENDS.FOR DEVELOPMENT, FAST FORWARD TO 21 CENTURY WHERE DEVELOPERS PACKED POUIGHKEEPSIE CITY HALL CHAMBERS. AT SPECIAL MEETING, PUSHING FOR PARLJAND AND IDA PILOT, SALES TAXES, MORTGAGE RELIEF. AS PER POJO ARTICLE, THE C, E, WIFE WORKS AS A CONSULTANT FOR THE DEVELOPER TINKLEMAN. FYI THE C.E. HAS NOT SIGNED BOTHCONFLICT OF INTERST DOCUMENTS! THE COUNTY IDA HAS A FUND BALANCE OF $7 MILLION WHICH IT DISPENCES MONIES AT WILL FOR PROJECTS THOUGHOUT THE COUNTY, INCLUDING POUGHKEEPSIE TO THIS DELAFIELD D.C. SENIOR CITIZEN FUTUE BUILDING. THE DEVELOPER UNDERBID THE RFP LEASE, AND HAD A WORK STOPPAGE. NO PILOT BUT THE OTHJER TWO, BUT THE RUMMOR IS THJE COUNTY IDA WILL PAY 50% OF SOMETHING, COULD BE THE MORTGAGE TAX.ANOTHER RECENTCITY IDA PROPERTY WAS GRAN TED THE TRIFECTA, AND WITH TWO COMMON COUNCIL MEMBERS REMOVED NECAUSE OF CONFLICT OF INTERST OF INTERST, I SEE A BIG MONIES FROM THE COUNTY HELPED FOR THIS MILLIONARES CLUB WITH HUNDRED OF THOUSANDS SUBSIDIZING THESE DEVELOPER. WHY DOESN'T THE COUNTY I.D.A. COMES INTO THE CITY DOESN'T LET THOSE ELECTED REPRESENTATIVES WHOSE DISTRICTS ARE EFFECTED ARE NOT NOTIFIED.

CONSTANTINE KAZOLIAS

47 NOXON STREET, POUGHKEEPSIE, N.Y.12601
DATE 10/16/18